

**VOLUME 3**

**JOURNAL**

**OF THE**

**HOUSE**

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**STATE OF MINNESOTA**

**SIXTY-NINTH SESSION**

**OF THE**

**LEGISLATURE**

**1976**

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**RAMALEY PRINTING COMPANY**



## STATE OF MINNESOTA

SIXTY-NINTH SESSION -- 1976

## FIFTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, JANUARY 27, 1976

The House convened at 12:00 noon and was called to order by the Speaker.

Prayer was offered by the Chaplain.

## ANNOUNCEMENT

Representative Claudia M. Meier of District No. 18A was united in marriage on August 29, 1975, to Martin Volk. Her name will appear in the journal and other House records henceforth as Representative Volk.

The roll was called and the following members were present:

Abeln	Doty	Kaley	Nelsen	Sieloff
Adams, L.	Eckstein	Kalis	Nelson	Simoneau
Adams, S.	Eken	Kelly, R.	Niehaus	Skoglund
Albrecht	Enebo	Kelly, W.	Norton	Smith
Anderson, G.	Erickson	Kempe, A.	Novak	Smogard
Anderson, I.	Esau	Kempe, R.	Osthoff	Spanish
Arlandson	Evans	Ketola	Parish	Stanton
Beauchamp	Ewald	Knickerbocker	Patton	Suss
Begich	Faricy	Knoll	Pehler	Swanson
Berg	Fjoslien	Kostohryz	Peterson	Tomlinson
Berglin	Forsythe	Kroening	Petrafaso	Ulland
Biersdorf	Friedrich	Kvam	Philbrook	Vanasek
Birnstihl	Fugina	Laidig	Pleasant	Vento
Braun	George	Langseth	Prahl	Volk
Brinkman	Graba	Lindstrom	Reding	Voss
Byrne	Hanson	Luther	Rice	Wenstrom
Carlson, A.	Haugerud	Mangan	St. Onge	Wenzel
Carlson, L.	Heinitz	Mann	Samuelson	White
Carlson, R.	Hokanson	McCarron	Sarna	Wieser
Casserly	Jacobs	McCauley	Savelkoul	Wigley
Clark	Jaros	McCollar	Schreiber	Williamson
Clawson	Jensen	McEachern	Schulz	Zubay
Corbid	Johnson, C.	Menning	Schumacher	Speaker Sabo
Dahl	Johnson, D.	Metzen	Setzepfandt	
Dean	Jopp	Moe	Sherwood	
DeGroat	Jude	Munger	Sieben, H.	
Dieterich	Kahn	Neisen	Sieben, M.	

A quorum was present.

Fudro, Lemke and Searle were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Vento the further reading was dispensed with and the Journal was approved as corrected.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced that the resignation of the following officer of the House of Representatives has been received and accepted:

Postmaster: William C. Elkington

#### ELECTION OF OFFICER

The name of Paige Q. Piper was placed in nomination for Postmaster by Kalis.

There being no further nominations, the Speaker declared the nominations closed.

The roll was called on the election of the Postmaster and the following members voted for Piper:

Abeln	Doty	Kalis	Nelsen	Sieloff
Adams, L.	Eckstein	Kelly, R.	Nelson	Simoneau
Adamh, S.	Enebo	Kempe, A.	Niehaus	Skoglund
Albrecht	Erickson	Kempe, R.	Norton	Smith
Anderson, I.	Esau	Ketola	Novak	Smogard
Arlandson	Evans	Knickerbocker	Osthoff	Spanish
Beauchamp	Ewald	Knoll	Patton	Suss
Begich	Faricy	Kostohryz	Pehler	Swanson
Berg	Fjoslien	Kroening	Peterson	Tomlinson
Berglin	Forsythe	Kvam	Petrafeso	Ulland
Biersdorf	Friedrich	Laidig	Philbrook	Vanasek
Birnstihl	Fugina	Langseth	Pleasant	Vento
Braun	Graba	Lindstrom	Prahl	Volk
Brinkman	Hanson	Luther	Reding	Voss
Byrne	Heinitz	Mangan	Rice	Wenstrom
Carlson, A.	Hokanson	Mann	St. Onge	Wenzel
Carlson, L.	Jacobs	McCarron	Samuelson	White
Carlson, R.	Jaros	McCauley	Sarna	Wieser
Clark	Jensen	McCollar	Savelkoul	Wigley
Clawson	Johnson, C.	McEachern	Schreiber	Williamson
Corbid	Johnson, D.	Menning	Schumacher	Zubay
Dahl	Jopp	Metzen	Setzepfandt	Speaker Sabo
Dean	Jude	Moe	Sherwood	
DeGroat	Kahn	Munger	Sieben, H.	
Dieterich	Kaley	Neisen	Sieben, M.	

The nominee, having received the vote of the majority of all members, was declared duly elected Postmaster.

#### OATH OF OFFICE

The oath of office was administered to the Postmaster-elect by the Speaker.

## REPORTS OF CHIEF CLERK

S. F. Nos. 407, 486, 1411, 1550, 1647, 459, 982, 1261, 1422, 90 and 454 have been placed in the members' files.

S. F. No. 866 and H. F. No. 250, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 250, page 1, line 14 to page 3, line 21 contains the following language:

"Section 1. Minnesota Statutes 1974, Chapter 299A, is amended by adding a section to read:

[299A.02] [DEPARTMENTAL ORGANIZATION.] *Subdivision 1. The department shall consist of the divisions of capitol security, criminal apprehension, driver's license, emergency services, fire marshal, liquor control, motor vehicle, and state patrol.*

*Subd. 2. The commissioner may create additional divisions and may transfer duties, functions, and personnel among divisions as he deems necessary.*

Sec. 2. Minnesota Statutes 1974, Section 340.08, Subdivision 1, is amended to read:

340.08 [LIQUOR CONTROL DIRECTOR.] Subdivision 1. (THE OFFICE OF LIQUOR CONTROL COMMISSIONER IS HEREBY ESTABLISHED, AND THE LIQUOR CONTROL COMMISSIONER, WHO SHALL BE IN UNCLASSIFIED SERVICE, SHALL BE APPOINTED BY THE GOVERNOR, BY AND WITH THE CONSENT AND ADVICE OF THE SENATE, FOR A TERM OF FOUR YEARS WHICH SHALL COINCIDE WITH THE TERM OF THE GOVERNOR UNTIL HIS SUCCESSOR IS DULY APPOINTED AND HAS QUALIFIED. THE GOVERNOR MAY REMOVE THE COMMISSIONER AT ANY TIME FOR CAUSE AFTER NOTICE AND HEARING. HE SHALL BE A CITIZEN OF THIS STATE AND A RESIDENT THEREOF FOR NOT LESS THAN FIVE YEARS PRECEDING HIS APPOINTMENT AND) *There is established within the department of public safety a division of liquor control. The commissioner of public safety shall appoint a division director, who shall serve at the pleasure of the commissioner in the unclassified service and shall have no direct or indirect financial interest in the manufacture, transportation, or sale of intoxicating liquor or any malt or vinous beverages, intoxicating or non-intoxicating, or commercial or industrial alcohol. (IN CASE OF A VACANCY, THE GOVERNOR MAY APPOINT A COMMISSIONER, WHO SHALL IMMEDIATELY TAKE OFFICE AND SHALL CARRY ON THE DUTIES OF THE OFFICE UNTIL THE NEXT SESSION OF THE LEGISLATURE, WHEN HIS APPOINTMENT SHALL BE*

SUBMITTED TO THE SENATE FOR APPROVAL ON JANUARY 1, 1971, THE TERM OF THE INCUMBENT LIQUOR CONTROL COMMISSIONER SHALL EXPIRE) *The commissioner of public safety may delegate any of his powers or duties in the administration and enforcement of this chapter to the director. All references to the liquor control commissioner in this chapter or in any other law shall be construed as references to the commissioner of public safety, acting through his duly appointed director of liquor control.*

Sec. 3. Minnesota Statutes 1974, Section 340.08, Subdivision 2, is amended to read:

Subd. 2. It shall be the duty of the (GOVERNOR) *commissioner of public safety* to remove the *director of liquor control* (COMMISSIONER) for any violation of the intoxicating liquor act. (A RECORD OF THE CHARGES, PROCEEDINGS, AND FINDINGS THEREON SHALL BE FILED IN THE OFFICE OF THE GOVERNOR.)

Sec. 4. Minnesota Statutes 1974, Section 340.09, Subdivision 1, is amended to read:

340.09 [PUBLIC SAFETY COMMISSIONER; POWERS.] Subdivision 1. (THE PRINCIPAL OFFICE OF THE LIQUOR CONTROL COMMISSIONER SHALL BE IN THE CITY OF SAINT PAUL. HE) *The commissioner of public safety may appoint (A SECRETARY AND SUCH INSPECTORS, CLERKS, AND OTHER ASSISTANTS) such employees as he may require to administer this chapter. All employees of the commissioner shall be in the classified service. He shall set up an adequate system for the administration of the provisions of chapter 340, and have supervision over and power to regulate all forms of advertising and display of liquors as provided in section 340.15."*

Whereas S. F. No. 866 does not contain this language. S. F. No. 866, page 1, line 13 to page 3, line 18 contains the following language:

"Section 1. Minnesota Statutes 1974, Section 299A.01, Subdivision 3, is amended to read:

Subd. 3. (SUBJECT TO THE PROVISION OF LAWS 1969, CHAPTER 1129, AND TO OTHER APPLICABLE LAWS THE COMMISSIONER SHALL ORGANIZE THE DEPARTMENT AND EMPLOY SUCH OTHER OFFICERS, EMPLOYEES, AND AGENTS AS HE MAY DEEM NECESSARY TO DISCHARGE THE FUNCTIONS OF HIS DEPARTMENT, DEFINE THE DUTIES OF SUCH OFFICERS, EMPLOYEES, AND AGENTS AND TO DELEGATE TO THEM ANY OF HIS POWERS, DUTIES, AND RESPONSIBILITIES SUBJECT TO HIS CONTROL AND UNDER SUCH CONDITIONS AS HE MAY PRESCRIBE. APPOINTMENTS TO EXERCISE DELE-

GATED POWER SHALL BE BY WRITTEN ORDER FILED WITH THE SECRETARY OF STATE.) No (SUCH) delegation or assignment of a power or duty by the commissioner to an employee of the department shall be made in respect to, or in a manner resulting in a reenactment of, the powers, duties or responsibilities contained in section 299C.03, and acts amendatory thereof, except to the division of the bureau of criminal apprehension. (OFFICERS,) Employees (, AND AGENTS) of the department of public safety are in the classified (SERVICE OF THE STATE) civil service except where otherwise specifically provided for by law.

Sec. 2. Minnesota Statutes 1974, Chapter 299A, is amended by adding a section to read:

[299A.02] [COMMISSIONER OF PUBLIC SAFETY; LIQUOR CONTROL FUNCTIONS.] *Subdivision 1. [DIRECTOR OF DIVISION OF LIQUOR CONTROL.] No employee of the department of public safety having any responsibility for the administration or enforcement of chapter 340 shall have a direct or indirect interest in the manufacture, transportation or sale of intoxicating liquor or any malt or vinous beverages, intoxicating, non-intoxicating, or commercial or industrial alcohol. The commissioner shall remove an employee of the department in the unclassified civil service for any violation of sections 340.02, 340.031 to 340.036, 340.11 to 340.19, 340.355 to 340.357, 340.402 to 340.408, 340.44 to 340.493, 340.53 to 340.56, 340.601 to 340.62, or 340.70 to 340.983. Violation of the preceding sections by a classified employee of the department shall be grounds for removal of that employee pursuant to section 43.24.*

*Subd. 2. [GENERAL POWERS.] The commissioner shall administer and enforce the provisions of chapter 340 except for those provisions thereof for which administration and enforcement are reserved to the commissioner of revenue.*

*Subd. 3. [REPORTS; RULES.] The commissioner shall have power to require periodic factual reports from all licensed importers, manufacturers, wholesalers and retailers of intoxicating liquors and to make all reasonable rules to effect the object of chapter 340. The rules shall include provisions for assuring the purity of intoxicating liquors and the true statement of its contents and proper labeling thereof with regard to all forms of sale.*

*Subd. 4. [SUBPOENAS.] In all matters relating to his official duties, the commissioner shall have the powers possessed by courts of law to issue subpoenas and cause them to be served and enforced. All public officials, and their respective deputies and employees, and all individuals, partnerships, firms, corporations, incorporated and unincorporated associations, and others who manufacture, transport, or sell intoxicating liquor, or are connected therewith in any manner, shall at all times attend and*

*answer under oath the commissioner's lawful inquires, produce and exhibit such books, accounts, documents and property as he may desire to inspect, and in all things aid him in the performance of his duties."*

Whereas H. F. No. 250 does not contain this language. H. F. No. 250, page 4, lines 1 to 3 contain the following:

"((4) "COMMISSIONER" MEANS THE LIQUOR CONTROL COMMISSIONER;)

((5)) (4) "Fermented malt beverages" means any fermented".

Whereas S. F. No. 866, page 3, lines 30 to 32 read as follows:

"(4) "Commissioner" means the (LIQUOR CONTROL) commissioner of *public safety*;

(5) "Fermented malt beverages" means any fermented malt".

H. F. No. 250, page 6, lines 19 and 20 read:

"Sec. 9. *The department and the position of the commissioner of liquor control as heretofore constituted are*".

Whereas S. F. No. 866, page 6, lines 16 and 17 read:

"Sec. 7. *The office of liquor control commissioner as heretofore constituted is hereby abolished. All powers and*".

H. F. No. 250, page 6, lines 22 to 24 read: "*liquor control commissioner are transferred to the commissioner of public safety and the commissioner of revenue.*".

Whereas S. F. No. 866, page 6, lines 18 to 21 read in part: "*liquor control commissioner are transferred to the commissioner of public safety except for the duties specified in sections 4 to 6 which are transferred to the commissioner of revenue.*".

H. F. No. 250, page 6, lines 26 to 29 read: "*deemed to be the successors of the commissioner and the department of liquor control and the matters within the jurisdiction of the former commissioner and department and shall not be deemed a new authority.*".

Whereas, S. F. No. 866, page 6, lines 23 to 25 read: "*deemed to be the successors of the liquor control commissioner and the matters within the jurisdiction of the former commissioner and shall not be deemed a new authority.*".

H. F. No. 250, page 7, line 1 reads: "*safety and of revenue and may be completed by them.*".

Whereas S. F. No. 866, page 6, lines 29 and 30 read: "*safety and of revenue as appropriate and may be completed by them.*".

H. F. No. 250, page 7, line 12 reads: "*commissioner of finance shall allocate the position between*".

Whereas S. F. No. 866, page 7, line 9 reads: "*commissioner of administration shall allocate each position*".

H. F. No. 250, page 7, line 18 reads: "*December 31, 1976, make specific written recommendations to*".

Whereas S. F. No. 866, page 7, line 15 reads: "*December 31, 1975, make specific written recommendations to*".

S. F. No. 866, page 7, lines 22 to 28 contain the following:

"Sec. 11. [REVISOR'S INSTRUCTIONS.] *In the next and subsequent editions of Minnesota Statutes, the revisor shall change the references from the department of liquor control and the liquor control commissioner to the commissioner of public safety or, in the case of the transfers of functions under sections 4 to 6, to the commissioner of revenue consistent with this act.*"

Whereas H. F. No. 250 does not contain this language.

H. F. No. 250, page 7, lines 25 to 27 read:

"Sec. 13. *Minnesota Statutes, Sections 340.08, Subdivision 3; 340.401, Subdivision 7; 340.485, Subdivision 4; and 340.491, are repealed.*"

Whereas S. F. No. 866, page 7, lines 29 to 31 read:

"Sec. 12. *Minnesota Statutes, Sections 299A.01, Subdivision 4; 340.08; 340.09; 340.485, Subdivision 4; and 340.491, are repealed.*"

Further, the title of H. F. No. 250, line 4 reads: "*powers and duties thereof to the departments of*".

Whereas, line 4 of the title of S. F. No. 866 reads: "*powers and duties thereof to the commissioners of*".

H. F. No. 250, page 1, lines 7 to 12 read: "*Sections 340.08, Subdivisions 1 and 2; 340.09, Subdivision 1; 340.44; 340.47, Subdivision 2; 340.485, Subdivision 1; and 340.492; repealing Minnesota Statutes 1974, Sections 340.08, Subdivision 3; 340.401, Subdivision 7; 340.485, Subdivision 4; and 340.491.*"

Whereas S. F. No. 866, page 1, lines 7 to 11 read: "Sections 299A.01, Subdivision 3; 340.44; 340.47, Subdivision 2; 340.485, Subdivision 1; and 340.492; repealing Minnesota Statutes 1974, Sections 299A.01, Subdivision 4; 340.08; 340.09; 340.485, Subdivision 4; and 340.491."

#### SUSPENSION OF RULES

Metzen moved that the rules be so far suspended that S. F. No. 866 be substituted for H. F. No. 250 and that the House File be indefinitely postponed. The motion prevailed.

#### REPORTS OF STANDING COMMITTEES

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

H. F. No. 1437, A bill for an act relating to energy; providing for certain restrictions on the use of energy in this state; requiring disclosure of energy consumption data in the sale of certain goods; establishing an energy research and development program; authorizing loans for improving home heating efficiency; prescribing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 116H.02, by adding subdivisions; 116H.12, by adding a subdivision; 462A.02, by adding a subdivision; 462A.03, by adding a subdivision; 462A.05, by adding a subdivision; and Chapter 116H, by adding sections.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Section 116H.02, is amended by adding a subdivision to read:

*Subd. 10. "Decorative gas lamp" means a device installed for the purpose of producing illumination by burning natural, mixed, or LP gas and utilizing either a mantle or an open flame, but does not include portable camp lanterns or gas lamps used to supply light for the interior of camp trailers or cabins not served by an electric utility.*

Sec. 2. Minnesota Statutes 1974, Section 116H.12, is amended by adding subdivisions to read:

*Subd. 3a. Beginning six months after the effective date of this section, no person shall install or use a decorative gas lamp in Minnesota except as provided in subdivision 3b. All natural gas utilities and LP gas distributors doing business in Minnesota shall notify each of their customers of such prohibition, in writing, at least 90 days prior to such deadline. The Minnesota energy*

agency shall notify all natural gas utilities and LP gas distributors of this requirement and of the entire form and contents of such notice within 30 days of the effective date of this act. When a natural gas utility or LP gas distributor has reason to believe a customer may be in violation of this section, the name and address of the customer shall be provided by the utility or distributor to the director of the Minnesota energy agency.

*Subd. 3b. Upon the showing of hardship, the director of the Minnesota energy agency may grant a variance not to exceed a period of three years following the effective date of this act.*

Sec. 3. Minnesota Statutes 1974, Chapter 116H, is amended by adding a section to read:

[116H.121] [ENERGY CONSERVATION IN PUBLIC SCHOOLS.] *Subdivision 1. The commissioner of administration, after consultation with the director of the Minnesota energy agency and the commissioner of education and within one year of the effective date of this act, shall establish rules and regulations pursuant to chapter 15 for heat loss, illumination and climate control standards for existing public school buildings to accomplish energy conservation. For the purposes of this section, public school buildings shall mean any school building which is owned and operated by a school district. The standards shall be economically feasible in that the resultant savings in energy procurement costs shall exceed the cost of the energy conservation measures amortized over the remaining useful life of the building.*

*Subd. 2. The commissioner of education after consultation with the director of the Minnesota energy agency and not later than one year after the effective date of this act shall analyze the reports required under Minnesota Statutes, Section 120.78, and report to the legislature on the energy efficiency of public school buildings including the recommendations of the commissioner of education and the director of the Minnesota energy agency.*

*Subd. 3. It is the intent of the legislature to use the standards developed in subdivision 1 and the information required in subdivision 2 to develop an energy conservation program in existing public school buildings. It is also the intent of the legislature that the state shall participate in the financing of energy conservation in public school buildings.*

Sec. 4. Minnesota Statutes 1974, Chapter 116H, is amended by adding a section to read:

[116H.122] [ENERGY CONSERVATION IN STATE OWNED BUILDINGS.] *The commissioner of administration, in cooperation with the director of the Minnesota energy agency, shall survey all buildings owned by the state of Minnesota, in-*

cluding buildings and associated facilities of the university of Minnesota, the state university system, the state fairgrounds as defined in section 37.01, and the Minnesota historical society building, to determine the energy savings that can be accomplished through insulation, climate control or illumination modifications, or changes in building structures and systems. If the commissioner determines that a modification is economically feasible, in that savings in fuel procurement costs will exceed the cost of the modification amortized over the remaining useful life of the building, he shall implement the modification in a manner designed to maximize the reduction in costs resulting from the modification.

Sec. 5. Minnesota Statutes 1974, Chapter 116H, is amended by adding a section to read:

[116H.123] [AIR CONDITIONER EFFICIENCY.] *Subdivision 1. The director of the Minnesota energy agency shall, after public hearings pursuant to chapter 15, promulgate standards setting forth the minimum energy efficiency ratio for room air conditioners sold in the state.*

*Subd. 2. Six months following adoption of the standard, no new or factory reconditioned room air conditioner shall be sold or offered for sale in the state unless it satisfies the minimum energy efficiency ratio adopted by the Minnesota energy agency.*

*Subd. 3. The director may adopt regulations requiring that a new or factory reconditioned room air conditioner displayed for sale in this state shall have affixed in a conspicuous location a tag or label setting forth the energy efficiency ratio of the unit.*

*Subd. 4. When adopting regulations to implement this section the director shall, whenever practicable and reasonable, utilize testing methods and procedures and appliance labels which are consistent with similar federal programs.*

Sec. 6. Minnesota Statutes 1974, Chapter 116H, is amended by adding a section to read:

[116H.124] [FUEL ECONOMY DISCLOSURE.] *Subdivision 1. After July 1, 1976 no new passenger automobile or station wagon as defined in Minnesota Statutes, Section 168.011, or light duty truck tested by the United States environmental protection agency shall be delivered to a location in Minnesota for sale in Minnesota unless a label is affixed stating fuel economy information as provided in subdivision 2.*

*Subd. 2. A label shall be affixed to the window of the vehicle in close proximity to the price sticker and shall state the estimated specific fuel economy of the vehicle under ordinary city and highway driving conditions as determined by the United States environmental protection agency. Such label shall also*

state that driving habits and other factors may influence the actual fuel economy obtained.

*Subd. 3. If the specific fuel economy of a vehicle is not tested by the United States environmental protection agency, the label shall state the numerical values found by the United States environmental protection agency to be a general average for all vehicles in a similar weight class.*

*Subd. 4. This section shall not apply to a passenger automobile, station wagon or light duty truck which is not tested by the United States environmental protection agency for fuel economy.*

*Subd. 5. In the event that a vehicle is available for delivery to a location in Minnesota for sale in Minnesota prior to the availability of the required fuel economy data, a temporary label may be affixed to the window of the vehicle in close proximity to the price sticker stating that the fuel economy of the vehicle is being tested by the United States environmental protection agency and further stating that the results of such test will be available in the near future; provided that no later than 20 days following availability of the required fuel economy data from the United States environmental protection agency, the manufacturer of a vehicle to which the requirements of this section apply shall provide the dealer with the required permanent label. The dealer shall replace the temporary label with the permanent label within ten days following receipt of the permanent label.*

*Subd. 6. Any person other than a manufacturer who knowingly violates this section or removes a required label before sale is subject to a fine not to exceed \$50 for each offense. Any manufacturer who violates this section shall be guilty of a misdemeanor. Each day of violation is a separate offense.*

*Subd. 7. The director of the Minnesota energy agency shall make every effort to ensure that the public understands the fuel economy labeling program including but not limited to the distinction between the general and specific fuel economy labels.*

Sec. 7. Minnesota Statutes 1974, Chapter 116H, is amended by adding a section to read:

[116H.131] [ENERGY RESEARCH AND DEVELOPMENT PROGRAM.] *Subdivision 1. The director of the Minnesota energy agency shall make grants to qualified applicants for research studies and demonstration projects of alternative energy systems and methodologies including:*

(a) *Solar energy systems for heating and cooling;*

(b) *Energy systems using wind, agricultural wastes, forestry products, peat, and other nonconventional energy resources;*

(c) *Devices and technologies increasing the energy efficiency of energy consuming appliances, equipment, and systems; and*

(d) *Such other projects as the director deems appropriate and of direct benefit to Minnesota and other states of the upper midwest.*

*Subd. 2. [DUTIES OF THE DIRECTOR.] The director shall establish research priorities, analyze grant applications, and determine which proposals are to be funded.*

*The director may actively promote the program of grants established by this section; solicit research proposal applications; conduct a program of contests with prizes to encourage energy related inventions; sponsor educational fairs; and conduct such other activities as deemed appropriate.*

*The director shall prepare an annual report for the governor and the legislature.*

Sec. 8. Minnesota Statutes 1974, Chapter 116H, is amended by adding a section to read:

[116H.125] [OPEN FLAME PILOT LIGHTS.] *Subdivision 1. After December 31, 1977 and as provided in subdivision 2, open flame pilot lights shall be prohibited on new appliances sold or offered for sale in Minnesota.*

*Subd. 2. The director of the Minnesota energy agency shall, pursuant to chapter 15, promulgate rules necessary to implement this section. The director shall have discretionary authority to exclude an appliance from the above prohibition if the director determines that alternatives to open flame pilot lights are technically unreasonable.*

Sec. 9. [APPROPRIATIONS.] *The sum of \$2,000,000 is appropriated from the general fund to the department of administration for the purposes of section 4. The sum of \$1,000,000 is appropriated from the general fund to the Minnesota energy agency for the purposes of section 7.*

Sec. 10. [REPEALER.] *Laws 1974, Chapter 307, Section 19, is repealed.*

Sec. 11. [EFFECTIVE DATE.] *This act takes effect on the day following its final enactment."*

Further amend the title as follows:

Page 1, delete lines 4 to 14 and insert the following: "prohibiting the use of certain gas lamps; requiring energy conservation standards for public school buildings; requiring an energy

audit of state owned buildings; prohibiting sale of certain air conditioners; providing for fuel economy disclosure; authorizing energy research and development grants; prohibiting certain open flame pilot lights; appropriating money; amending Minnesota Statutes 1974, Sections 116H.02, by adding a subdivision; 116H.12, by adding subdivisions; and Chapter 116H, by adding sections; repealing Laws 1974, Chapter 307, Section 19.”.

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

The report was adopted.

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

H. F. No. 1702, A bill for an act relating to protection of the environment; prohibiting the distribution or sale of certain fluorocarbons within the state; providing penalties.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [116D.21] [OZONE LAYER PRESERVATION.] Subdivision 1. The legislature finds that the discharge of specified chlorofluorocarbon compounds depletes the ozone layer in the stratosphere which protects the earth from harmful ultraviolet radiation from the sun and that this depletion has a deleterious effect on human health, climate, biological systems, and agriculture.

Subd. 2. Except as provided by subdivision 4, after March 1, 1978, no person shall sell or offer for sale in this state any pressurized container which contains as a propellant trichloromonofluoromethane, difluorodichloromethane, dichlorotetrafluoroethane, or any other saturated chlorofluorocarbon compound or other similar inert fluorocarbon compound that does not contain reactive carbon hydrogen bonds.

Subd. 3. Commencing six months after the effective date of this act, no person shall sell or offer for sale in this state a pressurized container using any of the propellants listed in subdivision 2, which container does not include in its labelling the words “fluorocarbon propellant” and which does not prominently display a warning that the propellant may cause harm to health and the environment.

Subd. 4. Nothing in this section shall be construed to prohibit the sale or use of refrigeration equipment containing chlorofluorocarbon compounds, or the sale of chlorofluorocarbon compounds for use in such equipment. This section shall not

apply to the sale of chlorofluorocarbon compounds for medical use by or under the supervision of a licensed physician, hospital or health care institution.

Subd. 5. A violation of this section is a misdemeanor.

Sec. 2. This act is effective the day following its final enactment."

Further, amend the title by deleting it in its entirety and inserting the following:

"A bill for an act relating to protection of the environment; prohibiting sale of pressurized containers using certain chlorofluorocarbon propellants; requiring warning labels; prescribing penalties."

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

H. F. No. 1828, A bill for an act relating to industrial loan and thrift companies; requiring approval of name by commissioner of banks; regulating renewals of loans and refunds of interest or discounts; amending Minnesota Statutes 1974, Sections 53.03, by adding a subdivision; 53.04; and 53.07.

Reported the same back with the following amendments:

Page 1, delete lines 22 to 24.

Delete all of pages 2 and 3.

Page 4, delete lines 1 to 31 and insert:

"Sec. 2. Minnesota Statutes, 1975 Supplement, Section 53.04, is amended to read:

53.04 [SPECIAL POWERS.] *Subdivision 1.* [GENERAL.] Industrial loan and thrift companies, in addition to the general and usual powers incidental to ordinary corporations in this state, which are not specifically restricted in this chapter, shall have the (FOLLOWING) special powers *enumerated in subdivisions 2 to 6*, which powers must be set forth in their articles of incorporation or amendments thereto (:).

((1)) *Subd. 2.* [DISCOUNTS; PURCHASES.] The right to discount or purchase notes, bills of exchange, acceptances or other choses in action (:).

(2) *Subd. 3.* [LOANS.] The right to loan money upon the security of co-makers, personal chattels or other property, exclusive of real estate, for a period not to exceed 60 months; to deduct in advance interest on such loans for the full period of such loans at a rate not in excess of eight percent discount per annum for loans which provide for a repayment period not exceeding 36 months; seven and three-fourths percent discount per annum for loans which provide for a repayment period exceeding 36 months but not exceeding 42 months; seven and one-half percent discount per annum for loans which provide for a repayment period exceeding 42 months but not exceeding 48 months; seven and one-fourth percent discount per annum for loans which provide for a repayment period exceeding 48 months but not exceeding 54 months; seven percent discount per annum for loans which provide for a repayment period exceeding 54 months but not exceeding 60 months; to require as a condition to the making of such a loan that the borrower purchase and pledge with the company, as security for the loan, a certificate of indebtedness of the company in the same amount as the loan secured thereby, providing for payments in equal weekly, bi-weekly, or monthly installments, with or without interest, extending over substantially the period of the loan, payments thereon not to be construed as payments on the loan secured thereby; to charge for a loan exceeding \$50 made pursuant to this subdivision, \$1 for each \$50, or fraction thereof, loaned, for expenses, including any examination or investigation of the character and circumstances of the borrower, co-maker or security, and drawing and taking the acknowledgement of necessary papers, filing fees, or other expenses incurred in making the loan; provided, that no such charge shall be made on that portion of a loan in excess of \$2,000 and no such charge shall be collected unless a loan shall have been made. The full amount of the investigation charge authorized by this section shall be fully earned at the time a loan is made without regard to the expenses incurred and shall not be deemed interest, provided, however, if a loan for which an investigation charge was made is renewed within twelve months from the date of the loan, then one-twelfth of such investigation charge shall be deemed earned for each month or portion thereof from the date of the loan to the date of renewal, and the balance thereof shall be refunded to the borrower. A loan shall be deemed to be renewed at the time the loan is paid in full if any part of such payment is made out of the proceeds of another loan from the same or an affiliated lender. The borrower may repay the entire balance of such loan at any time before maturity and upon such prepayment the industrial loan and thrift company shall forthwith refund to the borrower a portion of the interest or discount. The amount of such refund shall represent at least as great a proportion of the total interest or discount as the sum of the periodical time balances after the date of prepayment bears to the sum of all the periodical time balances under the schedule of payments in the original loan contract. *When that portion of the interest or discount required to be refunded to the borrower amounts to less than \$1 no refund need be made.*

For the purpose of calculating such refunds, the commissioner of banks shall furnish a chart giving effect hereto for the use of such companies, which chart shall be followed in calculating refunds( ;).

((3)) *Subd. 4.* [HANDLING CHARGES.] To impose a handling charge of five cents for each default in the payment of \$1, or fraction thereof, at the time any periodical installment on a certificate of indebtedness assigned as collateral security for the payment of a loan made pursuant to the foregoing provisions becomes past due for ten days or more; provided, that this handling charge may be collected only once on an installment however long it remains in default; and that the handling charge on any installment shall not exceed \$5. Such handling charge may be collected when due or at any time thereafter; for the purpose of this paragraph, payments shall be applied first to the immediately preceding installment due and then to prior delinquent installments.

((4)) *Subd. 5.* [CERTIFICATES OF INDEBTEDNESS.] The right, with the consent of the department of commerce, to sell and issue for investment or to be pledged as security for a loan made contemporaneously therewith or otherwise, certificates of indebtedness, under any descriptive name, which may bear such interest, if any, as their terms may provide, and which may require the payment to the company of such amounts, from time to time as their terms may provide, and permit the withdrawal of amounts paid upon the same, in whole or in part, from time to time, and the credit of amounts thereon upon such conditions as may be set forth therein; and no such certificate of indebtedness shall have a surrender value which is less than the total amount paid to the company therefor( ; AND).

((5)) *Subd. 6.* [SURRENDER OF CERTIFICATE.] Upon the maturity of a note, the borrower may, at his option, surrender the certificate of indebtedness pledged to secure the same, in which event the amounts, if any, paid on the certificate of indebtedness, less such handling charges as are authorized by this chapter, shall be applied to reduce the balance owing on the note.”.

Further amend the title as follows:

Line 7, delete “53.04;”.

Line 7, after “53.07” insert “; and Minnesota Statutes, 1975 Supplement, Section 53.04”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

H. F. No. 1829, A bill for an act relating to insurance; regulation of insurance premium finance companies; maintenance of records; charging examination fees; requiring reports; amending Minnesota Statutes 1974, Section 59A.06.

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

The report was adopted.

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

H. F. No. 1767, A bill for an act relating to bingo; providing penalties; repealing Minnesota Statutes 1974, Chapter 349.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [POLICY.] *The purpose of this act is to closely regulate and control the conduct of the game of bingo and to prohibit commercialization of bingo.*

Sec. 2. [DEFINITIONS.] *In this act:*

(1) "Active member" means a member who has paid all his dues to the organization and has been a member of the organization for at least six months.

(2) "Bingo" means a game where each player has a card or board containing five horizontal rows, all but the central one containing five figures. The central row has four figures with the word "free" marked in the center thereof. Any preannounced combination of spaces when completed by a player constitutes "bingo". In the absence of a preannouncement of a combination of spaces, any combination of five in a row, either vertical, horizontal or diagonal, constitutes "bingo".

(3) "Bingo occasion" means a single gathering or session at which a series of one or more successive bingo games is played.

(4) "Checker" means a person who records the number of bingo cards purchased and played during each game and records the prizes awarded to the recorded cards, but does not collect the payment for the cards.

(5) "Lawful purpose" means one or more of the following:  
(a) benefiting persons by enhancing their opportunity for reli-

gious or educational advancement, by relieving or protecting them from disease, suffering or distress, by contributing to their physical well-being, by assisting them in establishing themselves in life as worthy and useful citizens, or by increasing their comprehension of and devotion to the principles upon which this nation was founded; (b) initiating, performing, or fostering worthy public works or enabling or furthering the erection or maintenance of public structures; (c) lessening the burdens borne by government or voluntarily supporting, augmenting or supplementing services which government would normally render to the people; or (d) the improvement, expansion, maintenance or repair of real property owned or leased by an organization.

"Lawful purpose" does not include the erection or acquisition of any real property, unless the local unit of government specifically authorizes the expenditures after finding that the property will be used exclusively for one or more of the purposes specified in this clause.

(6) "Local unit of government" means the city or town in which bingo is proposed to be played or is played or, if there is no city or town, the county in which bingo is proposed to be played or is played.

(7) "Organization" means any fraternal, religious, veterans, or other nonprofit organization.

(8) "Profit" means the gross receipts collected from one or more bingo occasions, less reasonable sums necessarily and actually expended for bingo supplies and equipment, prizes, rent, and utilities used during the bingo occasions, bingo license fees, taxes related to bingo, and other expenses permitted by this act.

(9) "Bingo manager" means a member who has paid all his dues to the organization and has been a member of the organization for at least two years and has been designated by an organization to supervise bingo occasions conducted by it.

Sec. 3. [NOT GAMBLING IF ORGANIZATION CONDUCTS BINGO.] Bingo shall not be construed as a lottery or as gambling within the meaning of sections 609.75 to 609.76 if it is conducted by an organization in compliance with this act.

Sec. 4. [ORGANIZATION MAY CONDUCT BINGO; LICENSE.] An organization may conduct bingo occasions if it has been in existence for at least three years, has at least 30 active members, has a license to conduct bingo from the local unit of government and complies with sections 5 to 11 of this act.

Sec. 5. [USE OF PROFITS.] Profits from a bingo occasion shall be expended only for lawful purposes after being authorized at a regular meeting of the organization.

Sec. 6. [LOCAL REGULATION.] *Subdivision 1.* A local unit of government may by resolution of its governing body regulate or ban the conduct of bingo by organizations. All regulations shall be deemed to include and shall not be inconsistent with the provisions of this act. Prior to promulgating bingo regulations or issuing a bingo license, the local unit of government shall consult with the local building inspector, if any, and the fire and police authorities. A local unit of government which permits bingo but has not adopted regulations shall be deemed to have adopted the provisions of this act as its regulations. A local unit of government may amend its regulations.

*Subd. 2.* The local unit of government shall act on a new bingo license application within 180 days from the date of application, but shall not issue a license until at least 30 days after the date of application. A license shall be valid for one year, and may be suspended or revoked by the issuing authority for violation of this act or of any local ordinance relating to bingo.

*Subd. 3.* Each year the local unit of government shall allocate an amount of money at least equal to the lesser of \$25,000 or 25 percent of the amount it collected and retained from bingo fees, bingo licenses, and bingo taxes in the preceding year for the supervision, regulation and inspection of bingo.

Sec. 7. [CONDUCT OF BINGO.] *Subdivision 1.* No compensation shall be paid to any person in connection with a bingo occasion except an active member of the organization, or its auxiliary, or the spouse or surviving spouse of an active member, conducting the bingo occasion nor shall any person not an active member of the organization or its auxiliary or the spouse or surviving spouse of an active member participate in the conduct of a bingo occasion. Compensation shall not exceed \$12 for a bingo occasion.

*Subd. 2.* No more than 104 bingo occasions each year and two bingo occasions each week shall be conducted by any organization, except that the local unit of government issuing the license may permit additional bingo occasions to be conducted by an organization. A bingo occasion shall not continue for more than four consecutive hours.

*Subd. 3.* Any person or corporation other than an organization, which owns a premise which it leases or rents directly to two or more organizations for the purpose of conducting bingo occasions, shall not allow more than four bingo occasions to be conducted on the premise in any week.

Any organization which rents any premise which it owns or leases, to one or more other organizations for the purpose of conducting bingo occasions shall use the proceeds of the rental, less reasonable sums for maintenance, furnishings and other necessary expenses, only for lawful purposes as defined in section 2 of

*this act. Not less than once each year the organization shall report to the licensing authority the disposition of all receipts which it has received during the reporting period from the rental of its facilities to other organizations for the purpose of conducting bingo occasions.*

*Subd. 4. Prizes for a single bingo game shall not exceed \$100, except that not more than once during each bingo occasion, a game of the type commonly known as a "cover-all" game may be played for a prize not to exceed \$500. The aggregate value of prizes for a bingo occasion shall not exceed \$1,500 except that in the case of a bingo occasion during which a "cover-all" game is played for a maximum prize of more than \$100 but not more than \$500, the aggregate value of prizes for the bingo occasion shall not exceed \$2,000. Merchandise prizes shall be valued at fair market retail value.*

*Subd. 5. No organization shall permit a person under the age of 18 to participate in the conduct of a bingo occasion.*

*Subd. 6. No expense shall be incurred or amounts paid in connection with the conduct of bingo, except those reasonably expended for bingo supplies and equipment, prizes, rent, or utilities used during the bingo occasion, bingo license fees, taxes related to bingo, and compensation to active members who conduct the game.*

*Subd. 7. Each bingo winner shall be determined and every prize shall be awarded and delivered the same day on which the bingo occasion is conducted.*

*Subd. 8. All bingo occasions shall be under the supervision of a bingo manager who shall be responsible for the conduct of the bingo occasion in compliance with all applicable laws and ordinances.*

*Subd. 9. No person shall act as a bingo manager for more than one organization.*

*Subd. 10. The organization shall designate a bingo manager to be responsible for gross receipts and profits from bingo. The person shall give a fidelity bond in a penal sum of \$10,000 in favor of the organization conditioned on the faithful performance of his bingo duties and compliance with bingo laws by the organization. The terms of such bond shall provide that notice shall be given in writing to the local unit of government not less than 30 days prior to its cancellation.*

*Subd. 11. No organization shall lease a premise with rental payments based on a percentage of receipts or profits from bingo occasions. Leases shall be for a term at least equal to the remainder of the term of the bingo license of the leasing organization.*

*Rent shall be at a fixed monthly rate, or rate per bingo occasion, not subject to change during the term of the lease.*

Sec. 8. [RECORDING PLAYERS AND RECEIPTS.] *One or more checkers shall be engaged for each bingo occasion. The checker or checkers shall record the number of cards played in each game prior to the completion of each game and record the prizes awarded to the recorded cards. Each checker shall certify all figures which he has recorded as accurate and correct to the best of his knowledge. A local unit of government may require the records to be on forms which it provides.*

Sec. 9. [EXEMPTION.] *Bingo may be conducted in connection with a county fair conducted by a county agricultural society or association, the state fair conducted by the state agricultural society or a civic celebration recognized by resolution or other similar official action of the local governing body without complying with the requirements of section 4 and section 7, subdivisions 2, 3 and 11, if the bingo is conducted for no more than ten consecutive days in any one calendar year.*

Sec. 10. [RECORDS.] *Each organization shall keep records of its gross receipts and profits for each bingo occasion. Gross receipts shall be compared to the checker's records for the bingo occasion by a person who did not sell cards for the bingo occasion. All deductions from gross receipts from a bingo occasion shall be documented with receipts or other records. The distribution of profits shall be itemized as to payee, amount and date of payment.*

*Bingo gross receipts shall be segregated from other revenues of an organization and placed in a separate account. Each organization shall maintain separate records of its bingo operations. The person who accounts for bingo gross receipts and profits shall not be the same person who accounts for other revenues of the organization. Records required by this act shall be preserved for three years. The law enforcement agency of the licensing authority shall have the authority to investigate the bingo records of an organization at any time. Organizations shall make available their bingo records for investigation upon proper notice.*

Sec. 11. [REPORTS AND APPLICATIONS.] *Subdivision 1. If any discrepancy is found between the amount of gross receipts for a bingo occasion as determined by the checker's records and the amount of gross receipts as determined by totaling the cash receipts and the discrepancy exceeds \$20, the discrepancy shall be reported to the licensing authority of the county or municipality where the bingo occasion was held and he shall investigate the discrepancies.*

*Subd. 2. An organization shall report monthly to its membership its gross receipts from bingo, its profits from bingo and the distribution of those profits itemized as required by section 9*

*Subd. 3. At least 30 days prior to conducting its first bingo occasion of the year and on an annual basis thereafter, an organization shall file with the local government unit which regulates its conduct the following:*

*(a) A copy of department of the treasury, internal revenue service, "Return of Organization Exempt from Income Tax," Form 990, or a comparable form if the organization is required to file the form with the department of the treasury;*

*(b) A copy of department of the treasury, internal revenue service, "Exempt Organization Business Income Tax," Form 990-T, or a comparable form if the organization is required to file the form with the department of the treasury;*

*(c) The annual report required of charitable organizations by Minnesota Statutes 1974, Section 309.53, whether or not the organization receives total contributions from the public in excess of \$10,000 during the accounting year last ended, or plans to receive contributions in excess of \$10,000 from the public during an accounting year, or employs a professional fund raiser;*

*(d) A copy of the Minnesota department of commerce "Statement of Bingo Operations." All information contained in the statement shall be true, correct, and complete to the best of the knowledge of the person or persons signing the statement. Any person who shall knowingly make a false statement or knowingly conceal a material fact in the statement shall be subject to the penalties provided in section 12 of this act.*

**Sec. 12. [PENALTY.]** *Violation of any provision of this act is a gross misdemeanor. This section shall not preclude civil or criminal actions under other applicable law nor be deemed to preclude any agency of government from investigating or prosecuting violations of the provisions of this act.*

**Sec. 13.** *Nothing in sections 1 to 13 shall be construed to affect the validity of any agreement or contract between an organization and any financial or lending institution, entered into prior to the effective date of this act.*

**Sec. 14.** *Minnesota Statutes, Section 609.75, Subdivision 3, is amended to read:*

**Subd. 3. [WHAT ARE NOT BETS.]** *The following are not bets:*

**(1)** *A contract to insure, indemnify, guarantee or otherwise compensate another for a harm or loss sustained, even though the loss depends upon chance.*

**(2)** *A contract for the purchase or sale at a future date of securities or other commodities.*

(3) Offers of purses, prizes or premiums to the actual contestants in any bona fide contest for the determination of skill, speed, strength, endurance, or quality or to the bona fide owners of animals or other property entered in such a contest.

(4) The game of bingo as provided in (MINNESOTA STATUTES, SECTIONS 349.02 AND 349.03) *sections 1 to 13.*

(5) A private social bet not part of or incidental to organized, commercialized, or systematic gambling.

Sec. 15. [REPEALER.] *Minnesota Statutes 1974, Chapter 349, is repealed."*

Further, strike the title in its entirety and insert the following:

"A bill for an act relating to bingo; providing penalties; amending Minnesota Statutes 1974, Section 609.75, Subdivision 3; repealing Minnesota Statutes 1974, Chapter 349."

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

H. F. No. 1271, A bill for an act relating to labor and employment; providing for transfer of pension or retirement fund contributions; amending Minnesota Statutes 1974, Section 179.254, Subdivision 2.

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

The report was adopted.

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

H. F. No. 1333, A bill for an act relating to coroners; providing for fees and traveling expenses; prohibiting interference with a dead body or the scene of death; prescribing penalties; amending Minnesota Statutes 1974, Sections 357.11; and 390.11, Subdivision 8.

Reported the same back with the following amendments:

Page 1, line 11, delete the new language.

Page 1, line 11, strike "nor more than" and before "and" strike the comma and reinsert "\$25".

Page 1, line 17, strike "nor".

Page 1, line 8, delete the new language.

Page 1, line 18, strike "more than" and before "as" strike the comma.

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

S. F. No. 806, A bill for an act relating to control of noxious weeds; authorizing towns to control noxious weed growth on state lands; providing reimbursement of certain expenses incurred to control weeds on state lands.

Reported the same back with the following amendments:

Page 1, line 8, after "town" insert "or city".

Page 1, line 11, after "town" insert "or city".

Page 1, line 14, delete "20" and insert "14".

Page 1, line 15, delete "town's" and insert "town".

Page 1, line 15, after "supervisors" insert "or city council".

Page 1, line 15, after "A town" insert "or city".

Further amend the title:

Line 3, after "towns" insert "or cities".

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

S. F. No. 816, A bill for an act relating to towns; requiring towns to file financial reports with the state auditor; amending Minnesota Statutes 1974, Section 366.22.

Reported the same back with the following amendments:

Page 1, line 17, delete the comma.

Page 1, line 18, delete "*together with an affidavit of posting*,".

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

The report was adopted.

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

S. F. No. 906, A bill for an act relating to plats and surveys; filing and certification thereof; providing an increase in the filing fees charged by the register of deeds; amending Minnesota Statutes 1974, Section 505.08, Subdivision 2.

Reported the same back with the following amendments:

Page 2, delete lines 25 and 26.

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

The report was adopted.

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

S. F. No. 1507, A bill for an act relating to Ramsey county; reestablishing the office of county surveyor and abolishing the plat commission; amending Laws 1974, Chapter 435, Section 3.18, and by adding a section; and repealing Laws 1974, Chapter 435, Section 3.15.

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

The report was adopted.

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

S. F. No. 1541, A bill for an act relating to counties and the government thereof and, in particular, to Ramsey county; deleting welfare budget deadline as it applies to Ramsey county.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1702, 1828, 1829, 1767, 1271 and 1333 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 866, 806, 816, 906, 1507 and 1541 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Suss, Arlandson, George and PrahI introduced:

H. F. No. 1862, A bill for an act relating to safe deposit companies; exempting savings associations from licensing and bonding requirements; examination fees; amending Minnesota Statutes 1974, Sections 55.06, Subdivision 1; and 55.095.

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

Osthoff, Luther, Petrafeso, Biersdorf and Sabo introduced:

H. F. No. 1863, A bill for an act relating to elections; prohibiting establishment of electronic voting systems; providing for a study of electronic voting systems; appropriating money; amending Minnesota Statutes 1974, Sections 206.025; and 206.075.

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

PrahI; Anderson, I.; Osthoff; Enebo and Clark introduced:

H. F. No. 1864, A bill for an act relating to unemployment compensation; redefining "week"; amending Minnesota Statutes 1974, Section 268.04, Subdivision 27.

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

Kempe, A. introduced:

H. F. No. 1865, A bill for an act relating to crimes; providing increased sentences for persons convicted of certain second or subsequent violations of theft; prescribing penalties; amending Minnesota Statutes 1974, Section 609.52, Subdivision 3.

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

Kempe, A. introduced:

H. F. No. 1866, A bill for an act relating to tort liability; raising the liability limits of political subdivisions; limiting the liability of individuals employed by political subdivisions; amending Minnesota Statutes 1974, Section 466.04, Subdivision 1, and by adding subdivisions.

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

Osthoff, Luther, Petrafeso, Biersdorf and Sabo introduced:

H. F. No. 1867, A bill for an act relating to elections; prohibiting the use of electronic voting systems acquired after a certain date; providing for a study of electronic voting systems; appropriating money; amending Minnesota Statutes 1974, Sections 206.025; and 206.075.

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

Fugina and Enebo introduced:

H. F. No. 1868, A bill for an act relating to occupational safety and health; requiring persons in certain occupations to work in pairs; providing a penalty; amending Minnesota Statutes 1974, Section 182.666, Subdivisions 1, 2, and 3; and Chapter 182, by adding a section.

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

Kempe, A. introduced:

H. F. No. 1869, A bill for an act relating to taxation; providing for an income tax deduction or credit for the cost of removal of diseased trees; amending Minnesota Statutes 1974, Sections 290.06, by adding a subdivision; and 290.09, by adding a subdivision.

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

Smith, Faricy, Searle, Enebo and Fugina introduced:

H. F. No. 1870, A bill for an act relating to public employees; administrative expenses of salary deductions for annuity contracts; appropriating funds; repealing Laws 1975, Chapter 433, Section 12.

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

McCarron, Petrafeso, Sabo, Parish and Samuelson introduced:

H. F. No. 1871, A bill for an act relating to public employees; annuity purchase administrative expenses; amending Laws 1975, Chapter 433, Section 12.

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

Birnstihl, Vento, Fudro, Jensen and St. Onge introduced:

H. F. No. 1872, A bill for an act relating to lobbyists; defining lobbyist; amending Minnesota Statutes 1974, Section 10A.01, Subdivision 11.

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

Vanasek, McCarron, Biersdorf, Clawson and Kostohryz introduced:

H. F. No. 1873, A bill for an act relating to lobbyists; changing the requirements for filing reports; amending Minnesota Statutes 1974, Section 10A.04, Subdivision 4, and by adding a subdivision.

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

Skoglund, Clark, Vanasek, McCarron and Biersdorf introduced:

H. F. No. 1874, A bill for an act relating to elections; providing for allocation of moneys in the state elections campaign fund; amending Minnesota Statutes 1974, Section 10A.31, Subdivision 5.

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

Carlson, R. introduced:

H. F. No. 1875, A bill for an act relating to the city of Pine City; appropriating money for a city swimming pool under certain conditions.

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

Stanton, Menning, Sabo, Mann and Biersdorf introduced:

H. F. No. 1876, A bill for an act relating to transportation; providing for rail transportation improvements throughout the state; creating the Minnesota rail line improvement fund; authorizing the development of a state plan for rail transportation and a feasibility study of rail line acquisition by the state or by a political subdivision of the state; appropriating money.

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

Vanasek, Menning, Schumacher, Lemke and Pleasant introduced:

H. F. No. 1877, A bill for an act relating to highway traffic regulations; requiring certain equipment to be worn by operators and passengers of motorcycles; amending Minnesota Statutes 1974, Section 169.974, Subdivision 4, as amended.

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

Braun; Johnson, D.; Anderson, I.; DeGroat and Biersdorf introduced:

H. F. No. 1878, A bill for an act relating to game and fish; authorizing a season on fishers and additional moose seasons; amending Minnesota Statutes 1974, Section 100.27, Subdivisions 1, 2, as amended, and 4.

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

Philbrook; Sieben, H.; Carlson, A.; Kelly, R.; and Wenzel introduced:

H. F. No. 1879, A bill for an act relating to public records; defining "public records" and "governmental agency"; providing for citizen inspection of public records; prescribing the duties of custodians; providing for judicial review and remedies; providing a penalty; amending Minnesota Statutes 1974, Section 15.17.

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

Braun; Kelly, W.; Albrecht and Corbid introduced:

H. F. No. 1880, A bill for an act relating to state lands; conveyance; authorizing the conveyance by the state of certain lands in the county of Kittson.

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

Cassery and Berg introduced:

H. F. No. 1881, A bill for an act relating to metropolitan government; authorizing council regulations establishing standards and guidelines for determining matters of metropolitan significance to be adopted without specific legislative approval; amending Minnesota Statutes 1974, Section 473B.061, Subdivision 1.

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

Jensen, Wieser, Schumacher, DeGroat and White introduced:

H. F. No. 1882, A bill for an act relating to agriculture; dairy promotion act; eliminating the bloc voting provision for referendums on final promotion orders; amending Minnesota Statutes 1974, Section 32B.04, Subdivision 4.

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

Lemke introduced:

H. F. No. 1883, A bill for an act relating to telephone companies; requiring telephone companies engaged in certain operations to receive a permit from the public service commission; requiring the companies to notify the public service commission before terminating or suspending operation; providing for a hearing; permitting the public service commission to issue orders and rules.

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

Carlson, R., and Volk introduced:

H. F. No. 1884, A bill for an act relating to certain school districts in the counties of Pine, Chisago, Isanti, Kanabec, and Mille Lacs; authorizing the creation of a vocational technical education district and board and defining their powers; authorizing a tax levy; providing for the issuance of bonds.

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

Skoglund, Munger and Enebo introduced:

H. F. No. 1885, A bill for an act relating to the metropolitan airports commission; requiring the installation of aircraft noise suppressing equipment at certain Minneapolis-St. Paul International Airport sites; amending Laws 1975, Chapter 13, Section 100, by adding a subdivision.

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

Kalis, Mann, Eken, Wigley and Reding introduced:

H. F. No. 1886, A bill for an act relating to lobbyists; defining lobbyist; amending Minnesota Statutes 1974, Section 10A.01, Subdivision 11.

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

Adams, L.; Beauchamp; Arlandson; Luther and Johnson, D., introduced:

H. F. No. 1887, A bill for an act relating to elections; providing for allocation of moneys in the state elections campaign fund; amending Minnesota Statutes 1974, Section 10A.31, Subdivision 5.

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

Kempe, R.; Osthoff and Sarna introduced:

H. F. No. 1888, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 2; providing for a legislature of 56 senators and 112 representatives.

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

Skoglund, Berglin, Hokanson, Jaros and Simoneau introduced:

H. F. No. 1889, A bill for an act relating to the operation of state government; limiting travel expense reimbursement paid to personnel of agencies funded by the state.

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

Skoglund, Berglin, Hokanson, Jaros and Simoneau introduced:

H. F. No. 1890, A bill for an act relating to public employees; limiting reimbursement of travel expenses of state and local government officers and employees; amending Minnesota Statutes 1974, Sections 43.327, Subdivision 2; and 375.06, Subdivision 2; and Chapters 15A, by adding a section; 382, by adding a section; and 418, by adding a section.

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

Wenzel; Anderson, I.; Sieben, H.; Savelkoul and Kelly, W., introduced:

H. F. No. 1891, A bill for an act relating to civil defense; providing for an interstate civil defense and disaster compact; repealing Laws 1951, Chapter 669.

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

Wenzel; Anderson, I.; Sieben, H.; Savelkoul and Kelly, W., introduced:

H. F. No. 1892, A bill for an act relating to civil defense; requiring the executive council to declare an emergency when a disaster has occurred or is imminent; requiring the division of emergency service to assist in the provision of relief measures when a disaster occurs and to coordinate interjurisdictional disaster planning; amending Minnesota Statutes 1974, Sections 12.01; 12.02, Subdivision 1; 12.03; 12.25, Subdivisions 1 and 2; and Chapters 9, by adding a section; and 12, by adding sections.

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

Parish, Sieloff, Dieterich, Clark and Casserly introduced:

H. F. No. 1893, A bill for an act relating to juries; providing the exemptions from grand jury service; amending Minnesota Statutes 1974, Section 628.43.

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

Begich and Fugina introduced:

H. F. No. 1894, A bill for an act relating to the city of Biwabik; authorizing an additional on-sale intoxicating liquor license.

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

Kalis, Lemke, Fudro, Clark and George introduced:

H. F. No. 1895, A bill for an act relating to highway traffic regulations; brakes; amending Minnesota Statutes 1974, Section 169.67, Subdivision 3.

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

Peterson, Savelkoul, Nelsen, Erickson and Johnson, C., introduced:

H. F. No. 1896, A bill for an act relating to railroads; providing for assistance to railroad companies in improving rail service within the state; creating a railroad assistance fund; prescribing the duties of the public service commission; and appropriating money.

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

Braun, Munger and Sherwood introduced:

H. F. No. 1897, A bill for an act relating to game and fish; commercial fishing on Rainy Lake and Lake of the Woods; amending Minnesota Statutes 1974, Section 102.26, Subdivision 2.

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

Kempe, A.; Prah!; Sieben, H.; and Anderson, I., introduced:

H. F. No. 1898, A bill for an act relating to insurance; providing for interest on unpaid benefits; amending Minnesota Statutes 1974, Section 61A.03.

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

George, Stanton, Pehler, Voss and Sarna introduced:

H. F. No. 1899, A bill for an act proposing an amendment to the Minnesota Constitution, Article VII, Section 6; providing that all eligible voters may hold most elective offices.

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

McCauley introduced:

H. F. No. 1900, A bill for an act relating to public employees; setting a timetable for public employee negotiation and arbitration; amending Minnesota Statutes 1974, Section 179.69, Subdivisions 4 and 5.

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

Faricy, Vento and Petrafeso introduced:

H. F. No 1901, A bill for an act relating to education; authorizing the establishment of higher education extension centers to serve downtown St. Paul and its surrounding area; appropriating money.

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

Faricy, Knickerbocker, Corbid, Sabo and Kahn introduced:

H. F. No. 1902, A bill for an act relating to education; defining residency for purpose of charging tuition for institutions of higher education; amending Minnesota Statutes 1974, Chapter 136A, by adding a section.

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

McCauley, Metzen, Pehler, Lemke and Biersdorf introduced:

H. F. No. 1903, A bill for an act relating to state agencies; administrative procedures and civil actions under the occupational safety and health act and other acts; amending Minnesota Statutes 1974, Sections 182.66, by adding a subdivision; 182.661, by adding a subdivision; and 182.666, Subdivision 6.

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

Carlson, R.; Clark; Menning and Nelson introduced:

H. F. No. 1904, A bill for an act relating to cemeteries; prohibiting certain activities on public and private cemeteries and Indian burial grounds; requiring the posting of Indian burial grounds; amending Minnesota Statutes 1974, Section 307.08.

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

Peterson, Graba, Savelkoul, Munger and McCauley introduced:

H. F. No. 1905, A bill for an act relating to taxation; providing a credit on taxes measured by net income; amending Minnesota Statutes 1974, Section 290.06, by adding a subdivision.

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

Carlson, R.; McCollar; Smogard and Anderson, G., introduced:

H. F. No. 1906, A bill for an act relating to taxation; exempting occasional meals served by incorporated, non-residential senior citizens social centers from the sales tax; amending Minnesota Statutes 1974, Section 297A.01, Subdivision 3, as amended.

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

Fjoslien; DeGroat; Johnson, C.; Patton and Anderson, G., introduced:

H. F. No. 1907, A bill for an act relating to taxation; exempting insulation products and wood sold for use as heating fuel from the sales tax; amending Minnesota Statutes 1974, Section 297A.25, Subdivision 1.

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

Fjoslien; Sieben, H.; DeGroat; Niehaus and Wenstrom introduced:

H. F. No. 1908, A bill for an act relating to electrical utilities; restricting acquisition of land for stockpiling of material or components for construction; amending Minnesota Statutes 1974, Chapter 116C, by adding a section.

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

Dieterich; Munger; Luther; Johnson, D. and Carlson, A. introduced:

H. F. No. 1909, A bill for an act relating to health; prohibiting sale and use of certain chemicals; providing penalties.

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

Swanson, Brinkman, Heinitz, Norton and Savelkoul introduced:

H. F. No. 1910, A bill for an act relating to health care; providing for establishment and administration of certain plans of health insurance to make minimum health care benefits available to all persons in the state; creating a comprehensive health care association; requiring review of hospital and insurance premium rates; providing protection against catastrophic health care expenses; appropriating money; amending Minnesota Statutes 1974, Sections 62A.02, Subdivisions 1 and 3; 62C.15, Subdivision 2; 70A.02, Subdivision 2; and 144.653, Subdivision 1.

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

Vento, Osthoff, Biersdorf, Wenzel and Begich introduced:

H. F. No. 1911, A bill for an act relating to elections; requiring the secretary of state to prescribe forms and uniform methods for the reporting of election returns; amending Minnesota Statutes 1974, Section 204.18, by adding a subdivision.

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

Osthoff, Neisen, Reding, Knickerbocker and Sarna introduced:

H. F. No. 1912, A bill for an act relating to elections; affecting the place and time of voter registration; amending Minnesota Statutes 1974, Section 201.091, Subdivision 6.

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

Searle introduced:

H. F. No. 1913, A bill for an act relating to the city of Waseca; authorizing lump sum firemen's service pensions.

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

Braun introduced:

H. F. No. 1914, A bill for an act authorizing the conveyance by the state of certain lands located in Roseau county.

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

Enebo, St. Onge, Pehler and Mangan introduced:

H. F. No. 1915, A bill for an act relating to public employment labor relations; establishing a procedure for the disposition of unfair labor practice claims; amending Minnesota Statutes 1974, Sections 15.0411, Subdivision 2, as amended; 15A.081, Subdivision 1, as amended; 179.64, Subdivisions 5 and 7; 179.67, Subdivisions 3 and 13; 179.68, Subdivision 1; 179.72, Subdivisions 1, 2, 3 and 4; and Chapter 179, by adding a section.

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

Knoll introduced:

H. F. No. 1916, A resolution memorializing the Congress of the United States to enact legislation relating to airport noise monitoring.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

McCarron, Voss, Novak, Suss and Hokanson introduced:

H. F. No. 1917, A bill for an act relating to intoxicating liquor; hours and days of sale; amending Minnesota Statutes 1974, Section 340.14, Subdivision 1.

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

Suss introduced:

H. F. No. 1918, A bill for an act relating to the city of Shakopee; authorizing an increase in fire department relief association lump sum service benefits.

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

Kahn, Berglin, Sabo, Voss and Hanson introduced:

H. F. No. 1919, A bill for an act relating to public employees; providing for an automatic pay increase to state employees who pass the certified professional secretary examination.

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

Suss and Vanasek introduced:

H. F. No. 1920, A bill for an act relating to Scott county; providing for the establishment and maintenance of a personnel system on a merit basis; providing for the selection, promotion, severance, tenure of office and compensation of Scott county employees; establishing a county personnel appeals board; authorizing the county board of Scott county to make necessary appropriations.

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

Vanasek, Byrne, Erickson, Wenzel and Suss introduced:

H. F. No. 1921, A bill for an act relating to taxation; imposing a sales tax upon the fee charged for use of a coin-operated motion picture machine; providing penalties.

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

Knoll, Sieloff, Skoglund, Kahn and Novak introduced:

H. F. No. 1922, A bill for an act providing for monitoring noise at the Minneapolis-St. Paul International Airport; appropriating money.

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

Lemke introduced:

H. F. No. 1923, A bill for an act relating to the Whitewater River Valley; authorizing a conservation pilot program in the counties of Olmsted, Wabasha, and Winona; appropriating money.

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

Luther; Adams, L.; Fudro; Metzen and Dean introduced:

H. F. No. 1924, A bill for an act relating to intoxicating liquors; requiring licensed importers to offer wine to licensed wholesalers and manufacturers on an equal basis; amending Minnesota Statutes 1974, Section 340.114, Subdivisions 2 and 4.

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

Wenzel, Begich, Braun, Fudro and Samuelson introduced:

H. F. No. 1925, A bill for an act relating to crime; mandatory terms of imprisonment for certain violent offenses; amending Minnesota Statutes 1974, Sections 242.19, Subdivision 1; 243.05; 609.10; 609.12, Subdivision 1; 609.135, Subdivision 1; 609.155, Subdivision 4; 609.19; 609.195; 609.20; 609.205; 609.21; 609.215; 609.22; 609.225; 609.23; 609.231; 609.235; 609.24; 609.245; 609.25; 609.255; 609.293, Subdivision 5; 609.56; 609.71; Minnesota Statutes, 1975 Supplement, Sections 609.11, Subdivision 1; 609.342; 609.343; 609.344; 609.345; and 609.346, Subdivision 1; repealing Minnesota Statutes 1974, Section 609.293, Subdivisions 2, 3 and 4.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Clawson, Volk and McCollar introduced:

H. F. No. 1926, A bill for an act relating to drugs; clarifying the prohibition against sale or possession of legend drugs by certain persons; authorizing county detoxification centers to purchase and possess legend drugs; amending Minnesota Statutes 1974, Section 151.37, Subdivision 5.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Wenzel; Jude; Patton; Anderson, I.; and Sieben, M., introduced:

H. F. No. 1927, A bill for an act relating to crime; mandatory terms of imprisonment for certain violent offenses; amending Minnesota Statutes 1974, Sections 243.05; 609.10; 609.11, Subdivision 1, as amended; 609.12, Subdivision 1; 609.135, Subdivision 1; 609.155, Subdivision 4; 609.19; 609.195; 609.20; 609.205; 609.21; 609.215; 609.22; 609.225; 609.23; 609.231; 609.235; 609.24; 609.245; 609.25; 609.255; 609.293, Subdivision 5; 609.56; 609.71; Laws 1975, Chapter 374, Sections 3, 4, 5, 6 and 7, Subdivision 1; repealing Minnesota Statutes 1974, Section 609.293, Subdivisions 2, 3 and 4.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Niehaus, Wenzel, Sherwood, Esau and Albrecht introduced:

H. F. No. 1928, A bill for an act relating to obscenity; preventing the commercial dissemination of obscene materials; prescribing penalties; amending Minnesota Statutes 1974, Sections 617.26; 617.27; and Chapter 609, by adding sections; repealing Minnesota Statutes 1974, Section 617.241.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Kempe, R. introduced:

H. F. No. 1929, A bill for an act relating to health care; requiring that certain insurance contracts and subscriber contracts provide benefits for certain services performed by podiatrists; amending Minnesota Statutes 1974, Section 62A.043.

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

McCauley, Reding, Kvam, Wieser and Erickson introduced:

H. F. No. 1930, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; providing a regular session of the legislature in odd numbered years only.

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

Niehaus, Kaley, Schumacher and Nelsen introduced:

H. F. No. 1931, A bill for an act relating to unemployment compensation; providing that a person voluntarily terminating employment without good cause is disqualified from benefits; amending Minnesota Statutes, 1975 Supplement, Section 268.09, Subdivision 1.

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

Sieben, H. introduced:

H. F. No. 1932, A bill for an act relating to state administrative procedures; amending Minnesota Statutes, 1975 Supplement, Section 15.0411, Subdivisions 3 and 4.

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

Laidig introduced:

H. F. No. 1933, A bill for an act relating to corrections; providing for payment of hospitalization insurance for employees retiring before age 65; amending Minnesota Statutes 1974, Section 241.01, by adding a subdivision.

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

Johnson, D.; Anderson, I.; Sarna and Osthoff introduced:

H. F. No. 1934, A bill for an act relating to unemployment compensation; excluding vacation allowance and holiday pay and certain other fringe benefits in computing weekly unemployment benefits; amending Minnesota Statutes, 1975 Supplement, Sections 268.07, Subdivision 2; and 268.08, Subdivision 3.

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

Kaley, Friedrich, Lemke, Zubay and Swanson introduced:

H. F. No. 1935, A bill for an act relating to health; emphasizing what conditions make a certificate of need necessary; amending Minnesota Statutes 1974, Section 145.72, Subdivision 3, as amended.

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

Kaley; Carlson, L.; Smith; Zubay and Forsythe introduced:

H. F. No. 1936, A bill for an act relating to health; providing that hospitals do not require additional licenses for certain day care facilities; amending Minnesota Statutes 1974, Section 245.79.

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

Parish, Savelkoul, Berg and Lindstrom introduced:

H. F. No. 1937, A bill for an act relating to evidence; limiting use of certain kinds of records of legislative proceedings.

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

Enebo, Lindstrom, Dean, Skoglund and Pehler introduced:

H. F. No. 1938, A bill for an act relating to adoptions; providing that adopted persons may have access to their birth records; amending Minnesota Statutes 1974, Sections 144.176, Subdivision 1; and 259.31.

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

Berg and Forsythe introduced:

H. F. No. 1939, A bill for an act relating to employment agencies; excluding teacher and nurse placement agencies from the definition of employment agency; amending Minnesota Statutes 1974, Section 184.21, Subdivision 2.

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

Enebo; Sabo; Kahn; Kelly, W.; and Pehler introduced:

H. F. No. 1940, A bill for an act relating to the legislature; establishing a legislative commission on the economic status of women; appropriating money.

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

Kaley, Schulz, Friedrich, Zubay and Neisen introduced:

H. F. No. 1941, A bill for an act relating to regional development; withdrawal of counties from development regions; amending Minnesota Statutes 1974, Chapter 462, by adding a section.

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

Vanasek, Petrafeso, McEachern, Pehler and Schulz introduced:

H. F. No. 1942, A bill for an act relating to towns; providing for the creation of special ambulance service districts; providing for taxation of property within such districts; amending Minnesota Statutes 1974, Sections 368.85 and 368.86.

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

Pehler and Patton introduced:

H. F. No. 1943, A bill for an act relating to the city of St. Cloud; authorizing the city of St. Cloud to grant certain powers and duties to a commission, department, or director of civil rights or human relations and to subject certain areas of city government to the civil rights ordinance.

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

Pehler and Patton introduced:

H. F. No. 1944, A bill for an act relating to the St. Cloud metropolitan transit commission; changing the fiscal year of the commission; increasing the per diem pay of commissioners; amending Laws 1969, Chapter 1134, Section 3, Subdivision 3 and Subdivision 4, as amended.

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

Kahn, Enebo, Clark, Skoglund and Dean introduced:

H. F. No. 1945, A bill for an act relating to the city of Minneapolis; authorizing the city to directly negotiate and enter into contracts for solid waste collection and disposal; requiring approval of such contracts by the metropolitan council.

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

Anderson, I.; Johnson, D.; and Braun introduced:

H. F. No. 1946, A bill for an act relating to intoxicating liquor; importation of limited quantities without payment of tax; amending Minnesota Statutes 1974, Section 340.601.

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

Kaley, Zubay, Lemke, Friedrich and Graba introduced:

H. F. No. 1947, A bill for an act relating to taxation; providing for the assessment of dwelling units in certain buildings; amending Minnesota Statutes 1974, Section 273.133.

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

Sieloff, Neisen, Novak and Simoneau introduced:

H. F. No. 1948, A bill for an act relating to taxation; providing for an income tax credit for tax paid on property damaged by tornadoes; amending Minnesota Statutes 1974, Section 290.06, by adding a subdivision.

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

Setzepfandt; Erickson; Anderson, G.; Lemke and Schulz introduced:

H. F. No. 1949, A bill for an act relating to taxation; extending the income tax credit for the cost of feedlot pollution control equipment; amending Minnesota Statutes 1974, Section 290.06, Subdivision 9a.

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

#### HOUSE ADVISORY BILLS

Pursuant to Rule 5.3, the following House Advisory Bills were introduced:

Hokanson, Osthoff, Fudro and Lemke introduced:

H. A. B. No. 56, Study of electric powered cars as an alternative means of transportation.

The bill was referred to the Committee on Transportation.

Haugerud introduced:

H. A. B. No. 57, Relating to special driving permits for 16 year olds.

The bill was referred to the Committee on Transportation.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 1003, A bill for an act relating to animals; providing for admission of the public to establishments having custody of stray animals seized by public authority; requiring public notice of seized animals prior to sale or destruction; amending Minnesota Statutes 1974, Section 35.71, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

### CONCURRENCE AND REPASSAGE

Mangan moved that the House concur in the Senate amendments to H. F. No. 1003 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1003, A bill for an act relating to animals; providing for admission of the public to establishments having custody of stray animals seized by public authority; amending Minnesota Statutes 1974, Section 35.71, Subdivision 3.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Arlandson	Birnstihl	Carlson, R.	Dean
Adams, L.	Beauchamp	Braun	Casserly	DeGreat
Adams, S.	Begich	Brinkman	Clark	Dieterich
Albrecht	Berg	Byrne	Clawson	Doty
Anderson, G.	Berglin	Carlson, A.	Corbid	Eckstein
Anderson, I.	Biersdorf	Carlson, L.	Dahl	Eken

Enebo	Jopp	Mann	Petrafeso	Smith
Erickson	Jude	McCarron	Philbrook	Smogard
Esau	Kahn	McCauley	Pleasant	Spanish
Ewald	Kaley	McCollar	Prahl	Stanton
Faricy	Kalis	McEachern	Reding	Suss
Fjoslien	Kelly, R.	Menning	Rice	Swanson
Forsythe	Kelly, W.	Metzen	St. Onge	Tomlinson
Friedrich	Kempe, A.	Moe	Samuelson	Ulland
Fugina	Kempe, R.	Munger	Sarna	Vanasek
George	Ketola	Neisen	Savelkoul	Vento
Graba	Knickerbocker	Nelsen	Schreiber	Volk
Hanson	Knoll	Nelson	Schulz	Voss
Haugerud	Kostohryz	Niehaus	Schumacher	Wenstrom
Heinitz	Kroening	Norton	Setzpfandt	Wenzel
Hokanson	Kvam	Novak	Sherwood	White
Jacobs	Laidig	Osthoff	Sieben, H.	Wieser
Jaros	Langseth	Parish	Sieben, M.	Wigley
Jensen	Lindstrom	Patton	Steloff	Williamson
Johnson, C.	Luther	Pehler	Simoneau	Zubay
Johnson, D.	Mangan	Peterson	Skoglund	Speaker Sabo

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

Mr. Speaker:

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

H. F. No. 1555, A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted, unconstitutional and obsolete references and text; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1974, Chapter 28A, by adding a section; Sections 15.0411, Subdivision 2; 15A.083, Subdivision 2; 16.80; 16A.129; 30.461; 30.462; 30.463, Subdivisions 1 and 5; 30.464, Subdivisions 1, 2, and 3; 30.465; 30.467; 30.468; 30.469; 30.47; 30.472; 30.473; 30.475; 30.476; 32A.08, Subdivision 1; 34.05, Subdivision 2; 43.35; 43.09, Subdivision 2a; 50.14, Subdivision 1; 59A.03, Subdivision 3; 60A.03, Subdivision 2; 65B.06, Subdivision 2; 65B.44, Subdivision 5; 80A.15, Subdivision 2; 80C.03; 82.18; 82.30, Subdivision 2; 83.25, Subdivision 3; 84.87, Subdivision 1; 84A.07; 84A.26; 84A.36; 97.48, Subdivision 4; 111.80; 115.48, Subdivision 1; 115.51; 116.16, Subdivision 3; 116F.08; 116H.04, Subdivision 3; 121.02; 122.355, Subdivision 1; 123.78, Subdivision 1; 124.15, Subdivision 2; 124.17, Subdivision 2; 124.41, Subdivision 1; 124.803; 145.862, Subdivision 4; 147.02; 147.22; 155.02, Subdivision 2; 179.74, Subdivision 2; 181A.07, Subdivision 6; 192.40; 197.63, Subdivision 1; 205.10; 205.11, Subdivision 1; 205.12; 205.16, Subdivisions 1 and 2; 205.17, Subdivisions 1 and 2; 243.88, Subdivision 3; 245.68; 245.77; 246.23; 251.043, Subdivision 3; 256.01, Subdivision 2; 256D.02, Subdivision 4; 260.251, Subdivision 3; 268.04, Subdivision 12; 268.115, Subdivi-

sion 2; 270.075, Subdivision 1; 273.11, Subdivision 4; 273.111, Subdivisions 9 and 11; 273.13, Subdivision 7; 275.125, Subdivision 4; 275.161; 282.16; 285.11; 290.01, Subdivision 22; 290.02; 290.06, Subdivision 2c; 290.086, Subdivision 1; 290.09, Subdivision 15; 290.21, Subdivision 3; 290.26, Subdivision 2a; 290.92, Subdivision 2a; 291.05; 292.04; 297.13, Subdivision 1; 297B.09; 298.026; 298.027; 298.51; 298.53; 298.63; 299.013; 299B.03, Subdivision 1; 299F.77; 300.025; 301.77, Subdivision 1; 308.06, Subdivision 3; 309.581; 318.03; 354A.05; 355.11, Subdivision 2; 355.80; 362.17; 363.01, Subdivision 13; 375.471; 376.25; 412.02, Subdivision 5; 412.251; 412.861, Subdivision 1; 441.15; 463.152, Subdivision 1; 463.261; 465.19; 466.02; 488A.13, Subdivision 1; 507.291; 525.213; 525.515; 550.041; 571.47, Subdivision 2; 571.48, Subdivision 2; 609.375, Subdivision 4; 609.75, Subdivision 4; 611.14; 626.05, Subdivision 2; 631.50; 632.12; and 648.43; repealing Minnesota Statutes 1974, Sections 15.13; 148.87; 171.12, Subdivision 4; 176.061, Subdivision 10; 309.583; 359.06; and 380.24; 593.17; Laws 1969, Chapters 540, Section 5; 896, Section 1; and 1126, Section 1; Laws 1971, Chapters 32, Section 1; 74, Section 6; 226, Section 1; and 427, Section 17; Laws 1973, Chapters 388, Sections 156, 157, 158, 159, 160, 161, 162, 163, and 170; 638, Sections 22 and 23; and 725, Sections 25 and 26; Laws 1974, Chapters 62, Section 1; 161, Section 10; and 205, Section 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Knoll moved that the House concur in the Senate amendments to H. F. No. 1555 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1555, A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous; omitted, unconstitutional and obsolete references and text; eliminating certain duplicitious and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1974, Chapter 28A, by adding a section; Sections 15.0411, Subdivision 2; 15A.083, Subdivision 2; 16.80; 16A.129; 30.461; 30.462; 30.463, Subdivisions 1 and 5; 30.464, Subdivisions 1, 2, and 3; 30.465; 30.467; 30.468; 30.469; 30.47; 30.472; 30.473; 30.475; 30.476; 32A.08, Subdivision 1; 34.05, Subdivision 2; 43.35; 43.09, Subdivision 2a; 50.14, Subdivision 1; 59A.03, Subdivision 3; 60A.03, Subdivision 2; 65B.06, Subdivision 2; 65B.44, Subdivision 5; 80A.15, Subdivision 2; 80C.03; 82.18; 82.30, Subdivision 2; 83.25, Subdivision 3; 84.87, Subdivision 1; 84A.07; 84A.26; 84A.36; 97.48, Subdivision 4; 111.80; 115.48, Subdivision 1; 115.51; 116.16, Subdivision 3; 116F.08; 116H.04, Subdivision 3; 121.02; 122.355, Subdivision 1; 123.78, Subdivision 1; 124.15, Subdivision 2; 124.17, Subdivision 2; 124.41, Subdivision 1; 124.803; 145.862, Subdivision 4; 147.01; 147.22; 155.02, Sub-

division 2; 179.74, Subdivision 2; 181A.07, Subdivision 6; 192.40; 197.63, Subdivision 1; 205.10; 205.11, Subdivision 1; 205.12; 205.16, Subdivisions 1 and 2; 205.17, Subdivisions 1 and 2; 243.88, Subdivision 3; 245.68; 245.77; 246.23; 251.043, Subdivision 3; 256.01, Subdivision 2; 256D.02, Subdivision 4; 260.251, Subdivision 3; 268.04, Subdivision 12; 268.115, Subdivision 2; 270.075, Subdivision 1; 273.11, Subdivision 4; 273.111, Subdivisions 9 and 11; 273.13, Subdivision 7; 275.125, Subdivision 4; 275.161; 282.16; 285.11; 290.01, Subdivision 22; 290.02; 290.06, Subdivision 2c; 290.086, Subdivision 1; 290.09, Subdivision 15; 290.21, Subdivision 3; 290.26, Subdivision 2a; 290.92, Subdivision 2a; 291.05; 292.04; 297.13, Subdivision 1; 297B.09; 298.026; 298.027; 298.51; 298.53; 298.63; 299.013; 299B.03, Subdivision 1; 299F.77; 300.025; 301.77, Subdivision 1; 308.06, Subdivision 3; 309.581; 318.03; 354A.05; 355.11, Subdivision 2; 355.80; 362.17; 363.01, Subdivision 13; 375.471; 376.25; 412.02, Subdivision 5; 412.251; 412.861, Subdivision 1; 414.032, Subdivision 4; 441.15; 463.152, Subdivision 1; 463.261; 465.19; 466.02; 488A.13, Subdivision 1; 507.291; 525.213; 525.515; 550.041; 571.47, Subdivision 2; 571.48, Subdivision 2; 609.375, Subdivision 4; 609.75, Subdivision 4; 611.14; 626.05, Subdivision 2; 631.50; 632.12; and 648.43; repealing Minnesota Statutes 1974, Sections 15.13; 148.87; 171.12, Subdivision 4; 176.061, Subdivision 10; 309.583; 359.06; and 380.24; 593.17; Laws 1969, Chapters 540, Section 5; 896, Section 1; and 1126, Section 1; Laws 1971, Chapters 32, Section 1; 74, Section 6; 226, Section 1; and 427, Section 17; Laws 1973, Chapters 388, Sections 156, 157, 158, 159, 160, 161, 162, 163, and 170; 638, Sections 22 and 23; and 725, Sections 25 and 26; Laws 1974, Chapters 62, Section 1; 161, Section 10; and 205, Section 1.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, R.	Faricy	Jude	Luther
Adams, L.	Casslerly	Fjoslien	Kahn	Mangan
Adams, S.	Clark	Forsythe	Kaley	Mann
Albrecht	Clawson	Friedrich	Kalis	McCarron
Anderson, G.	Corbid	Fugina	Kelly, R.	McCauley
Anderson, I.	Dahl	George	Kelly, W.	McCollar
Arlandson	Dean	Graba	Kempe, A.	McEachern
Beauchamp	DeGroat	Hanson	Kempe, R.	Menning
Begich	Dieterich	Haugerud	Ketola	Metzen
Berg	Doty	Heimitz	Knickerbocker	Moe
Biersdorf	Eckstein	Hokanson	Knoll	Munger
Birnstihl	Eken	Jacobs	Kostohryz	Neisen
Braun	Enebo	Jaros	Kroening	Nelsen
Brinkman	Erickson	Jensen	Kvam	Nelson
Byrne	Esau	Johnson, C.	Laidig	Niehaus
Carlson, A.	Evans	Johnson, D.	Langseth	Norton
Carlson, L.	Ewald	Jopp	Lindstrom	Novak

Osthoff	Reding	Setzepfandt	Spanish	Voss
Parish	Rice	Sherwood	Stanton	Wenstrom
Patton	St. Onge	Sieben, H.	Suss	Wenzel
Pehler	Samuelson	Sieben, M.	Swanson	White
Peterson	Sarna	Sieloff	Tomlinson	Wieser
Petrafeso	Savelkoul	Simoneau	Ulland	Wigley
Philbrook	Schreiber	Skoglund	Vanasek	Williamson
Pleasant	Schulz	Smith	Vento	Zubay
Prahl	Schumacher	Smogard	Volk	Speaker Sabo

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

Mr. Speaker:

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

H. F. No. 1519, A bill for an act relating to the city of St. Paul; providing for and authorizing issuance of general obligation bonds for capital improvement budget purposes; amending Laws 1971, Chapter 773, Section 1, as amended.

PATRICK E. FLAHAVEN, Secretary of the Senate

Dieterich moved that the House refuse to concur in the Senate amendments to H. F. No. 1519, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. Nos. 933 and 23 which it recommended to pass.

S. F. No. 866 upon which it recommended progress.

H. F. No. 1530 upon which it recommended progress until Tuesday, February 3, 1976, retaining its place on General Orders.

H. F. No. 140 which it recommended re-referral to the Committee on Transportation.

H. F. No. 814 upon which it recommended progress until Thursday, February 5, 1976, retaining its place on General Orders.

H. F. No. 33 upon which it recommended progress until Monday, February 2, 1976 retaining its place on General Orders.

H. F. No. 468 upon which it recommended progress until Thursday, February 19, 1976.

H. F. No. 998 upon which it recommended progress until Monday, February 16, 1976.

H. F. No. 608 upon which it recommended progress until Thursday, February 5, 1976.

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

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1519:

Dieterich, Faricy and Tomlinson.

#### ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p. m., Wednesday, January 28, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## FIFTY-NINTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, JANUARY 28, 1976

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kaley	Nelsen	Sieloff
Adams, L.	Eckstein	Kalis	Nelson	Simoneau
Adams, S.	Eken	Kelly, R.	Niehaus	Skoglund
Albrecht	Enebo	Kelly, W.	Norton	Smith
Anderson, G.	Erickson	Kempe, A.	Novak	Smogard
Anderson, I.	Esau	Kempe, R.	Osthoff	Spanish
Arlandson	Evans	Ketola	Parish	Stanton
Beauchamp	Ewald	Knickerbocker	Patton	Suss
Begich	Faricy	Knoll	Pehler	Swanson
Berg	Fjoslien	Kostohryz	Peterson	Tomlinson
Berglin	Forsythe	Kroening	Petraleso	Ulland
Biersdorf	Friedrich	Kvam	Philbrook	Vanasek
Birnstihl	Fudro	Laidig	Pleasant	Vento
Braun	George	Langseth	Prahl	Volk
Brinkman	Graba	Lemke	Reding	Voss
Byrne	Hanson	Lindstrom	Rice	Wenstrom
Carlson, A.	Haugerud	Luther	Samuelson	Wenzel
Carlson, L.	Heinitz	Mangan	Sarna	White
Carlson, R.	Hokanson	Mann	Savelkoul	Wieser
Casserly	Jacobs	McCarron	Schreiber	Wigley
Clark	Jaros	McCollar	Schulz	Williamson
Clawson	Jensen	McEachern	Schumacher	Zubay
Corbid	Johnson, C.	Menning	Searle	Speaker Sabo
Dahl	Johnson, D.	Metzen	Setzepfandt	
Dean	Jopp	Moe	Sherwood	
DeGroat	Jude	Munger	Sieben, H.	
Dieterich	Kahn	Neisen	Sieben, M.	

A quorum was present.

Fugina, McCauley and St. Onge were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Vanasek the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1271, 1829, 1702, 1767, 1828 and 1333 have been placed in the members' files.

S. F. No. 1647 and H. F. No. 501, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 501, page 3, lines 8 to 10 read: "chapter 117, in the name of the state, from the game and fish fund, parking or camping areas (OF NOT TO EXCEED FIVE ACRES,) adjacent to public waters to which the public".

Whereas S. F. No. 1647, page 3, lines 9 to 11 read: "chapter 117, in the name of the state, (FROM THE GAME AND FISH FUND,) parking or camping areas of not to exceed (FIVE) *seven* acres, adjacent to public waters to which the public".

H. F. No. 501, page 3, lines 31 and 32 read: "shall be maintained by the commissioner from the game and fish fund, except that the commissioner may make agreements".

Whereas S. F. No. 1647, page 3, line 32 and page 4, line 1 read: "shall be maintained by the commissioner (FROM THE GAME AND FISH FUND), except that the commissioner may make agreements".

Further, lines 2 to 5 of the title of H. F. No. 501 read: "relating to natural resources; powers of the commissioner; forest pest control; expanding volunteer programs; public access; commercial fishing on Lake Superior; decoys and erection of".

Whereas, lines 2 to 8 of the title of S. F. No. 1647 read: "relating to natural resources; transferring forest pest control jurisdiction from the commissioner of agriculture to commissioner of natural resources; expanding volunteer programs; eliminating certain restrictions on acquisition of public access; changing license fees for commercial fishing on Lake Superior; prohibiting decoys and erection of".

## SUSPENSION OF RULES

Hanson moved that the rules be so far suspended that S. F. No. 1647 be substituted for H. F. No. 501 and that the House File be indefinitely postponed. The motion prevailed.

## PETITIONS AND COMMUNICATIONS

The following report was received and filed in the Chief Clerk's Office: Wildlife Management Area Long-Range Acquisition Plan submitted by Minnesota Department of Natural Resources.

**SECOND READING OF SENATE BILLS**

S. F. No. 1647 was read for the second time.

**INTRODUCTION AND FIRST READING  
OF HOUSE BILLS**

The following House Files were introduced:

Kelly, R.; Clawson; Swanson; Kroening and McCarron introduced:

H. F. No. 1950, A bill for an act relating to public welfare; establishing a senior companion pilot program; appropriating funds.

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

Menning; Johnson, C.; Vanasek; Esau and Anderson, I., introduced:

H. F. No. 1951, A bill for an act relating to ambulance services; reimbursing volunteer ambulance attendants for training school expenses; appropriating money; amending Minnesota Statutes 1974, Chapter 144, by adding a section.

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

Kaley, Zubay, Lemke, Eckstein and Friedrich introduced:

H. F. No. 1952, A bill for an act relating to public employees; administrative expenses of salary deductions for annuity contracts; repealing Minnesota Statutes, 1975 Supplement, Section 356.26.

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

Simoneau; Johnson, D.; Novak; McCarron and Mann introduced:

H. F. No. 1953, A bill for an act relating to commerce; providing longer warranties for mobile homes; amending Minnesota Statutes 1974, Section 327.54, Subdivision 2.

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

Sieben, M., introduced:

H. F. No. 1954, A bill for an act relating to crimes; prohibiting the alteration or removal of permanent identification numbers or serial numbers on personal property; prohibiting selling, buying or possessing personal property with altered or removed identification numbers; providing a penalty; amending Minnesota Statutes 1974, Section 609.655.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Pehler and Patton introduced:

H. F. No. 1955, A bill for an act relating to crimes; exempting prison guards from pistol permit requirements when on duty; amending Minnesota Statutes, 1975 Supplement, Section 624.714, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Nelson, Graba, Berg, Vento and Heinitz introduced:

H. F. No. 1956, A bill for an act relating to education; establishing a uniform definition of school age for all handicapped children; amending Minnesota Statutes, 1975 Supplement, Section 120.17, Subdivision 1.

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

Munger, Jensen, Schreiber, Kahn and Mann introduced:

H. F. No. 1957, A bill for an act relating to natural resources; providing general condemnation power upon obtaining consent of landowner; amending Minnesota Statutes 1974, Section 84.027, by adding a subdivision.

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

Skoglund, Simoneau, Casserly, Arlandson and Sieben, M., introduced:

H. F. No. 1958, A bill for an act relating to consumer protection; requiring credit reporting agencies to notify consumers of lowered credit rating.

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

Schulz introduced:

H. F. No. 1959, A bill for an act authorizing the commissioner of administration to convey a portion of a water system at the Red Wing state training school to the city of Red Wing.

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

McCauley and Lemke introduced:

H. F. No. 1960, A bill for an act relating to the firemen's relief association of the city of Goodview; providing that years of service with the Goodview volunteer fire department shall be treated as years of service with the Goodview firemen's relief association; repealing Laws 1974, Chapter 188.

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

Jopp introduced:

H. F. No. 1961, A bill for an act relating to the city of Chanhassen; firemen's service pensions.

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

Graba introduced:

H. F. No. 1962, A bill for an act relating to the city of Wadena; increasing payments for firemen's relief association service pensions.

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

Jude introduced:

H. F. No. 1963, A bill for an act relating to the city of Mound; firemen's service pensions; amending Laws 1973, Chapter 175, Section 1, as amended.

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

Sieben, M., introduced:

H. F. No. 1964, A bill for an act relating to the city of Newport; volunteer firemen's service pensions.

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

Kelly, R.; Vento; Sabo; Biersdorf; and Anderson, I., introduced:

H. F. No. 1965, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 4; providing for four year terms for representatives and for staggered terms for representatives and senators.

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

Faricy, Norton and Hanson introduced:

H. F. No. 1966, A bill for an act relating to judges; authorizing certain retired judges and their dependents to participate in the state employee hospital benefits and medical benefits program; amending Minnesota Statutes 1974, Section 43.491, by adding a subdivision.

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

Dahl, McEachern, Ketola and Jude introduced:

H. F. No. 1967, A bill for an act relating to the city of Rockford; proportionate service pensions and financing requirements of the firemen's relief association.

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

Arlandson, Knoll, Luther, George and Lindstrom introduced:

H. F. No. 1968, A bill for an act relating to public welfare; providing pre-trial proceedings and hearings to determine paternity of illegitimate children; requiring a notice to be given a father when a mother intends to relinquish a child for purposes of adoption; enacting the uniform parentage act; amending Minnesota Statutes 1974, Sections 257.254; 257.257; 257.27; and 257.28; repealing Minnesota Statutes 1974, Sections 257.251; 257.252; 257.253; 257.255; 257.256; 257.258; 257.259; 257.261; 257.262; 257.263; 257.264; 257.29; 257.30; and 257.31.

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

Pehler, Voss, McCauley, Haugerud and Kahn introduced:

H. F. No. 1969, A bill for an act relating to courts; requiring confirmation of supreme court appointments; amending Minnesota Statutes 1974, Chapter 480, by adding a section.

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

Parish; Adams, S.; and Kempe, R., introduced:

H. F. No. 1970, A bill for an act relating to mortgages; legalizing certain foreclosure sales heretofore made and the records of the mortgage foreclosure proceedings.

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

Corbid and Braun introduced:

H. F. No. 1971, A bill for an act relating to Marshall county; authorizing the establishment of a county law library to be supported by certain judicially imposed fee charges.

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

Braun; Anderson, I.; Birnstihl; Corbid and Fjoslien introduced:

H. F. No. 1972, A bill for an act relating to the county of Lake of the Woods; authorizing the county to acquire real estate for and establish and operate a television translator system either within or without the county.

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

McEachern, Tomlinson, Berglin, Schreiber and Dahl introduced:

H. F. No. 1973, A bill for an act relating to municipalities; temporary investment of surplus funds; amending Minnesota Statutes, 1975 Supplement, Section 471.561.

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

Menning introduced:

H. F. No. 1974, A bill for an act relating to the city of Fulda; validating election proceedings and authorizing the issuance of bonds of the city approved by the electors.

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

Kahn, Tomlinson, Hanson, Berglin and Fugina introduced:

H. F. No. 1975, A bill for an act relating to metropolitan transportation; authorizing state agencies to contract with the metropolitan transit commission for the purpose of encouraging the use of mass transit by state employees; directing the commissioner of administration to set additional charges for parking space for certain persons; amending Minnesota Statutes 1974, Section 16.72, Subdivision 5, and by adding a subdivision.

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

Menning; Esau; Johnson, D.; Anderson, G.; and Johnson, C., introduced:

H. F. No. 1976, A bill for an act relating to the legislature; providing for toll-free telephone service to enable constituents to call legislators; appropriating money.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Graba; Johnson, D.; Savelkoul; Fugina and Begich introduced:

H. F. No. 1977, A bill for an act relating to the operation of government; changing the qualification for community school programs aid and for certain proceeds of the supplementary tax on taconite and iron sulphides; clarifying the provisions for certain reductions of foundation aid; sanctioning the reduction of certain levies and authorizing certain transfers of funds; amending Minnesota Statutes, 1975 supplement, Sections 124.271, Subdivision 1; and 298.244, Subdivision 1.

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

Pehler; Kempe, A.; Vanasek; Jaros and Voss introduced:

H. F. No. 1978, A bill for an act relating to taxation; imposing a tax when residual materials attributable to the production of certain minerals are deposited in Lake Superior or on land; amending Minnesota Statutes 1974, Chapter 298, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 298.27.

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

Berglin, Kahn, Moe, Zubay and Jaros introduced:

H. F. No. 1979, A bill for an act relating to taxation; defining "claimant" for purposes of certain homestead credits; amending Minnesota Statutes, 1975 Supplement, Section 290A.03, Subdivision 8.

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

Johnson, D.; Anderson, I.; Prahl; Fugina and Begich introduced:

H. F. No. 1980, A bill for an act relating to taxation; providing local option to specified counties to receive property tax payments from state for state owned land; providing an appropriation.

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

Johnson, D.; Biersdorf; McEachern; Anderson, I.; and Osthoff introduced:

H. F. No. 1981, A bill for an act relating to taxation; providing for the property tax classification of homesteads of surviving spouses of veterans; amending Minnesota Statutes 1974, Section 273.13, Subdivision 7, as amended.

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

Kelly, R.; Sarna; Osthoff; Hokanson and Neisen introduced:

H. F. No. 1982, A bill for an act relating to motor vehicles; registration and taxation of recreational vehicles; amending Minnesota Statutes 1971, Section 168.013, Subdivision 1g, as amended.

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

Searle, Schreiber and Setzepfandt introduced:

H. F. No. 1983, A bill for an act relating to motor vehicles; registration and taxation of recreational vehicles; prescribing the tax on certain towed recreational vehicles and providing credits thereon for future registrations; amending Minnesota Statutes 1971, Section 168.013, Subdivision 1g, as amended.

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

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has moved to return the report of the Conference Committee on the following House File:

H. F. No. 1741, A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for the horticultural society; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government; for maintenance of the uniform laws commission; for the Port Authority of Duluth; and for other purposes.

And respectfully requests that the House reconsider the vote whereby the Conference Committee Report on H. F. No. 1741 was adopted and H. F. No. 1741 was repassed.

And further requests the House re-refer the subject matter of said bill to the Conference Committee, as formerly constituted, for further consideration.

Said House File and Conference Committee Report are herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Eckstein moved that the House accede to the request of the Senate regarding H. F. No. 1741, that the vote whereby the bill was repassed as amended by the Conference Committee be reconsidered, that the vote whereby the Conference Committee report was adopted be reconsidered, and that the bill be returned to the Conference Committee as formerly constituted.

The question was taken on the Eckstein motion to reconsider the vote whereby H. F. No. 1741 was repassed, as amended by Conference. The motion prevailed.

The question was taken on the Eckstein motion to reconsider the vote whereby the Conference Committee Report on H. F. No. 1741 was adopted. The motion prevailed.

The question was taken on the Eckstein motion to return H. F. No. 1741 to the Conference Committee as formerly constituted. The motion prevailed.

Mr. Speaker :

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

Senate Concurrent Resolution No. 9.

A Concurrent Resolution relating to joint rules; providing deadlines for committee reports; amending Joint Rule 20.

PATRICK E. FLAHAVEN, Secretary of the Senate

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

## CALENDAR

H. F. No. 933, A bill for an act relating to elections; requiring that uncontested nonpartisan offices appear at the end of the ballot; amending Laws 1975, Chapter 5, Section 55, by adding a subdivision.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Albrecht	Arlandson	Berg	Birnstihl
Adams, L.	Anderson, G.	Beauchamp	Berglin	Braun
Adams, S.	Anderson, I.	Begich	Biersdorf	Brinkman

Byrne	Friedrich	Knickerbocker	Novak	Sieloff
Carlson, A.	Fudro	Knoll	Osthoff	Simoneau
Carlson, L.	George	Kostohryz	Parish	Skoglund
Carlson, R.	Graba	Kroening	Patton	Smith
Casserly	Hanson	Kvam	Pehler	Smogard
Clark	Haugerud	Laidig	Peterson	Spanish
Clawson	Heinitz	Langseth	Petrafaso	Stanton
Corbid	Hokanson	Lemke	Philbrook	Suss
Dahl	Jacobs	Luther	Pleasant	Swanson
Dean	Jaros	Mangan	Prahl	Tomlinson
DeGroat	Jensen	Mann	Reding	Ulland
Dieterich	Johnson, C.	McCarron	Rice	Vanasek
Doty	Johnson, D.	McCollar	Samuelson	Vento
Eckstein	Jopp	McEachern	Sarna	Volk
Eken	Jude	Menning	Savelkoul	Voss
Enebo	Kahn	Metzen	Schreiber	Wenstrom
Erickson	Kaley	Moe	Schulz	Wenzel
Esau	Kalis	Munger	Schumacher	White
Evans	Kelly, R.	Neisen	Searle	Wieser
Ewald	Kelly, W.	Nelsen	Setzpfandt	Wigley
Faricy	Kempe, A.	Nelson	Sherwood	Williamson
Fjoslien	Kempe, R.	Niehaus	Sieben, H.	Zubay
Forsythe	Ketola	Norton	Sieben, M.	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 23, A bill for an act relating to landlords and tenants; notice of rent increase; amending Minnesota Statutes 1974, Chapter 504, by adding a section.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 102, and nays 27, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Ketola	Norton	Smith
Adams, L.	Eken	Knickerbocker	Novak	Smogard
Anderson, G.	Enebo	Knoll	Osthoff	Spanish
Anderson, I.	Evans	Kostohryz	Parish	Stanton
Arlandson	Ewald	Kroening	Patton	Suss
Beauchamp	Faricy	Laidig	Pehler	Tomlinson
Begich	Forsythe	Langseth	Petrafaso	Ulland
Berg	Fudro	Lemke	Philbrook	Vanasek
Berglin	George	Lindstrom	Pleasant	Vento
Biersdorf	Hanson	Luther	Prahl	Volk
Birnstihl	Hokanson	Mangan	Reding	Voss
Braun	Jacobs	Mann	Rice	Wenstrom
Brinkman	Jaros	McCarron	Sarna	Wenzel
Byrne	Johnson, D.	McCollar	Schreiber	White
Carlson, A.	Jude	McEachern	Schulz	Wieser
Carlson, L.	Kahn	Menning	Schumacher	Williamson
Carlson, R.	Kalis	Metzen	Setzpfandt	Zubay
Clark	Kelly, R.	Moe	Sieben, H.	Speaker Sabo
Clawson	Kelly, W.	Munger	Sieben, M.	
Dahl	Kempe, A.	Neisen	Simoneau	
Dieterich	Kempe, R.	Nelson	Skoglund	

Those who voted in the negative were:

Adams, S.	Erickson	Heinitz	Nelsen	Sherwood
Albrecht	Esau	Jensen	Niehaus	Sieloff
Corbid	Fjoslien	Johnson, C.	Peterson	Wigley
Dean	Friedrich	Jopp	Samuelson	
DeGroat	Graba	Kaley	Savelkoul	
Eckstein	Haugerud	Kvam	Searle	

The bill was passed and its title agreed to.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. Nos. 1075, 875, 1226, 1302, 955, 1376 and 1355 which it recommended to pass.

H. F. Nos. 460, 1061, 1567 and 1284 upon which it recommended progress.

S. F. No. 1424 upon which it recommended progress.

H. F. Nos. 390, 782 and 1096 which it recommended be returned to their authors.

H. F. No. 838 upon which it recommended progress until Monday, February 2, 1976.

H. F. No. 454 upon which it recommended progress until Tuesday, February 3, 1976.

S. F. No. 1647 upon which it recommended progress until Tuesday, February 3, 1976.

H. F. No. 1249 upon which it recommended progress until Thursday, February 19, 1976.

H. F. No. 1377 upon which it recommended progress until Monday, February 9, 1976.

H. F. No. 1076 upon which it recommended progress until Wednesday, February 4, 1976.

S. F. No. 866 upon which it recommended to pass with the following amendment offered by Metzen:

Page 5, line 1, strike "After July 1, 1959,".

Page 5, line 5, before "sufficient" strike "good and".

Page 5, line 6, after "2" strike "hereof".

Page 5, line 14, after "rule" strike "or regulation".

Page 5, line 15, after "keep" strike "such".

Page 5, line 15, after "render" strike "such".

Page 5, line 16, after "rule" strike "or regulation".

Page 5, line 17, after "tax" strike "shall" and insert in lieu thereof "is".

Page 5, line 17, after "not" strike "be".

Page 5, line 20, before "a false" strike "shall file" and insert in lieu thereof "files".

Page 5, line 24, before "sufficient" strike "good and".

Page 5, line 26, after "received" strike "to the state".

Page 5, line 27, strike "treasurer" and insert in lieu thereof "*in the general fund*".

Page 5, line 31, strike "Within 30 days after July 1, 1953,".

Page 6, line 3, after "require" strike "such".

Page 6, line 7, after "tax" strike "shall" and insert in lieu thereof "is", after "not" strike "be".

Page 6, line 12, after "shall" strike "pay" and insert in lieu thereof "*deposit*".

Page 6, line 13, strike "to the state treasurer and the same shall be".

Page 6, line 14, strike "deposited".

Page 7, line 15, strike "1975" and insert in lieu thereof "1976".

Page 7, line 32, strike "*July 1, 1975*" and insert in lieu thereof "*the day following its final enactment*".

H. F. No. 166 upon which it recommended to pass with the following amendment offered by Savelkoul:

Page 1, line 19, delete "not".

H. F. No. 277 upon which it recommended to pass with the following amendments offered by Pleasant:

Page 2, line 14, strike "1976" and insert "1977".

Page 1, line 12, delete "1975" and insert "1976".

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

#### ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Thursday, January 29, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## SIXTIETH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 29, 1976

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Jude	Moe	Sieben, H.
Adams, L.	Eckstein	Kaley	Munger	Sieben, M.
Adams, S.	Eken	Kalis	Neisen	Sieloff
Albrecht	Enebo	Kelly, R.	Nelsen	Simoneau
Anderson, G.	Erickson	Kelly, W.	Nelson	Skoglund
Anderson, I.	Esau	Kempe, A.	Niehaus	Smith
Arlandson	Evans	Kempe, R.	Norton	Smogard
Beauchamp	Ewald	Ketola	Novak	Spanish
Begich	Faricy	Knickerbocker	Osthoff	Stanton
Berg	Fjoslien	Knoll	Parish	Suss
Berglin	Forsythe	Kostohryz	Patton	Swanson
Birnstihl	Friedrich	Kroening	Pehler	Ulland
Braun	Fudro	Kvam	Peterson	Vanasek
Brinkman	Fugina	Laidig	Philbrook	Vento
Byrne	George	Langseth	Pleasant	Volk
Carlson, A.	Graba	Lemke	Reding	Voss
Carlson, L.	Hanson	Lindstrom	St. Onge	Wenstrom
Carlson, R.	Haugerud	Luther	Samuelson	Wenzel
Casserly	Heinitz	Mangan	Sarna	White
Clark	Hokanson	Mann	Savelkoul	Wieser
Clawson	Jacobs	McCarron	Schreiber	Wigley
Corbid	Jaros	McCauley	Schulz	Williamson
Dahl	Jensen	McCollar	Schumacher	Zubay
Dean	Johnson, C.	McEachern	Searle	Speaker Sabo
DeGroat	Johnson, D.	Menning	Setzepfandt	
Dieterich	Jopp	Metzen	Sherwood	

A quorum was present.

Biersdorf, Kahn, Petrafeso, Prahl, Rice and Tomlinson were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Enebo the further reading was dispensed with and the Journal was approved as corrected.

## REPORT OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 166 and 277 have been placed in the members' files.

## PETITIONS AND COMMUNICATIONS

The following report was received and filed in the Chief Clerk's Office: Minnesota Energy Situation submitted by the Minnesota Energy Agency.

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 945, A bill for an act relating to employment services; unemployment compensation; excluding and exempting family farm corporation officers from certain provisions; amending Minnesota Statutes 1974, Section 268.04, Subdivision 12; and by adding a subdivision.

Reported the same back with the following amendment:

Page 14, after line 22, insert:

*"Sec. 3. This act is effective retroactively to January 1, 1976."*

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

The report was adopted.

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

H. F. No. 1880, A bill for an act relating to state lands; conveyance; authorizing the conveyance by the state of certain lands in the county of Kittson.

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

The report was adopted.

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

H. F. No. 1891, A bill for an act relating to civil defense; providing for an interstate civil defense and disaster compact; repealing Laws 1951, Chapter 669.

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

The report was adopted.

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

H. F. No. 1892, A bill for an act relating to civil defense; requiring the executive council to declare an emergency when a disaster has occurred or is imminent; requiring the division of emergency service to assist in the provision of relief measures when a disaster occurs and to coordinate interjurisdictional disaster planning; amending Minnesota Statutes 1974, Sections 12.01; 12.02, Subdivision 1; 12.03; 12.25, Subdivisions 1 and 2; and Chapters 9, by adding a section; and 12, by adding sections.

Reported the same back with the following amendments:

Page 2, line 24, delete "*the executive council declares an*".

Page 2, line 25, delete "*emergency*" and insert "*a disaster occurs or is imminent*".

Page 2, line 26, delete "*Discharge all the duties of the executive council*" and insert "*Take appropriate action to minimize the affects of the disaster*".

Page 2, line 27, after "*convene the*" insert "*executive*".

Page 3, line 17, delete "*now*".

Page 5, line 15, after "*any*" insert "*natural*".

Page 6, line 3, after "*engineering,*" strike "*air-raid*".

Page 7, line 17, delete "*zoning, building, and other*".

Page 7, delete all of line 18.

Page 7, line 19, delete "*or other semi-permanent structures, and other*".

Page 8, line 24, after "*clothing*" insert "*, housing*".

Pages 9, 10, and 11, delete all of sections 6 and 7.

Page 12, line 2, delete the comma after "*agencies*".

Page 12, delete lines 3, 4, 5, and 6.

Page 12, line 7, delete "*public works and land use planning*".

Page 12, line 16, after "*warning,*" delete "*that*".

Page 12, delete lines 17, 18, 19, and 20.

Page 12, line 21, delete "*in order to further the requirements to avoid disaster,*".

Page 13, delete all of section 11.

Renumber the remaining sections in sequence.

Further amend the title:

Line 10, delete "12.25, Subdivisions 1 and 2;"

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

H. F. No. 1977, A bill for an act relating to the operation of government; changing the qualification for community school programs aid and for certain proceeds of the supplementary tax on taconite and iron sulphides; clarifying the provisions for certain reductions of foundation aid; sanctioning the reduction of certain levies and authorizing certain transfers of funds; amending Minnesota Statutes, 1975 Supplement, Sections 124.271, Subdivision 1; and 298.244, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 11, after "*than*" insert "*105 percent of*".

Page 2, line 14, delete "*124.564*" and insert "*475.61*".

Page 2, line 18, after "*than*" insert "*105 percent of*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 945, 1880, 1891, 1892 and 1977 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Eken; Mann; Anderson, G.; Biersdorf and Kalis introduced:

H. F. No. 1984, A bill for an act relating to agriculture; establishing a family farm security program to encourage loans for farm real estate; appropriating money.

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

Berg, Petrafeso, Voss, Schreiber and Stanton introduced:

H. F. No. 1985, A bill for an act relating to appropriations; appropriating funds for seminars for local governmental officials.

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

Heinitz, Swanson, Forsythe and Kahn introduced:

H. F. No. 1986, A bill for an act relating to appropriations; appropriating funds to reimburse Hennepin county for certain adoption expenses.

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

Vento; Fugina; Simoneau; Anderson, I.; and Dahl introduced:

H. F. No. 1987, A bill for an act relating to education; state community college board; faculty salary increases; approving the contract negotiated with the Minnesota community college faculty association.

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

Kroening, Fudro, Tomlinson, Jaros and McCauley introduced:

H. F. No. 1988, A bill for an act relating to port authorities; authorizing port authorities to apply for and exercise the powers of a foreign trade zone; amending Minnesota Statutes 1974, Section 458.192, Subdivision 1, and by adding a subdivision.

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

Faricy; Johnson, D.; Adams, L.; Kvam and Casserly introduced:

H. F. No. 1989, A bill for an act relating to commerce; regulating the sale of motor vehicle fuel; providing a penalty; amending Minnesota Statutes 1974, Chapter 325, by adding sections.

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

Clark; Clawson; Nelson; Carlson, A.; and Skoglund introduced:

H. F. No. 1990, A bill for an act relating to crimes; repealing the law regulating admittance to public dances and the law proscribing holding of public dances at certain hours; repealing Minnesota Statutes 1974, Sections 624.49 and 624.51.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Carlson, L.; Anderson, I.; Novak; Carlson, R.; and Heinitz introduced:

H. F. No. 1991, A bill for an act relating to education; handicapped children; providing a method of calculating class size and school aids as to handicapped children in regular classrooms; amending Minnesota Statutes 1974, Section 124.32, by adding a subdivision.

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

Mangan, Kostohryz, Fugina, Graba and McEachern introduced:

H. F. No. 1992, A bill for an act relating to education; extending school services for handicapped children; amending Minnesota Statutes 1974, Section 120.17, Subdivision 2; and Minnesota Statutes, 1975 Supplement, Section 120.17, Subdivision 1.

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

Birnstihl, Biersdorf, Metzen, Simoneau and Jensen introduced:

H. F. No. 1993, A bill for an act relating to education; providing standards for the education of handicapped children; requiring a hearing and appeals process; providing benefits for all handicapped children residing in the school district; amending Minnesota Statutes 1974, Section 120.17, Subdivisions 3, 4, and by adding a subdivision; and Minnesota Statutes, 1975 Supplement, Section 120.17, Subdivision 1.

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

Kahn, Searle, Fugina, Eckstein and Rice introduced:

H. F. No. 1994, A bill for an act relating to Minnesota culture; preserving and presenting Minnesota folklife.

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

Nelsen, Graba, DeGroat, Searle and Kostohryz introduced:

H. F. No. 1995, A bill for an act relating to education; eye protection requirements for certain industrial and scientific courses; defining industrial quality eye protective devices; amending Minnesota Statutes 1974, Section 126.20, Subdivision 6.

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

Suss, Philbrook and Adams, S., introduced:

H. F. No. 1996, A bill for an act relating to education; describing co-curricular and non-curricular activities; amending Minnesota Statutes 1974, Section 123.38, Subdivisions 1, 2 and 3, and by adding subdivisions.

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

Graba; McEachern; Kostohryz; Adams, S.; and Esau introduced:

H. F. No. 1997, A bill for an act relating to education; expanding reimbursement program for community school programs; authorizing state reimbursement for programs for children in state institutions; appropriating money; amending Minnesota Statutes, 1975 Supplement, Sections 124.271, Subdivision 2; and 124.32, Subdivision 3a; repealing Minnesota Statutes 1974, Section 275.39.

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

Clawson, Suss, Doty and Mangan introduced:

H. F. No. 1998, A bill for an act relating to highway traffic safety; providing for qualifications of school bus flaggers; amending Minnesota Statutes 1974, Section 169.28.

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

Hanson, Jacobs, Kroening and Corbid introduced:

H. F. No. 1999, A bill for an act relating to game and fish; providing temporary permits for handicapped hunters; amending Minnesota Statutes, 1975 Supplement, Section 98.48, Subdivision 12.

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

Menning; Johnson, D.; and Carlson, R., introduced:

H. F. No. 2000, A bill for an act relating to game and fish; authorizing two line fishing; amending Minnesota Statutes 1974, Sections 97.40, Subdivision 32; 101.41, Subdivision 2; and 101.42, Subdivision 20.

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

Munger, Haugerud, Voss, Eken and Savelkoul introduced:

H. F. No. 2001, A bill for an act relating to pollution control; authorizing the hiring of county environmental officers; providing grants-in-aid; appropriating money.

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

Osthoff, Sarna, Tomlinson, Vento and Biersdorf introduced:

H. F. No. 2002, A bill for an act relating to elections; preparation of ballots; amending Minnesota Statutes 1974, Section 208.04; repealing Minnesota Statutes 1974, Sections 208.21 to 208.35.

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

Adams, L.; Kostohryz; Arlandson; Luther and Ewald introduced:

H. F. No. 2003, A bill for an act relating to elections; requiring that polling places be accessible to handicapped voters; amending Minnesota Statutes, 1975 Supplement, Section 204A.11, Subdivision 4.

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

Kostohryz; Tomlinson; Sherwood; Adams, S.; and Kalis introduced:

H. F. No. 2004, A bill for an act relating to elections; providing for the information in returns and canvasses and the duties of canvassing officers; amending Minnesota Statutes, 1975 Supplement, Sections 204A.51; and 204A.52, Subdivision 1.

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

Kostohryz, Fudro, Osthoff, Fjoslien and Prahl introduced:

H. F. No. 2005, A bill for an act relating to veterans affairs; changing the membership of the board of governors of the Big Island Veterans Camp; specifying persons eligible for benefits; providing duties of the board of governors; amending Minnesota Statutes 1974, Sections 197.14, 197.15 and 197.17.

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

George, Sarna, Osthoff, Biersdorf and Laidig introduced:

H. F. No. 2006, A bill for an act relating to elections; requiring vacancies in municipal elected offices to be filled by election; amending Minnesota Statutes 1974, Chapter 205, by adding a section.

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

Adams, S., introduced:

H. F. No. 2007, A bill for an act relating to the city of Wayzata; volunteer firemen's service pensions; amending Laws 1973, Chapter 472, Section 1.

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

Parish, Luther, DeGroat and Skoglund introduced:

H. F. No. 2008, A bill for an act relating to retired state employees; providing certain hospital and medical insurance coverages at no cost to the state; amending Minnesota Statutes 1974, Section 43.491, by adding a subdivision.

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

Begich introduced:

H. F. No. 2009, A bill for an act relating to the city of Eveleth; firemen's pensions therein; amending Laws 1935, Chapter 208, Section 11, as added.

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

Begich introduced:

H. F. No. 2010, A bill for an act relating to the city of Eveleth; increase in police pensions; amending Laws 1965, Chapter 636, Section 8, as added.

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

Schulz introduced:

H. F. No. 2011, A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Goodhue county to the city of Red Wing.

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

Patton, Vanasek, Moe, Biersdorf and McEachern introduced:

H. F. No. 2012, A bill for an act relating to retirement; volunteer firemen's lump sum benefits; amending Minnesota Statutes 1974, Section 69.06.

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

Birnstihl, Biersdorf, Munger, Mann and Jensen introduced:

H. F. No. 2013, A bill for an act relating to soil classification; providing for the regulation of professional soil classifiers; establishing a board of registration for professional soil classifiers; providing penalties.

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

Adams, L.; Carlson, L.; Biersdorf; Voss and Parish introduced:

H. F. No. 2014, A bill for an act relating to unemployment compensation; permitting benefits to be charged to an employer's account if the employee lost his employment because of a strike or labor dispute; providing a penalty for those department employees who violate provisions relating to the confidentiality of information without the approval of the commissioner; amending Minnesota Statutes 1974, Section 268.12, Subdivision 12; and Minnesota Statutes, 1975 Supplement, Section 268.09, Subdivision 1.

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

Sherwood; Anderson, G.; Patton; Pleasant and Menning introduced:

H. F. No. 2015, A bill for an act relating to unemployment compensation; disqualifying an individual from benefits for a voluntary termination of employment if within the previous three years he had received more than 13 weeks of benefits after a voluntary termination of employment; requiring the commissioner of the department of revenue to furnish certain information to the department of employment services; requiring the commissioner of the department of employment services to furnish certain information to the department of public welfare; providing that unemployment compensation benefits be taxable as gross income if the benefits and federal gross income exceed \$8,000; amending Minnesota Statutes 1974, Sections 268.12, Subdivision 12; and 290.61; Minnesota Statutes, 1975 Supplement, Sections 268.09, Subdivision 1; and 290.01, Subdivision 20.

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

Sherwood, Reding, Zubay, Wenstrom and Anderson, G., introduced:

H. F. No. 2016, A bill for an act relating to unemployment compensation; providing that benefits for an employee voluntarily terminating employment without good cause not be paid to the employee until he has become re-employed; amending Minnesota Statutes, 1975 Supplement, Section 268.09, Subdivision 1.

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

Sieben, H.; Clark; Fudro and Sarna introduced:

H. F. No. 2017, A bill for an act relating to the state building code; prescribing additional duties for building officials; providing procedures for their removal from office; amending Minnesota Statutes 1974, Section 16.861, Subdivisions 4 and 5.

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

Clark, Petrafeso, Dieterich, Heinritz and Clawson introduced:

H. F. No. 2018, A bill for an act relating to mental health; creating state and local councils for review of mental health treatment and surgical procedures; establishing procedures for the use of psychosurgery and electroconvulsive treatment; providing a penalty; amending Minnesota Statutes 1974, Section 253A.16, as amended.

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

Clawson, Volk, Suss, Dahl and Rice introduced:

H. F. No. 2019, A bill for an act relating to controlled substances; scheduling certain substances; amending Minnesota Statutes 1974, Section 152.02, Subdivision 5.

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

Schreiber, Casserly, Norton, Pleasant and Sarna introduced:

H. F. No. 2020, A bill for an act relating to courts; increasing the jurisdictional amount in conciliation court of Hennepin and Ramsey counties; amending Minnesota Statutes 1974, Section 488A.12, Subdivision 3; and 488A.29, Subdivision 3.

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

Sherwood; Anderson, G., Wenstrom; Nelsen and Reding introduced:

H. F. No. 2021, A bill for an act relating to highway traffic regulations; driving under the influence of an alcoholic beverage; prescribing penalties; amending Minnesota Statutes 1974, Section 169.121, Subdivision 6, and by adding a subdivision; Minnesota Statutes, 1975 Supplement, Section 169.121, Subdivision 1; repealing Minnesota Statutes 1974, Section 169.121, Subdivisions 3, 4 and 5.

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

Parish, Berg, Luther and Knickerbocker introduced:

H. F. No. 2022, A bill for an act relating to real property; title registration; providing for the issuance of duplicate certificates of title to replace lost or destroyed duplicate certificates; prescribing fees of the registrar; amending Minnesota Statutes 1974, Sections 508.44 and 508.82.

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

Parish, Faricy, Byrne, Luther and Knickerbocker introduced:

H. F. No. 2023, A bill for an act relating to courts; prescribing the jurisdictional limits of conciliation courts in the counties of Hennepin and Ramsey; amending Minnesota Statutes 1974, Sections 488A.12, Subdivision 3; and 488A.29, Subdivision 3.

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

Suss; Kelly, W.; Sieloff; Norton and Sabo introduced:

H. F. No. 2024, A bill for an act relating to the tax court; establishing the tax court as a full time court; creating a small claims division; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 15A.083, Subdivision 4; 271.01, Subdivisions 1 and 4a, and by adding a subdivision; 271.02; 271.03; 271.04; 271.06, Subdivisions 1, 2, 3, 4, 6, and by adding a subdivision; 271.07; 271.08; 271.09, Subdivisions 1, 2, and 3; 271.10, Subdivisions 1 and 2; 271.12; 271.13; 271.14; 271.15; 271.17; 271.18; 271.20; and 490.121, Subdivision 2; and Chapter 271, by adding sections; and Minnesota Statutes, 1975 Supplement, Section 124.212, Subdivision 11; repealing Minnesota Statutes 1974, Sections 271.001; 271.01, Subdivisions 2 and 3; 271.06, Subdivision 5; 271.11; and 271.16.

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

Pehler, Faricy, Kahn, Knickerbocker and Sherwood introduced:

H. F. No. 2025, A bill for an act relating to highway traffic regulations; driving under the influence of drugs or alcoholic beverage; amending Minnesota Statutes 1974, Section 169.121, Subdivision 2; and Minnesota Statutes, 1975 Supplement, Section 169.121, Subdivision 1.

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

Begich and Johnson, D., introduced:

H. F. No. 2026, A bill for an act relating to St. Louis county; limiting the property tax levy.

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

Samuelson and Smith introduced:

H. F. No. 2027, A bill for an act relating to Crow Wing county; authorizing the county to levy and collect a tax for road and bridge purposes on a part of an unorganized township within the county.

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

Evans; Johnson, C.; and Wigley introduced:

H. F. No. 2028, A bill for an act relating to Blue Earth county; welfare board; authorizing the welfare board to maintain certain contingency funds.

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

Neisen; McEachern; Pleasant; Carlson, A.; and Schulz introduced:

H. F. No. 2029, A bill for an act relating to public indebtedness; revising and clarifying provisions as to manner of sale and execution of obligations; maximum interest rates; designation of paying agents; cremation of obligations; use of investment income from proceeds; administration of debt service funds; refunding; method of payment and interest rate on special assessments and obligations payable from special assessments; amending Minnesota Statutes 1974, Sections 48.15, by adding a subdivision; 138.17, Subdivision 1; 429.061, Subdivision 2; 429.091, Subdivisions 1, 3 and 4; 475.51, Subdivision 6; 475.55; 475.553, Subdivisions 1 and 2; 475.60, Subdivisions 2 and 3; 475.65; 475.66; and 475.67, Subdivisions 7 and 12; and repealing Minnesota Statutes 1974, Section 475.553, Subdivision 4.

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

Nelsen, Evans, Lemke, Kvam and Schulz introduced:

H. F. No. 2030, A bill for an act relating to highways; repealing a proposed amendment to Article XIV of the state constitution; repealing Laws 1975, Chapter 203, Sections 25 and 26.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Menning, Stanton and Schulz introduced:

H. F. No. 2031, A bill for an act relating to taxation; increasing the amount of land which may be included in a homestead; amending Minnesota Statutes 1974, Section 510.02; and Minnesota Statutes, 1975 Supplement, Section 273.13, Subdivision 6.

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

Wenstrom; Menning; Schumacher; Anderson, G.; and Smogard introduced:

H. F. No. 2032, A bill for an act proposing an amendment to the Minnesota Constitution adding a section to Article X; prohibiting extension of the sales tax to presently exempt food and clothing.

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

Voss, Vanasek, McCollar, Graba and Jopp introduced:

H. F. No. 2033, A bill for an act relating to taxation; providing a change in the aviation gasoline and special fuel tax refund; amending Minnesota Statutes 1974, Section 296.18, Subdivision 4.

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

Anderson, I.; Prahl; Samuelson; Ketola and Patton introduced:

H. F. No. 2034, A bill for an act relating to taxation; altering means of calculating attached machinery aid; amending Minnesota Statutes 1974, Section 273.138, Subdivisions 2 and 5.

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

DeGroat, Nelsen, Graba, Fjoslien and Niehaus introduced:

H. F. No. 2035, A bill for an act relating to highway traffic regulations; weight limitations on certain vehicles; amending Minnesota Statutes 1974, Sections 169.83, Subdivisions 1, 2 and 3; 169.86, Subdivision 5, and by adding a subdivision; and Minnesota Statutes, 1975 Supplement, Section 169.85; repealing Minnesota Statutes 1974, Section 169.831.

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

Carlson, L.; Dahl; Forsythe; Volk and Swanson introduced:

H. F. No. 2036, A bill for an act relating to nursing homes; requiring training for certain nursing assistants.

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

Swanson; Parish; Carlson, L.; Petrafeso and Heinitz introduced:

H. F. No. 2037, A bill for an act relating to medical assistance for the needy; prohibiting false claims for reimbursement; making certain vendors ineligible for reimbursement; providing access to certain medical records for verification of claims; amending Minnesota Statutes 1974, Sections 256B.064; 256B.27; Chapter 256B, by adding a section; Minnesota Statutes, 1975 Supplement, Section 609.52, Subdivision 2.

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

Forsythe; Swanson; Carlson, L.; Heinitz and Volk introduced:

H. F. No. 2038, A bill for an act relating to medical assistance for the needy; directing the commissioner of public welfare to identify and investigate certain medical assistance abuses; requiring certain reports; amending Minnesota Statutes 1974, Section 256B.04, Subdivision 5, and by adding subdivisions.

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

Heinitz, Swanson, Forsythe, Volk and Petrafeso introduced:

H. F. No. 2039, A bill for an act relating to health care; clarifying and expanding the patients' bill of rights; requiring certain notices; providing penalties; amending Minnesota Statutes 1974, Sections 144.651 and 144.652.

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

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

A message from the Senate relating to S. F. No. 733 and an accompanying Conference Committee report was reported to the House. There being no objection, the message was laid over to Wednesday, February 4, 1976.

Mr. Speaker:

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

S. F. No. 22, A bill for an act relating to education; the establishment of educational cooperative service units to provide educational services and programs on a regional basis; appropriating money therefor.

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Stanton moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3

members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 22.

The motion prevailed.

Mr. Speaker:

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

S. F. No. 1206, A bill for an act relating to state parks; exempting senior citizens from payment of certain fees; amending Minnesota Statutes 1974, Section 85.05, Subdivision 1.

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Volk moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 1206.

The motion prevailed.

Mr. Speaker:

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

S. F. No. 919, A bill for an act relating to the environment; directing creation of an environmental permits coordination unit within the environmental quality council; authorizing an optional consolidated application and hearing procedure for certain permits; directing establishment of permit information centers; appropriating money.

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Patton moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 919.

The motion prevailed.

Mr. Speaker:

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

S. F. No. 570, A bill for an act relating to taxation; increasing the income tax deduction for dependents' school expenses; amending Minnesota Statutes 1974, Section 290.09, Subdivision 22.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. O'Neill, Gearty and Dunn have been appointed as such committee on the part of the Senate.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Osthoff moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 570. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate has moved that the Conference Committee on S. F. No. 1308 be discharged and that a new Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like new Conference Committee appointed on the part of the House:

S. F. No. 1308, A bill for an act relating to natural resources; clarifying procedures for acquisition of wildlife lands; modifying the definition of beneficial public use; requiring a substantial beneficial public use to be served in order to classify waters as public; establishing an accelerated program of inventorying, classifying, and designating state waters; prescribing the powers and duties of the commissioner of natural resources and counties in connection therewith; prescribing interim rules and regulations; specifying certain restrictions on drainage; eliminating

the duty of the commissioner of natural resources to promulgate certain criteria relating to drainage systems; clarifying the criteria which county boards or district courts must consider concerning drainage systems; appropriating money; amending Minnesota Statutes 1974, Sections 97.481; 105.37, Subdivision 6, and by adding subdivisions; 105.38; 105.42, Subdivision 1; 106.021, Subdivisions 2 and 6; 106.031, Subdivision 1; 106.081, Subdivisions 1, 3 and 4; 106.091, Subdivisions 1 and 2; 106.101, Subdivisions 4 and 5; 106.111, Subdivision 1; 106.121, Subdivisions 1 and 4; 106.131; 106.201, Subdivisions 1 and 2; and Chapter 105, by adding sections.

And the Senate respectfully requests that a Conference Committee of 5 members be appointed thereon. Messrs. Olson, H. D.; Moe, Wegener, Jensen and Renneke have been appointed as such committee on the part of the Senate.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Sherwood moved that the House accede to the request of the Senate for the appointment of a new Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 1308. The motion prevailed.

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1741

A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for the horticultural society; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government; for maintenance of the uniform laws commission; for the Port Authority of Duluth; and for other purposes.

January 28, 1976

The Honorable Martin O. Sabo  
Speaker of the House of Representatives  
The Honorable Alec G. Olson  
President of the Senate

We, the undersigned conferees for H. F. No. 1741 report that we have agreed upon the items in dispute and recommend as fol-

lows: The Senate recede from its amendments to H. F. No. 1741 and that the bill be amended by striking all matter after the enacting clause and in lieu thereof substituting the following:

"Section 1. APPROPRIATIONS. The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury, or any other fund herein designated for the purposes specified in the following sections of this act, to be available for the fiscal years ending June 30, 1975, June 30, 1976, and June 30, 1977.

	APPROPRIATIONS Available for the Year Ending June 30	
	1976	1977
	\$	\$
<b>Sec. 2. GENERAL GOVERNMENT</b>		
Subdivision 1. Minnesota-Wisconsin Boundary Area Commission .....		
	41,200	46,000
For 1975 — \$6,000		
Provided that the amount that may be expended shall not exceed the amount pro- vided for the commission by the state of Wisconsin.		
Subd. 2. Uniform Laws Commission ..	9,900	9,900
Any unexpended balance remaining in the first year shall not cancel but shall be avail- able for the second year of the biennium.		
Subd. 3. Great Lakes Commission .....	27,500	27,500
<b>Sec. 3. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES</b>		
Subdivision 1. Societies and Associations		
(a) State Horticultural Society		
1. For maintenance .....	22,500	22,500

	1976	1977
	\$	\$
(b) For expenses of the Junior Livestock Show in Duluth .....	1,400	1,400
<p>Said sum to be paid to the junior livestock association of Duluth and to be expended by said association for the payment of the expenses and transportation of boys and girls displaying exhibits and in attendance at the junior livestock show at Duluth and for prizes awarded to exhibitors at said show.</p>		
(c) For aid to Minnesota Livestock Breeders Association .....	14,100	14,200
(d) For aid to Northern Sheep Growers Associations .....	1,125	1,125
(e) For aid to Southern Sheep Growers Associations at LeSueur, Minnesota .....	500	500
(f) For Red River Valley Livestock Associations .....	7,500	7,500

Provided that the amount appropriated by item (f) hereof shall be disbursed pursuant to provisions of Minnesota Statutes, Section 38.02.

(g) For the Red River Valley Dairy-men's Association, Inc., for the purpose of promoting better dairying .....	1,500	1,500
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Items (a), (c), (d), (e), (f), and (g) shall be appropriated under provisions of Minnesota Statutes, Section 17.07.

#### Subd. 2. Aid to Agricultural Societies and Poultry Associations

(a) Aid to county and district agricultural societies .....	240,000	240,000
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Of the amount appropriated by item (a), \$4,500 each year is for livestock premiums to county fair associations for carrying on boys' and girls' club work.

1976

1977

\$

\$

Provided that the amount appropriated by item (a) hereof shall be disbursed according to Minnesota Statutes, Section 38.02.

Provided that out of the amounts appropriated by item (a) hereof, \$1,000 each year shall be available to the Red Lake Band of Chippewa Indians to be expended as may be directed by the Indian council for the purpose of encouraging such activities and arts as will advance the economic and social interest of their people and particularly to promote a program of agricultural development that will utilize to the greatest possible extent the lands and forest owned by them. This appropriation may be used to help maintain an agricultural extension service; to promote 4-H club work, or for premiums for the competitive display of exhibits at any fair or exposition that may be arranged under the direction of the council.

(b) County Fair Bicentennial Exhibits and Projects ..... 100,000

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Provided that these funds shall be used to reimburse county fairs who received funds under Laws 1973, Chapter 592, Section 4, Subdivision 2(a).

The payment to each county fair from this appropriation shall not exceed 20 percent of its total premiums paid in 1974.

(c) For aid in payment of premiums at exhibitions of poultry for the poultry associations mentioned in Laws 1949, Chapter 718, Section 7, Subdivision 8 ..... 3,500 3,500

Provided that out of the amounts appropriated by item (c) hereof the amount of \$1,125 shall be allotted each fiscal year to aid the Minnesota state poultry association in the payment of premiums and other neces-

1976

1977

\$

\$

sary expenses, exclusive of salaries or wages of any kind, at its annual exhibition.

Provided that the northern poultry association (being a consolidation of fourteen northwestern county associations) shall receive not to exceed \$150.

Provided that no one association or society will receive an amount greater than the annual premium paid to exhibitors by them and shall not in any case exceed the sum of \$150 to any one county.

Provided further that any society or association to be entitled to their distributive share of this appropriation shall file annually with the department of agriculture on or before the first day of April of each year, a sworn statement signed by the president or secretary of such association or society showing the amount of cash premiums paid during the year to exhibitors, and the amount to be distributed to such society or association from said fund shall be based and determined upon the amount of cash premiums paid out as hereinbefore provided. Provided further that except as herein provided where there is more than one association in a county, the amount allotted to such county, not exceeding \$150 aforesaid, shall be distributed to the societies in equal amounts.

Sec. 4. SOCIAL SECURITY

Subdivision 1. Minnesota Veterans Home

(a) Maintenance and repairs . . . . .	651,946	678,503
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Of the amounts appropriated by item (a), including such additional federal funds and dedicated receipts as may be available for maintenance and repair not to exceed \$1,300,410 is for salaries for the year ending June 30, 1976, and \$1,301,710 is for salaries for the year ending June 30, 1977, but may be augmented by such specific sums as are appropriated for salary increases by the 1975 legislature.

1976

1977

\$

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Of the amounts appropriated by item (a), no additional classified employees shall be granted beyond the approved roster of 100 classified employees.

Federal aid, compensation, or reimbursement from the federal government or otherwise received by the Minnesota veterans home, and all receipts from maintenance charges are hereby reappropriated to be used for the purpose of supplementing the appropriation herein provided for, however, any income in excess of \$1,402,300 for fiscal year 1976 and \$1,462,300 for fiscal year 1977 shall reduce the general fund appropriation by a like amount.

No portion of the money appropriated for salaries shall be used to pay merit increases to employees in the unclassified service.

No commissary privileges including food, laundry service, janitorial service, and household supplies shall be furnished to any employees paid from this appropriation.

(b) Repairs and replacements ..... 30,000

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 2. Miscellaneous Accounts

(a) Disabled American Veterans

1. For salaries, supplies and expense to be expended as provided by Laws 1941, Chapter 425 ..... 10,000 10,000

(b) Veterans of Foreign Wars

1. For carrying out the provisions of Laws 1945, Chapter 455 ..... 10,500 10,500

Sec. 5. EDUCATION, LIBRARIES, MUSEUMS AND RECREATION

1976                      1977

\$                              \$

Subdivision 1. Minnesota Historical Society

(a) Grants and Aids ..... 2,325,285    2,466,082

The above appropriation includes sufficient funds to pay salary increases authorized January 1, 1975.

From the appropriation made to the Historical Society by this act, employees, with the exception of the director, shall be paid a salary comparable to the salaries paid to state employees in the classified state civil service. The appropriation includes funds to provide 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 weekday schedule may be effected by the Minnesota historical society. Notwithstanding any other laws to the contrary, the society may purchase fire, wind, hail and vandalism insurance from this appropriation. The amount of funds necessary to meet expenses shall be paid to the society upon certification by the director of the Minnesota historical society of this amount to the commissioner of finance.

Any unexpended balance remaining at the end of the first year shall be returned to the state treasury and credited to the general fund.

Notwithstanding any other law to the contrary the appropriations made in this act shall be subject to the charter of the Minnesota historical society of 1849 and as amended in 1856.

The Minnesota historical society shall report annually by November 15 of each year to the governor, the commissioners of finance and administration, and the appropriate finance committees of the

1976 1977

\$

\$

house and senate the amount and purpose for which state funds under this subdivision were expended for each fiscal year of the biennium.

The grant-in-aid appropriation herein provided shall be expended in the manner and under the terms and conditions described by the governing body of the Minnesota historical society.

(b) Museum Program ..... 200,000

The appropriation herein provided shall be expended according to the provisions of Minnesota Statutes 138.035.

(c) Historic Sites Improvement ..... 150,000

(d) Construction Archaeology ..... 50,000

(e) Contingent Account ..... 30,000

(f) Historic Sites Program ..... 475,000

(g) Harkin-Massopust Store ..... 50,000

(h) Grand Mound Interpretive Center ..... 25,000

These funds shall be available upon completion of construction of the Grand Mound interpretive center.

Any unexpended balances in subdivision 1 (b), (c), (d), (e), (f), (g), and (h) remaining in the first year shall not cancel but shall be available for the second year of the biennium.

(i) Minnesota History and Learning Center ..... 25,000 25,000

(j) Regional History Centers ..... 60,000 60,000

Subd. 2. For maintenance of the Sibley House, to be expended by the Sibley House Association ..... 15,000 15,000

	1976	1977
	\$	\$
Subd. 3. Minnesota Academy of Science .....	16,200	16,200
Subd. 4. Minnesota State Arts Council .....	500,000	500,000

Provided that the state arts council shall create 13 local arts development task forces using state economic development region lines as district boundaries. The state arts council shall recognize one task force from each district. Each task force shall meet at least bimonthly and shall act as a clearing house with right of review and recommendation for proposals generated by groups and individuals within its region. This program shall be for local art development and not for professional touring or special projects.

The state arts council shall be responsible for the administration of the professional touring program. Grants made under the touring program shall be used only for payment of touring costs.

Provided that the state arts council shall develop a comprehensive statewide information and publicity system and that it shall include a progress report on its activities in its annual report to the legislature.

Provided that not less than 55 percent of program moneys shall be expended in regions outside the seven-county metropolitan area.

Provided that none of the state share of grants and subsidies shall be used for matching salary expenditures of any of the various arts councils.

1976

1977

\$

\$

Every publication, program or other graphic material prepared by the Minnesota state arts council or prepared for use by any other organization in connection with an activity funded in whole or part by the council shall bear the legend: "This activity is made possible in part by a grant provided by the Minnesota state legislature and the Congress of the United States."

None of the appropriation for the second year of the biennium shall be expended until the state arts council has first consulted with the committee on appropriations of the house and the committee on finance of the senate and received its recommendation thereon. Such recommendation shall be advisory only.

Subsidies may be allocated to the major arts organizations, provided that the Minnesota state arts council shall set guidelines and shall be responsible for the disbursement of the following funds. In no event will the subsidy exceed the projected deficit in the year in which it is given. If these guidelines and restrictions are established and met, there is available \$75,000 for fiscal year 1976 and \$125,000 for fiscal year 1977 from the appropriation provided in this subdivision.

Provided that state funding for grants and subsidies may not be expended unless matched by federal funds except for the \$200,000 subsidy appropriation.

Subd. 5. Minnesota Safety Council . . . .	47,500	47,500
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The moneys appropriated by this act shall be 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 such certification 25 percent of the annual appropriation on the first day of July, October, January, and April of each fiscal year.

	1976	1977
	\$	\$
<b>Sec. 6. MINNESOTA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS</b> .....	15,000	15,000

Provided that a portion of these funds shall be expended for education of the public relative to the sterilization of domestic pets.

Provided further that a report shall be submitted to the 1976 and 1977 legislature regarding expenditures for public information programs.

<b>Sec. 7. COUNTY ATTORNEYS COUNCIL</b> .....	50,000	50,000
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<b>Sec. 8. PORT AUTHORITY OF DULUTH</b> .....	80,000	80,000
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These amounts are appropriated to the Port Authority of Duluth, organized under Minnesota Statutes, Sections 458.09 to 458.19, and shall be used for the promotion of sea-way trade.

The Port Authority of Duluth shall file a report of activities financed by this appropriation with the legislature on or before November 1, 1975, and November 1, 1976.

<b>Sec. 9. SOUTHERN MINNESOTA RIVERS BASIN COMMISSION</b> .....	40,000	40,000
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<b>Sec. 10. UNEMPLOYMENT COM- PENSATION</b> .....		
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For 1975 — \$5,586.93

In reimbursement of unemployment compensation benefits paid for former employees of the Minnesota Veterans Home.

<b>Sec. 11. WORKMENS COMPENSA- TION</b> .....		
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For 1975 — \$17,209.55

1976 1977

\$

\$

To be transferred by the commissioner of finance to the department of labor and industry compensation revolving fund, in payment of obligations incurred by the following agencies in the amounts as indicated:

Historical Society . . . . . \$11,318.53

Minnesota Veterans Home . . . . . 5,891.02

Sec. 12. UNOBLIGATED BALANCES. The unobligated balances on hand as of June 30, 1975, June 30, 1976, and June 30, 1977, in the several appropriations and accounts of each of the departments or divisions for which an appropriation is made herein out of the general fund, are hereby cancelled into the general fund as of June 30, 1975, June 30, 1976, and June 30, 1977, and the unobligated balances on hand as of June 30, 1976, and June 30, 1977, appropriated out of any other funds shall be cancelled into the fund from which they are appropriated as of June 30, 1976, and June 30, 1977. The provisions of this section shall not apply where otherwise indicated in this act or to aid, contributions, or reimbursements received from the federal government by the state, and all such federal aid, contributions, or reimbursements are hereby reappropriated for the purpose of supplementing the appropriations herein provided.

Sec. 13. Any moneys made available to any state department or agency by this act by appropriation, transfer, or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Sections 355.50 and 352.04, Subdivision 5.

Sec. 14. This act is effective the day following final enactment."

We request adoption of this report and repassage of the bill in accordance therewith:

House Conferees: A. J. (TONY) ECKSTEIN, JAMES SWANSON, WENDELL ERICKSON, PHYLLIS KAHN and JOHN ARLANDSON.

Senate Conferees: CLARENCE PURFEERST, GERALD WILLET, GENE MERRIAM, WILLIAM KIRCHNER and HARMON OGDahl.

Eckstein moved that the report of the Conference Committee on H. F. No. 1741 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1741, A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for the horticultural society; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government; for maintenance of the uniform laws commission; for the Port Authority of Duluth; and for other purposes.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Jude	Metzen	Setzepfandt
Adams, L.	Eckstein	Kaley	Moe	Sherwood
Adams, S.	Eken	Kalis	Munger	Sieben, H.
Albrecht	Enebo	Kelly, R.	Neisen	Sieben, M.
Anderson, G.	Erickson	Kelly, W.	Nelsen	Sieloff
Anderson, I.	Esau	Kempe, A.	Nelson	Simoneau
Arlanson	Evans	Kempe, R.	Niehaus	Skoglund
Beauchamp	Ewald	Ketola	Norton	Smith
Begich	Fjoslien	Knickerbocker	Novak	Smogard
Berg	Forsythe	Knoll	Osthoff	Stanton
Berglin	Friedrich	Kostohryz	Parish	Suss
Birnstihl	Fudro	Kroening	Patton	Swanson
Braun	Fugina	Kvam	Pehler	Ulland
Brinkman	George	Laidig	Peterson	Vanasek
Byrne	Graba	Langseth	Philbrook	Vento
Carlson, A.	Hanson	Lemke	Pleasant	Voss
Carlson, L.	Haugerud	Lindstrom	Reding	Wenstrom
Carlson, R.	Heinitz	Luther	St. Onge	Wenzel
Clark	Hokanson	Mangan	Samuelson	White
Clawson	Jacobs	Mann	Sarna	Wieser
Corbid	Jaros	McCarron	Savelkoul	Wigley
Dahl	Jensen	McCauley	Schreiber	Zubay
Dean	Johnson, C.	McCollar	Schulz	Speaker Sabo
DeGroat	Johnson, D.	McEachern	Schumacher	
Dieterich	Jopp	Menning	Searle	

Those who voted in the negative were:

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

### CONSENT CALENDAR

S. F. No. 816, A bill for an act relating to towns; requiring towns to file financial reports with the state auditor; amending Minnesota Statutes 1974, Section 366.22.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 9, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kaley	Moe	Sieben, M.
Adams, L.	Eckstein	Kelly, R.	Munger	Sieloff
Adams, S.	Eken	Kelly, W.	Neisen	Simoneau
Albrecht	Enebo	Kempe, A.	Nelsen	Skoglund
Anderson, G.	Esau	Kempe, R.	Nelson	Smith
Anderson, I.	Evans	Ketola	Niehaus	Smogard
Arlandson	Ewald	Knickerbocker	Norton	Spanish
Beauchamp	Faricy	Knoll	Novak	Stanton
Begich	Forsythe	Kostohryz	Osthoff	Suss
Berg	Friedrich	Kroening	Parish	Swanson
Berglin	Fudro	Kvam	Patton	Ulland
Birnstihl	Fugina	Laidig	Pehler	Vanasek
Braun	George	Langseth	Philbrook	Vento
Brinkman	Graba	Lemke	Pleasant	Volk
Byrne	Hanson	Lindstrom	Reding	Voss
Carlson, A.	Haugerud	Luther	St. Onge	Wenstrom
Carlson, L.	Heinitz	Mangan	Samuelson	Wenzel
Carlson, R.	Hokanson	Mann	Sarna	White
Clark	Jacobs	McCarron	Savelkoul	Wigley
Clawson	Jensen	McCauley	Schreiber	Zubay
Corbid	Johnson, C.	McCollar	Schulz	Speaker Sabo
Dahl	Johnson, D.	McEachern	Searle	
Dean	Jopp	Menning	Sherwood	
Dieterich	Jude	Metzen	Sieben, H.	

Those who voted in the negative were:

DeGroat	Fjoslien	Kalis	Schumacher	Wieser
Erickson	Jaros	Peterson	Setzepfandt	

The bill was passed and its title agreed to.

S. F. No. 906, A bill for an act relating to plats and surveys; filing and certification thereof; providing an increase in the filing fees charged by the register of deeds; amending Minnesota Statutes 1974, Section 505.08, Subdivision 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Anderson, I.	Berglin	Carlson, L.	Dahl
Adams, L.	Arlandson	Birnstihl	Carlson, R.	Dean
Adams, S.	Beauchamp	Braun	Clark	DeGroat
Albrecht	Begich	Byrne	Clawson	Dieterich
Anderson, G.	Berg	Carlson, A.	Corbid	Doty

Eckstein	Jaros	Lemke	Parish	Simoneau
Eken	Jensen	Lindstrom	Patton	Skoglund
Enebo	Johnson, C.	Luther	Pehler	Smith
Erickson	Johnson, D.	Mangan	Peterson	Smogard
Esau	Jopp	Mann	Philbrook	Spanish
Evans	Jude	McCarron	Pleasant	Stanton
Ewald	Kaley	McCauley	Reding	Suss
Faricy	Kalis	McCollar	St. Onge	Swanson
Fjoslien	Kelly, R.	McEachern	Samuelson	Ulland
Forsythe	Kelly, W.	Menning	Sarna	Vanasek
Friedrich	Kempe, A.	Metzen	Savelkoul	Vento
Fudro	Kempe, R.	Moe	Schreiber	Voss
Fugina	Ketola	Munger	Schulz	Wenstrom
George	Knickerbocker	Neisen	Schumacher	Wenzel
Graba	Knoll	Nelsen	Searle	White
Hanson	Kostohryz	Nelson	Setzepfandt	Wieser
Haugerud	Kroening	Niehaus	Sherwood	Wigley
Heinitz	Kvam	Norton	Sieben, H.	Zubay
Hokanson	Laidig	Novak	Sieben, M.	Speaker Sabo
Jacobs	Langseth	Osthoff	Sieloff	

The bill was passed and its title agreed to.

S. F. No. 1507, A bill for an act relating to Ramsey county; reestablishing the office of county surveyor and abolishing the plat commission; amending Laws 1974, Chapter 435, Section 3.18, and by adding a section; and repealing Laws 1974, Chapter 435, Section 3.15.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Jopp	Menning	Setzepfandt
Adams, L.	Eckstein	Jude	Metzen	Sherwood
Adams, S.	Eken	Kaley	Moe	Sieben, H.
Albrecht	Enebo	Kalis	Munger	Sieben, M.
Anderson, G.	Erickson	Kelly, R.	Neisen	Sieloff
Anderson, I.	Esau	Kelly, W.	Nelsen	Simoneau
Arlandson	Evans	Kempe, A.	Nelson	Skoglund
Beauchamp	Ewald	Kempe, R.	Niehaus	Smith
Begich	Faricy	Ketola	Norton	Smogard
Berg	Fjoslien	Knickerbocker	Novak	Spanish
Berglin	Forsythe	Knoll	Parish	Stanton
Birnstihl	Friedrich	Kostohryz	Patton	Suss
Braun	Fudro	Kroening	Pehler	Swanson
Brinkman	Fugina	Kvam	Peterson	Ulland
Byrne	George	Laidig	Philbrook	Vanasek
Carlson, A.	Graba	Langseth	Pleasant	Vento
Carlson, L.	Hanson	Lemke	Reding	Voss
Carlson, R.	Haugerud	Lindstrom	St. Onge	Wenstrom
Clark	Heinitz	Luther	Samuelson	Wenzel
Clawson	Hokanson	Mangan	Sarna	White
Corbid	Jacobs	Mann	Savelkoul	Wieser
Dahl	Jaros	McCarron	Schreiber	Wigley
Dean	Jensen	McCauley	Schulz	Zubay
DeGroat	Johnson, C.	McCollar	Schumacher	Speaker Sabo
Dieterich	Johnson, D.	McEachern	Searle	

The bill was passed and its title agreed to.

### CALENDAR

S. F. No. 866, A bill for an act relating to liquor, abolishing the office of liquor control commissioner and transferring the powers and duties thereof to the commissioners of public safety and revenue; amending Minnesota Statutes 1974, Chapter 299A, by adding a section; Sections 299A.01, Subdivision 3; 340.44; 340.47, Subdivision 2; 340.485, Subdivision 1; and 340.492; repealing Minnesota Statutes 1974, Sections 299A.01, Subdivision 4; 340.08; 340.09; 340.485, Subdivision 4; and 340.491.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 4, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kalis	Munger	Sieben, M.
Adams, L.	Eken	Kelly, R.	Neisen	Sieloff
Adams, S.	Enebo	Kelly, W.	Nelsen	Simoneau
Albrecht	Erickson	Kempe, A.	Nelson	Skoglund
Anderson, G.	Esau	Kempe, R.	Niehaus	Smith
Anderson, I.	Evans	Ketola	Norton	Smogard
Arlandson	Ewald	Knickerbocker	Novak	Spanish
Beauchamp	Faricy	Knoll	Osthoff	Stanton
Berg	Fjoslien	Kostohryz	Parish	Suss
Berglin	Forsythe	Kroening	Patton	Swanson
Birnstihl	Friedrich	Kvam	Pehler	Ulland
Braun	Fudro	Laidig	Peterson	Vanasek
Brinkman	George	Langseth	Philbrook	Vento
Byrne	Graba	Lemke	Pleasant	Volk
Carlson, A.	Hanson	Lindstrom	Reding	Voss
Carlson, L.	Haugerud	Luther	St.Onge	Wenstrom
Carlson, R.	Heinitz	Mangan	Samuelson	Wenzel
Clark	Hokanson	Mann	Sarna	White
Clawson	Jacobs	McCarron	Savelkoul	Wieser
Corbid	Jaros	McCauley	Schreiber	Wigley
Dahl	Jensen	McCollar	Schulz	Zubay
Dean	Johnson, D.	McEachern	Schumacher	Speaker Sabo
DeGroat	Jopp	Menning	Setzpfandt	
Dieterich	Jude	Metzen	Sherwood	
Doty	Kaley	Moe	Sieben, H.	

Those who voted in the negative were:

Begich	Fugina	Johnson, C.	Searle
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The bill was passed and its title agreed to.

H. F. No. 1075, A bill for an act relating to public health; reducing to 17 the age at which a person is eligible to be a blood donor; amending Minnesota Statutes 1974, Section 145.41.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 118, and nays 4, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Jude	Metzen	Sieben, H.
Adams, L.	Eckstein	Kaley	Munger	Sieben, M.
Adams, S.	Eken	Kalis	Neisen	Sieloff
Albrecht	Enebo	Kelly, R.	Nelsen	Simoneau
Anderson, G.	Erickson	Kelly, W.	Nelson	Skoglund
Anderson, I.	Esau	Kempe, A.	Niehaus	Smith
Arlandson	Evans	Ketola	Norton	Smogard
Beauchamp	Ewald	Knickerbocker	Novak	Spanish
Begich	Faricy	Knoll	Parish	Stanton
Berg	Fjoslien	Kostohryz	Patton	Suss
Berglin	Forsythe	Kroening	Pehler	Swanson
Birnstihl	Fudro	Kvam	Peterson	Ulland
Brinkman	Fugina	Laidig	Philbrook	Vanasek
Byrne	George	Langseth	Pleasant	Vento
Carlson, A.	Graba	Lenke	Reding	Volk
Carlson, L.	Hanson	Lindstrom	St. Onge	Voss
Carlson, R.	Haugerud	Luther	Samuelson	Wenstrom
Clark	Heinitz	Mangan	Sarna	Wenzel
Clawson	Hokanson	Mann	Savelkoul	White
Corbid	Jacobs	McCarron	Schreiber	Wieser
Dahl	Jaros	McCauley	Schulz	Zubay
Dean	Jensen	McCollar	Schumacher	Speaker Sabo
DeGroat	Johnson, C.	McEachern	Searle	
Dieterich	Johnson, D.	Menning	Setzepfandt	

Those who voted in the negative were:

Braun            Kempe, R.        Sherwood        Wigley

The bill was passed and its title agreed to.

H. F. No. 875, A bill for an act relating to labor relations; re-defining professional strikebreaker; amending Minnesota Statutes 1974, Section 179.01, Subdivision 16.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 93, and nays 32, as follows:

Those who voted in the affirmative were:

Abeln	Berg	Carlson, L.	Doty	George
Adams, L.	Berglin	Carlson, R.	Eckstein	Graba
Anderson, G.	Birnstihl	Clark	Eken	Hanson
Anderson, I.	Braun	Clawson	Enebo	Hokanson
Arlandson	Brinkman	Corbid	Faricy	Jacobs
Beauchamp	Byrne	Dahl	Fudro	Jaros
Begich	Carlson, A.	Dieterich	Fugina	Jensen

Johnson, D.	Lemke	Neisen	Sarna	Swanson
Jude	Lindstrom	Nelson	Savelkoul	Ulland
Kelly, R.	Luther	Norton	Schulz	Vanasek
Kelly, W.	Mangan	Novak	Sherwood	Vento
Kempe, A.	McCarron	Osthoff	Sieben, H.	Voik
Kempe, R.	McCauley	Parish	Sieben, M.	Voss
Ketola	McCollar	Patton	Simoneau	Wenstrom
Knickerbocker	McEachern	Pehler	Skoglund	Wenzel
Knoll	Menning	Philbrook	Smith	White
Kostohryz	Metzen	Reding	Smogard	Speaker Sabo
Kroening	Moe	St. Onge	Spanish	
Laidig	Munger	Samuelson	Stanton	

Those who voted in the negative were:

Adams, S.	Ewald	Jopp	Niehaus	Sieloff
Albrecht	Fjoslien	Kaley	Peterson	Wieser
Dean	Forsythe	Kalis	Pleasant	Wigley
DeGroat	Friedrich	Kvam	Schreiber	Zubay
Erickson	Haugerud	Langseth	Schumacher	
Esau	Heinitz	Mann	Searle	
Evans	Johnson, C.	Nelsen	Setzepfandt	

The bill was passed and its title agreed to.

H. F. No. 1226, A bill for an act relating to drivers' licenses; classifications; providing that a class C license is valid for the operation of special mobile equipment used primarily for the construction or maintenance of streets and highways; amending Minnesota Statutes 1974, Section 171.02, Subdivision 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Haugerud	Kvam	Novak
Adams, L.	Dean	Heinitz	Laidig	Osthoff
Adams, S.	DeGroat	Hokanson	Langseth	Parish
Albrecht	Dieterich	Jacobs	Lemke	Patton
Anderson, G.	Doty	Jaros	Lindstrom	Pehler
Anderson, I.	Eckstein	Jensen	Luther	Peterson
Arlandson	Eken	Johnson, C.	Mangan	Philbrook
Beauchamp	Enebo	Johnson, D.	Mann	Pleasant
Begich	Erickson	Jopp	McCarron	Reding
Berg	Esau	Jude	McCauley	St. Onge
Berglin	Evans	Kaley	McCollar	Samuelson
Birnstihl	Ewald	Kalis	McEachern	Sarna
Braun	Faricy	Kelly, R.	Menning	Savelkoul
Brinkman	Fjoslien	Kelly, W.	Metzen	Schreiber
Byrne	Forsythe	Kempe, A.	Moe	Schulz
Carlson, A.	Friedrich	Kempe, R.	Munger	Schumacher
Carlson, L.	Fudro	Ketola	Neisen	Searle
Carlson, R.	Fugina	Knickerbocker	Nelsen	Setzepfandt
Clark	George	Knoll	Nelson	Sherwood
Clawson	Graba	Kostohryz	Niehaus	Sieben, H.
Corbid	Hanson	Kroening	Norton	Sieben, M.

Sieloff	Spanish	Vanasek	Wenzel	Speaker Sabo
Simoneau	Stanton	Vento	White	
Skoglund	Suss	Volk	Wieser	
Smith	Swanson	Voss	Wigley	
Smogard	Ulland	Wenstrom	Zubay	

The bill was passed and its title agreed to.

H. F. No. 1302, A bill for an act relating to insurance; providing for higher limits of liability coverage and uninsured motorist coverage; amending Minnesota Statutes 1974, Sections 65B.06; and 65B.49, Subdivision 6.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Jude	Metzen	Setzepfandt
Adams, L.	Eckstein	Kaley	Moe	Sherwood
Adams, S.	Eken	Kalis	Munger	Sieben, H.
Albrecht	Enebo	Kelly, R.	Neisen	Sieben, M.
Anderson, G.	Erickson	Kelly, W.	Nelsen	Sieloff
Anderson, I.	Esau	Kempe, A.	Nelson	Simoneau
Arlandson	Evans	Kempe, R.	Niehaus	Skoglund
Beauchamp	Ewald	Ketola	Norton	Smith
Begich	Faricy	Knickerbocker	Novak	Smogard
Berg	Fjoslien	Knoll	Osthoff	Spanish
Berglin	Forsythe	Kostohryz	Parish	Stanton
Birnstihl	Friedrich	Kroening	Patton	Suss
Braun	Fudro	Kvam	Pehler	Swanson
Brinkman	Fugina	Laidig	Peterson	Ulland
Byrne	George	Langseth	Philbrook	Vanasek
Carlson, A.	Graba	Lemke	Pleasant	Vento
Carlson, L.	Hanson	Lindstrom	Reding	Volk
Carlson, R.	Haugerud	Luther	St. Onge	Voss
Clark	Heinitz	Mangan	Samuelson	Wenstrom
Clawson	Hokanson	Mann	Sarna	Wenzel
Corbid	Jacobs	McCarron	Savelkoul	White
Dahl	Jaros	McCauley	Schreiber	Wieser
Dean	Jensen	McCollar	Schulz	Wigley
DeGroat	Johnson, C.	McEachern	Schumacher	Zubay
Dieterich	Johnson, D.	Menning	Searle	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 1376, A bill for an act relating to insurance; examination fees; abstract or summary of the annual statement; amending Minnesota Statutes 1974, Sections 60A.03, Subdivision 5; 60A.13, Subdivision 3; and 60A.14, Subdivision 1.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Munger	Sieben, M.
Adams, L.	Eken	Kalis	Neisen	Sieloff
Adams, S.	Enebo	Kelly, R.	Nelsen	Simoneau
Albrecht	Erickson	Kelly, W.	Nelson	Skoglund
Anderson, G.	Esau	Kempe, A.	Niehaus	Smith
Anderson, I.	Evans	Kempe, R.	Norton	Smogard
Arlandson	Ewald	Ketola	Novak	Spanish
Beauchamp	Faricy	Knickerbocker	Osthoff	Stanton
Begich	Fjoslien	Knoll	Parish	Suss
Berg	Forsythe	Kostohryz	Patton	Swanson
Berglin	Friedrich	Kroening	Pehler	Ulland
Birnstihl	Fudro	Kvam	Peterson	Vanasek
Braun	Fugina	Laidig	Philbrook	Vento
Brinkman	George	Langseth	Pleasant	Volk
Byrne	Graba	Lemke	Reding	Voss
Carlson, A.	Hanson	Lindstrom	St. Onge	Wenstrom
Carlson, L.	Haugerud	Luther	Samuelson	Wenzel
Carlson, R.	Heinitz	Mangan	Sarna	White
Clark	Hokanson	Mann	Savelkoul	Wieser
Clawson	Jacobs	McCarron	Schreiber	Wigley
Corbid	Jaros	McCauley	Schulz	Zubay
Dahl	Jensen	McCollar	Schumacher	Speaker Sabo
Dean	Johnson, C.	McEachern	Searle	
DeGroat	Johnson, D.	Menning	Setzepfandt	
Dieterich	Jopp	Metzen	Sherwood	
Doty	Jude	Moe	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 955, A bill for an act relating to mobile homes; providing certain procedures for repossession of mobile homes; amending Minnesota Statutes 1974, Section 336.9-104.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 121, and nays 5, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, A.	Erickson	Heinitz	Ketola
Adams, L.	Carlson, L.	Esau	Hokanson	Knickerbocker
Adams, S.	Carlson, R.	Evans	Jacobs	Knoll
Anderson, G.	Clark	Ewald	Jaros	Kostohryz
Anderson, I.	Clawson	Faricy	Jensen	Kroening
Arlandson	Corbid	Fjoslien	Johnson, C.	Laidig
Beauchamp	Dahl	Forsythe	Johnson, D.	Langseth
Begich	Dean	Friedrich	Jopp	Lemke
Berg	DeGroat	Fudro	Jude	Lindstrom
Berglin	Dieterich	Fugina	Kaley	Luther
Birnstihl	Doty	George	Kelly, R.	Mangan
Braun	Eckstein	Graba	Kelly, W.	Mann
Brinkman	Eken	Hanson	Kempe, A.	McCarron
Byrne	Enebo	Haugerud	Kempe, R.	McCauley

McCollar	Osthoff	Savelkoul	Smith	Wenstrom
McEachern	Parish	Schreiber	Smogard	Wenzel
Menning	Patton	Schulz	Spanish	White
Metzen	Pehler	Schumacher	Stanton	Wieser
Moe	Peterson	Searle	Suss	Wigley
Munger	Philbrook	Setzepfandt	Swanson	Zubay
Neisen	Pleasant	Sherwood	Ulland	Speaker Sabo
Nelsen	Reding	Sieben, H.	Vanasek	
Nelson	St. Onge	Sieben, M.	Vento	
Norton	Samuelson	Simoneau	Volk	
Novak	Sarna	Skoglund	Voss	

Those who voted in the negative were:

Albrecht	Kalis	Kvam	Niehaus	Sieloff
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The bill was passed and its title agreed to.

H. F. No. 166, A bill for an act relating to Ramsey county; authorizing the county to acquire the Brightwood Hills golf course in the city of New Brighton; authorizing the issuance of bonds to finance the purchase.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 92, and nays 28, as follows:

Those who voted in the affirmative were:

Abeln	Enebo	Kelly, W.	Moe	Simoneau
Adams, L.	Evans	Kempe, R.	Munger	Skoglund
Anderson, G.	Ewald	Ketola	Neisen	Smogard
Anderson, I.	Forsythe	Knickerbocker	Nelson	Spanish
Arlanson	Friedrich	Knoll	Norton	Stanton
Beauchamp	Fudro	Kostohryz	Novak	Suss
Begich	Fugina	Kroening	Osthoff	Swanson
Berg	George	Laidig	Parish	Ulland
Berglin	Graba	Langseth	Philbrook	Vanasek
Birnstihl	Hanson	Lemke	Reding	Volk
Carlson, L.	Haugerud	Lindstrom	St. Onge	Voss
Carlson, R.	Hokanson	Luther	Samuelson	Wenstrom
Clark	Jacobs	Mangan	Sarna	Wenzel
Clawson	Jaros	Mann	Schulz	White
Corbid	Johnson, C.	McCarron	Schumacher	Zubay
Dean	Johnson, D.	McCauley	Setzepfandt	Speaker Sabo
Doty	Jude	McEachern	Sherwood	
Eckstein	Kaley	Menning	Sieben, H.	
Eken	Kalis	Metzen	Sieben, M.	

Those who voted in the negative were:

Albrecht	Dieterich	Jensen	Niehaus	Smith
Braun	Erickson	Jopp	Pehler	Vento
Brinkman	Esau	Kempe, A.	Peterson	Wieser
Byrne	Farcy	Kvam	Pleasant	Wigley
Carlson, A.	Fjoslien	McCollar	Searle	
DeGroat	Heinitz	Nelsen	Sieloff	

The bill was passed and its title agreed to.

H. F. No. 1355, A bill for an act relating to highway traffic regulations; littering; providing penalties; amending Minnesota Statutes 1974, Section 169.42, Subdivisions 1 and 5.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Munger	Sieben, M.
Adams, L.	Eken	Kalis	Neisen	Sieloff
Adams, S.	Enebo	Kelly, R.	Nelsen	Simoneau
Albrecht	Erickson	Kelly, W.	Nelson	Skoglund
Anderson, G.	Esau	Kempe, A.	Niehaus	Smith
Anderson, I.	Evans	Kempe, R.	Norton	Smogard
Arlandson	Ewald	Ketola	Novak	Spanish
Beauchamp	Faricy	Knickerbocker	Osthoff	Stanton
Begich	Fjoslien	Knoll	Parish	Suss
Berg	Forsythe	Kostohryz	Patton	Swanson
Berglin	Friedrich	Kroening	Pehler	Ulland
Birnstihl	Fudro	Kvam	Peterson	Vanasek
Braun	Fugina	Laidig	Philbrook	Vento
Brinkman	George	Langseth	Pleasant	Volk
Byrne	Graba	Lemke	Reding	Voss
Carlson, A.	Hanson	Lindstrom	St. Onge	Wenstrom
Carlson, L.	Haugerud	Luther	Samuelson	Wenzel
Carlson, R.	Heinitz	Mangan	Sarna	White
Clark	Hokanson	Mann	Savelkoul	Wieser
Clawson	Jacobs	McCarron	Schreiber	Wigley
Corbid	Jaros	McCauley	Schulz	Zubay
Dahl	Jensen	McCollar	Schumacher	Speaker Sabo
Dean	Johnson, C.	McEachern	Searle	
DeGroat	Johnson, D.	Menning	Setzpfandt	
Dieterich	Jopp	Metzen	Sherwood	
Doty	Jude	Moe	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 277, A bill for an act relating to commerce; requiring the display of sale price and other identifying information on certain used motor vehicles offered for sale after a certain date; prescribing a penalty; amending Minnesota Statutes 1974, Chapter 325, by adding a section.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Eken	Kalis	Munger	Sieben, M.
Adams, L.	Enebo	Kelly, R.	Neisen	Sieloff
Adams, S.	Erickson	Kelly, W.	Nelsen	Simoneau
Albrecht	Esau	Kempe, A.	Nelson	Skoglund
Anderson, I.	Evans	Kempe, R.	Niehaus	Smith
Arlandson	Ewald	Ketola	Norton	Smogard
Beauchamp	Faricy	Knickerbocker	Novak	Spanish
Begich	Fjoslien	Knoll	Osthoff	Stanton
Berg	Forsythe	Kostohryz	Parish	Suss
Berglin	Friedrich	Kroening	Pehler	Swanson
Birnstihl	Fudro	Kvam	Peterson	Ulland
Braun	Fugina	Laidig	Philbrook	Vanasek
Byrne	George	Langseth	Pleasant	Vento
Carlson, A.	Graba	Lemke	Reding	Volk
Carlson, L.	Hanson	Lindstrom	St. Onge	Voss
Carlson, R.	Haugerud	Luther	Samuelson	Wenstrom
Clark	Heinitz	Mangan	Sarna	Wenzel
Clawson	Hokanson	Mann	Savelkoul	White
Corbid	Jacobs	McCarron	Schreiber	Wieser
Dahl	Jaros	McCauley	Schulz	Wigley
Dean	Jensen	McCollar	Schumacher	Zubay
DeGroat	Johnson, C.	McEachern	Searle	Speaker Sabo
Dieterich	Johnson, D.	Menning	Setzepfandt	
Doty	Jopp	Metzen	Sherwood	
Eckstein	Jude	Moe	Sieben, H.	

Those who voted in the negative were:

Anderson, G.

The bill was passed and its title agreed to.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. Nos. 238 and 753 which it recommended to pass.

H. F. No. 1567 upon which it recommended progress.

S. F. No. 1424 which it recommended re-referral to the Committee on Governmental Operations.

H. F. No. 460 upon which it recommended progress until Tuesday, February 17, 1976.

H. F. No. 1061 upon which it recommended progress until Monday, February 2, 1976.

H. F. No. 1284 upon which it recommended progress until Wednesday, February 4, 1976.

H. F. Nos. 568 and 832 upon which it recommended progress until Thursday, February 5, 1976.

H. F. No. 953 which it recommended re-referral to the Committee on Judiciary.

H. F. No. 402 upon which it recommended progress with the following amendment offered by Luther:

Page 1, line 2 of the title after "resources," insert "defining".

H. F. No. 510 upon which it recommended progress with the following amendment offered by Langseth:

Page 1, line 15, strike "1976" and insert "1977".

H. F. No. 1078 upon which it recommended to pass with the following amendment offered by Clawson:

Page 1, line 7, delete "1974" and insert ", 1975 Supplement".

Page 2, line 28, delete the "period" and insert "a semicolon".

Page 2, after line 28, insert

"(k) Any person who offers to sell or sells a business opportunity which is a franchise registered pursuant to chapter 80C, when acting solely to sell the franchise."

Amend the title as follows:

Page 1, line 4, delete "1974" and insert ", 1975 Supplement".

H. F. No. 681 upon which it recommended to pass with the following amendment offered by Wigley:

Page 1, line 16, strike "4" and insert "2".

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

#### ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 22:

Stanton, Norton and Suss.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 570:

Osthoff; Kelly, W.; and Johnson, C.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 919:

Patton; Sieben, H.; and McCauley.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 1308:

Sherwood, Eken, Searle, Savelkoul and Hanson.

#### ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, February 2, 1976. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Monday, February 2, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## SIXTY-FIRST DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 2, 1976

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Eckstein	Kalis	Nelsen	Sieloff
Adams, L.	Eken	Kelly, R.	Nelson	Simoneau
Albrecht	Enebo	Kelly, W.	Niehaus	Skoglund
Anderson, G.	Erickson	Kempe, A.	Norton	Smith
Anderson, I.	Esau	Kempe, R.	Novak	Smogard
Arlandson	Evans	Ketola	Osthoff	Spanish
Beauchamp	Ewald	Knickerbocker	Parish	Stanton
Begich	Faricy	Knoll	Patton	Suss
Berg	Fjoslien	Kostohryz	Pehler	Swanson
Berglin	Forsythe	Kroening	Peterson	Tomlinson
Biersdorf	Friedrich	Kvam	Petrafeso	Ulland
Birnstihl	Fudro	Laidig	Philbrook	Vanasek
Braun	Fugina	Langseth	Pleasant	Vento
Brinkman	George	Lemke	Prahl	Volk
Byrne	Graba	Lindstrom	Reding	Voss
Carlson, A.	Hanson	Luther	St. Onge	Wenstrom
Carlson, L.	Heinitz	Mangan	Samuelson	Wenzel
Carlson, R.	Hokanson	Mann	Sarna	White
Casserly	Jacobs	McCarron	Savelkoul	Wieser
Clark	Jaros	McCauley	Schreiber	Wigley
Clawson	Jensen	McCollar	Schulz	Williamson
Corbid	Johnson, C.	McEachern	Schumacher	Zubay
Dahl	Johnson, D.	Menning	Searle	Speaker Sabo
Dean	Jopp	Metzen	Setzepfandt	
DeGroat	Jude	Moe	Sherwood	
Dieterich	Kahn	Munger	Sieben, H.	
Doty	Kaley	Neisen	Sieben, M.	

A quorum was present.

Adams, S., and Rice were excused. Haugerud was excused until 5:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Vento the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1880, 1891, 402, 510, 681, 1892, 1977, 1078 and 945 and S. F. Nos. 919 and 22 have been placed in the members' files.

## PETITIONS AND COMMUNICATIONS

The following reports were received and filed in the Chief Clerk's Office: Report of the Legislative Retirement Commission; Annual Report of the Arrowhead Regional Development Commission; and a Proposed Order submitted by the Commissioner of Public Welfare pursuant to Minnesota Statutes 256.01, Subd. 2 (13) (a).

The following communication was received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
ST. PAUL 55155

February 2, 1976

The Honorable Martin Sabo  
Speaker of the House

Sir:

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

H. F. No. 1003, An Act relating to animals; providing for admission of the public to establishments having custody of stray animals seized by public authority; amending Minnesota Statutes 1974, Section 35.71, Subdivision 3.

H. F. No. 1555, An Act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted, unconstitutional and obsolete references and text; eliminating certain duplicious and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1974.

Sincerely,

WENDELL R. ANDERSON  
Governor

## REPORTS OF STANDING COMMITTEES

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1575, A bill for an act relating to taxation; exempting gasoline used for agricultural purposes from gas tax; amending Minnesota Statutes 1974, Chapter 296, by adding a section.

Reported the same back with the following amendments:

Page 1, line 10, after "apply" insert "annually".

Page 1, line 11, delete "absolve him" and insert "be absolved".

Page 1, line 15, after "issue" insert "annual".

Page 1, line 18, after "name" insert "and address".

Page 1, line 18, strike the comma and insert "and".

Page 1, line 19, delete "and other information as deemed necessary by the".

Page 1, line 20, delete "department of revenue".

Page 1, line 23, after "296." insert "The farmer shall report to the state revenue department all purchases of gasoline made for the previous year's operation at the time that he asks for a renewal of certificate. He shall also be required to produce proof of purchase."

Page 1, line 23, delete "seller" and insert "distributor".

Page 1, line 23, after "record" insert "on the sales invoice, the distributor's license number and".

Page 2, line 2, delete "and report the amount of gas sold to that".

Page 2, line 3, delete "person to the department of revenue" and after the period insert "The distributor shall report only the total amount of gasoline sold in bulk delivery on which state highway tax was not collected before deducting such gallonage from the monthly gasoline tax report submitted to the department of revenue. However, the distributor shall not be required to give a monthly itemized listing by patron when filing monthly motor fuel tax reports with the department of revenue, nor shall the distributor be required to maintain a separate file record of tax exempt gasoline sales for agricultural purposes."

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1895, A bill for an act relating to highway traffic regulations; brakes; amending Minnesota Statutes 1974, Section 169.67, Subdivision 3.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. No. 1895 was read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Volk; Carlson, L.; Forsythe; Swanson and Heinitz introduced:

H. F. No. 2040, A bill for an act relating to nursing homes; establishing an office of nursing home complaints; appropriating money.

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

Swanson; Dahl; Carlson, L.; Forsythe and Volk introduced:

H. F. No. 2041, A bill for an act relating to the elderly; establishing a state policy for older citizens dependent on long-term care and treatment.

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

Dahl, Clawson, Petrafeso, Kroening and Swanson introduced:

H. F. No. 2042, A bill for an act relating to nursing homes; providing for the licensing and inspection of nursing homes; providing for the licensing of nursing home administrators; reorganizing various laws relating to nursing homes and nursing home administrators; clarifying language and making necessary revisions; prescribing civil and criminal penalties; amending Minnesota Statutes 1974, Sections 144.053, Subdivision 3; 144.49, Subdivisions 6 and 7; 144.50; 144.51; 144.55; 144.572; 144.63, Subdivision 2; 144.652; 144.653, Subdivision 1; 144.654; 144.655; 144.656; 144.657; 144.68, Subdivisions 2 and 3; 145.61, Subdivision 4; 145.75; 145.862, Subdivision 4; 245.691, Subdivision 3; 256.12, Subdivision 19; 256B.02, Subdivision 2; 256B.30; 256D.18, Subdivision 2; 299F.39, Subdivision 1; 609.231; 626.555, Subdivisions 1, 2 and 7; and Minnesota Statutes, 1975 Supplement, Sections 144.53; 144.571; 145.72, Subdivision 2; 145.74; and 214.01, Subdivision 2; repealing Minnesota Statutes 1974, Sections 144.584; 144.951; 144.953; 144.954; 144.955; 144.9555; 144.956; 144.957; 144.958; 144.959; 144.96; 144.961; 144.962; 144.963; 144.964; and 144.965; and Minnesota Statutes, 1975 Supplement, Section 144.952.

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

Vento, Sarna, Tomlinson, Osthoff and Knickerbocker introduced:

H. F. No. 2043, A bill for an act relating to elections; providing for uniform reporting dates for campaign disclosure forms; providing for disclosure of campaign contributions and expenditures of political committees and candidates for local office; amending Minnesota Statutes 1974, Chapters 123, 373, and 471, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 210A.01, Subdivisions 1, 5, 6, 8, 9, and by adding subdivisions; 210A.05, Subdivision 1; 210A.16; 210A.23; 210A.24; 210A.25; 210A.26; 210A.27, Subdivision 1; 210A.29; 210A.32; 210A.33; Chapter 210A, by adding sections; repealing Minnesota Statutes, 1975 Supplement, Sections 123.015; 210A.01, Subdivisions 4 and 7; 210A.22; 210A.28; and 210A.31.

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

Kelly, W.; Corbid; Langseth; Jopp and Braun introduced:

H. F. No. 2044, A bill for an act relating to cooperative associations; providing for changes in the electing of directors; amending Minnesota Statutes 1974, Sections 308.09, Subdivision 1; and 308.11.

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

Mangan; Kelly, R.; McEachern; Clawson and Neisen introduced:

H. F. No. 2045, A bill for an act relating to public employees; administrative expenses of salary deductions for annuity contracts; appropriating funds; repealing Minnesota Statutes, 1975 Supplement, Section 356.26.

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

Luther, Menning, Beauchamp, Arlandson and Jopp introduced:

H. F. No. 2046, A bill for an act relating to contests and giveaways; requiring certain disclosure; providing a penalty.

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

Ewald; Faricy; Sieben, M.; Anderson, G.; and Menning introduced:

H. F. No. 2047, A bill for an act relating to commerce; regulating the advertising of plants, flowers, trees, shrubbery and seeds unable to grow in the climate of Minnesota; amending Minnesota Statutes 1974, Chapter 325, by adding a section.

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

Erickson, Mann, Smith, Eckstein and Lemke introduced:

H. F. No. 2048, A bill for an act relating to highways; authorizing the use by certain local business and religious establishments of certain advertising devices on certain highways; amending Minnesota Statutes 1974, Sections 160.283, by adding a subdivision; and 160.284.

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

Knoll; Sieben, H.; Adams, S.; Moe and Faricy introduced:

H. F. No. 2049, A bill for an act relating to corrections; sentencing and post conviction disposition of criminal offenders; transferring the powers and duties of the Minnesota corrections authority to the commissioner of corrections; abolishing the Minnesota corrections authority; providing for determinate sentencing; providing for rehabilitation of criminal offenders by means of a mutual agreement program; appropriating money; amending Minnesota Statutes 1974, Sections 152.15; 242.02; 242.03; 242.09; 242.10; 242.13; 242.18; 242.19; 242.20; 242.21; 242.24; 242.25; 242.26; 242.27; 242.30; 242.34; 242.35; 609.02, Subdivision 2; 609.03; 609.135, Subdivision 1; 609.145, Subdivision 1; 609.165, Subdivision 2; 609.17, Subdivision 4; 609.175, Subdivision 2; 609.185; 609.19; 609.195; 609.20; 609.205; 609.21; 609.215; 609.225; 609.235; 609.24; 609.245; 609.25, Subdivision 2; 609.255; 609.26; 609.27, Subdivision 2; 609.291; 609.292; 609.293, Subdivisions 2, 3 and 4; 609.295; 609.296; 609.31; 609.32; 609.355, Subdivision 2; 609.365; 609.375, Subdivision 2; 609.39; 609.395; 609.405, Subdivision 2; 609.42, Subdivision 1; 609.425; 609.445; 609.455; 609.465; 609.48, Subdivisions 1 and 4; 609.485, Subdivision 4; 609.495, Subdivision 1; 609.52, Subdivisions 2 and 3; 609.525, Subdivision 1; 609.53, Subdivisions 1 and 3; 609.54; 609.55, Subdivision 2; 609.56; 609.565; 609.58, Subdivision 2; 609.59; 609.595, Subdivision 1; 609.60; 609.61; 609.615; 609.62, Subdivision 2; 609.625; 609.63; 609.635; 609.64; 609.645; 609.65; 609.67, Subdivision 2; 609.71; 609.713; 609.785; 609.82; 609.825, Subdivision 2; 609.83; repealing Minnesota Statutes 1974, Sections 241.045; 241.25; 241.26; 241.31; 241.32; 242.22; 242.46; 243.05; 243.07; 243.09; 243.10; 243.12; 243.13; 243.14; 246.43; 609.10; 609.11; 609.115; 609.116; 609.12; 609.13, Subdivision 1; 609.155; and 609.16.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Ketola, Doty, Begich, Dahl and Ulland introduced:

H. F. No. 2050, A bill for an act relating to peace officer training courses; exempting part time peace officers from mandatory state peace officer's training programs; amending Minnesota Statutes 1974, Sections 626.846 and 626.847.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

DeGroat, Corbid, Menning, Fjoslien and Eken introduced:

H. F. No. 2051, A bill for an act relating to the historical society; prohibiting unlicensed persons from engaging in field archaeology on private lands; amending Minnesota Statutes 1974, Sections 138.31, Subdivision 3; 138.32; 138.33; and 138.36, Subdivision 2.

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

Laidig introduced:

H. F. No. 2052, A bill for an act relating to retirement; reinstating the right to purchase prior service credit by certain members of the teachers retirement fund; amending Minnesota Statutes 1974, Section 354.51, by adding a subdivision.

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

Laidig introduced:

H. F. No. 2053, A bill for an act authorizing the conveyance by the state of a certain easement over certain lands in the county of Washington.

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

Simoneau; Novak; Wenstrom; Sieben, H.; and Adams, L., introduced:

H. F. No. 2054, A bill for an act relating to public safety; clarifying the duties of the commissioner of public safety in regard to the state teletypewriter communications network; amending Minnesota Statutes 1974, Sections 299C.45; 299C.46; 299C.48; and Minnesota Statutes, 1975 Supplement, Section 299C.47.

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

Tomlinson, Petrafeso, Casserly, Berg and Sieloff introduced:

H. F. No. 2055, A bill for an act relating to administration; adjusting parking fees for state employees riding in car pools; amending Minnesota Statutes 1974, Section 16.72, by adding a subdivision.

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

Clawson, Philbrook, Abeln, Sherwood and Mangan introduced:

H. F. No. 2056, A bill for an act relating to unemployment compensation; providing that substitute teachers are not eligible for benefits between school years unless the substitute is notified he will not be employed in the subsequent school year; providing that a teacher not be considered unemployed after receipt of an offer of employment for the subsequent school year; amending Minnesota Statutes, 1975 Supplement, Section 268.08, Subdivision 5.

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

Sieloff; Kempe, A.; and Enebo introduced:

H. F. No. 2057, A bill for an act relating to senior citizens; providing for reimbursement for Social Security benefits reduced or required to be repaid because of excess earnings of the recipient; appropriating money.

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

Wenstrom, Sherwood, Smogard, Schumacher and Nelson introduced:

H. F. No. 2058, A bill for an act relating to highway traffic regulations; driving under the influence of an alcoholic beverage; providing penalties for subsequent violations; amending Minnesota Statutes 1974, Section 169.121, by adding a subdivision.

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

Anderson, G.; Stanton; Fudro; Moe and Parish introduced:

H. F. No. 2059, A bill for an act relating to highway traffic regulations; providing for revocation of drivers licenses for certain violations; amending Minnesota Statutes 1974, Sections 169.121, Subdivision 4; 171.04; and 171.30, Subdivisions 2 and 3.

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

Haugerud; Johnson, C.; Kelly, W.; and Wigley introduced:

H. F. No. 2060, A bill for an act relating to courts; authorizing the probate court registrar to assist personal representatives in the preparation of documents for estate settling; amending Minnesota Statutes, 1975 Supplement, Section 525.07.

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

Knoll; Berglin; Carlson, L.; Carlson, A.; and Casserly introduced:

H. F. No. 2061, A bill for an act relating to Hennepin county; establishing a housing court for Hennepin county; prescribing its powers and duties; providing for hearing and appeal of civil and criminal cases involving housing matters.

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

Luther; Carlson, L.; Carlson, R.; Laidig and Faricy introduced:

H. F. No. 2062, A bill for an act relating to highway traffic regulations; prohibiting driving, operating, or being in actual physical control of a vehicle while impaired by an alcoholic beverage; prescribing penalties; amending Minnesota Statutes 1974, Section 169.121, Subdivisions 2, 3 and 4; Minnesota Statutes, 1975 Supplement, Section 169.121, Subdivision 1; and repealing Minnesota Statutes 1974, Section 169.121, Subdivision 5.

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

Parish, Sieloff, Ketola and Knoll introduced:

H. F. No. 2063, A bill for an act relating to the registration of title to real estate; fees of the registrar; providing that certain fees be credited to the assurance fund; eliminating the fees for filing the certified copy of the application for registration; amending Minnesota Statutes 1974, Sections 508.75 and 508.82.

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

**Laidig introduced:**

H. F. No. 2064, A bill for an act relating to buildings; granting an easement for sunlight to persons owning buildings using a solar energy system; providing for treble damages against persons violating the easement.

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

**McEachern introduced:**

H. F. No. 2065, A bill for an act relating to labor; requiring employers to pay wages within 31 days; amending Minnesota Statutes 1974, Chapter 181, by adding a section.

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

**Casserly, Berglin, Sarna, Enebo and Kroening introduced:**

H. F. No. 2066, A bill for an act relating to the city of Minneapolis; authorizing a commercial and industrial lease and revenue bond guarantee program; providing for the issuance of limited general obligation bonds, and limited revenue bonds or obligations.

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

**Doty, Sieben, H.; Zubay; Jaros and Sarna introduced:**

H. F. No. 2067, A bill for an act relating to governmental operations; creating an interstate commission to develop a plan to merge the port authorities at Duluth, Minnesota, and Superior, Wisconsin; appropriating money.

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

**McEachern, Mann, Mangan, Wigley and Dahl introduced:**

H. F. No. 2068, A bill for an act relating to hospitals; providing for loans to medical students who agree to practice in the hospital district; amending Minnesota Statutes 1974, Chapter 447, by adding a section.

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

Brinkman and Kvam introduced:

H. F. No. 2069; A bill for an act abolishing the Clearwater River Watershed district in the counties of Meeker, Stearns and Wright.

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

Jopp introduced:

H. F. No. 2070, A bill for an act relating to certain counties; requiring the filing of certain surveys with the county surveyor; amending Minnesota Statutes, 1975 Supplement, Section 389.08.

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

Eken and Friedrich introduced:

H. F. No. 2071, A bill for an act relating to towns; adoption of optional form of government; amending Minnesota Statutes, 1975 Supplement, Section 367.31, Subdivision 2.

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

Kelly, W.; Casserly; Moe; Jaros and Pehler introduced:

H. F. No. 2072, A bill for an act relating to taxes on or measured by net income and to assessment of ad valorem taxes; appropriating funds; amending Minnesota Statutes 1974, Sections 270.13; 276.05; 276.06; 290.066, Subdivision 1; and Chapter 273, by adding a section; Minnesota Statutes, 1975 Supplement, Sections 270.16, Subdivision 2; 273.012, Subdivision 3; 274.14; 276.04; 290.01, Subdivision 20; 290.012, Subdivision 4; 290.21, Subdivision 4; 290A.03, Subdivisions 8 and 13; 290A.06; 290A.07, Subdivisions 1 and 2; 290A.14; and Laws 1975, Chapter 349, Section 32; repealing Minnesota Statutes, 1975 Supplement, Section 124.03.

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

Lindstrom, Suss, Setzepfandt, Dahl and Sherwood introduced:

H. F. No. 2073, A bill for an act relating to taxation; providing an inheritance tax exemption for certain farms; amending Minnesota Statutes 1974, Chapter 291, by adding a section.

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

Tomlinson; Sieben, M.; Kempe, A.; Kostohryz and Adams, S., introduced:

H. F. No. 2074, A bill for an act relating to taxation; changing definition of special levies for provisions limiting levies of governmental subdivisions; amending Minnesota Statutes 1974, Section 275.50, Subdivision 5, as amended.

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

Lindstrom; Wieser; Carlson, R.; Wenstrom and Kalis introduced:

H. F. No. 2075, A bill for an act relating to taxation; providing an inheritance tax exemption for certain farms; amending Minnesota Statutes 1974, Chapter 291, by adding a section.

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

Sieloff, Kvam, Niehaus, DeGroat and Schreiber introduced:

H. F. No. 2076, A bill for an act relating to taxation; providing that amounts paid as social security taxes be excluded from gross income for purposes of income tax calculations; amending Minnesota Statutes, 1975 Supplement, Section 290.01, Subdivision 20.

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

Voss, Fudro, Lemke, Sarna and Schreiber introduced:

H. F. No. 2077, A bill for an act relating to drivers' licenses; classifications thereof; specifying the types of vehicles that may be driven by the holder of the various classes of licenses; defining gross vehicle weight; amending Minnesota Statutes 1974, Section 171.02, Subdivision 2.

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

Eckstein, Lemke, Wigley, Nelsen and Kalis introduced:

H. F. No. 2078, A bill for an act relating to highways; eliminating the requirements for acoustical barriers along certain highways; repealing Minnesota Statutes, 1975 Supplement, Section 161.125.

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

## MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1741, A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for the horticultural society; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government; for maintenance of the uniform laws commission; for the Port Authority of Duluth; and for other purposes.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

## CONSENT CALENDAR

H. F. No. 945, A bill for an act relating to employment services; unemployment compensation; excluding and exempting family farm corporation officers from certain provisions; amending Minnesota Statutes 1974, Section 268.04, Subdivision 12; and by adding a subdivision.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Doty	Graba	Kelly, R.
Adams, L.	Byrne	Eckstein	Hanson	Kelly, W.
Albrecht	Carlson, A.	Enebo	Heinitz	Kempe, A.
Anderson, G.	Carlson, L.	Erickson	Hokanson	Kempe, R.
Anderson, I.	Carlson, R.	Esau	Jacobs	Ketola
Arlandson	Casserly	Evans	Jaros	Knickerbocker
Beauchamp	Clark	Ewald	Jensen	Knoll
Begich	Clawson	Faricy	Johnson, C.	Kostohryz
Berg	Corbid	Fjoslien	Johnson, D.	Kroening
Berglin	Dahl	Forsythe	Jopp	Kvam
Biersdorf	Dean	Friedrich	Jude	Laidig
Birnstihl	DeGroat	Fudro	Kaley	Langseth
Braun	Dieterich	George	Kalis	Lemke

Lindstrom	Nelsen	Prahl	Sieben, M.	Vento
Luther	Nelson	Reding	Sieloff	Volk
Mangan	Niehaus	St. Onge	Simoneau	Voss
Mann	Norton	Samuelson	Skoglund	Wenstrom
McCarron	Novak	Sarna	Smith	Wenzel
McCauley	Osthoff	Savelkoul	Smogard	White
McCollar	Parish	Schreiber	Spanish	Wieser
McEachern	Patton	Schulz	Stanton	Wigley
Menning	Pehler	Schumacher	Suss	Williamson
Metzen	Peterson	Searle	Swanson	Zubay
Moe	Petrafeso	Setzepfandt	Tomlinson	Speaker Sabo
Munger	Philbrook	Sherwood	Ulland	
Neisen	Pleasant	Sieben, H.	Vanasek	

Those who voted in the negative were:

Kahn

The bill was passed and its title agreed to.

H. F. No. 1880, A bill for an act relating to state lands; conveyance; authorizing the conveyance by the state of certain lands in the county of Kittson.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kaley	Neisen	Sieben, H.
Adams, L.	Eckstein	Kalis	Nelsen	Sieben, M.
Albrecht	Eken	Kelly, R.	Nelson	Sieloff
Anderson, G.	Enebo	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Erickson	Kempe, A.	Norton	Skoglund
Arlandson	Esau	Kempe, R.	Novak	Smith
Beauchamp	Evans	Ketola	Osthoff	Smogard
Begich	Ewald	Knickerbocker	Parish	Spanish
Berg	Faricy	Knoll	Patton	Stanton
Berglin	Fjoslien	Kostohryz	Pehler	Suss
Biersdorf	Forsythe	Kroening	Peterson	Swanson
Birnstihl	Friedrich	Kvam	Petrafeso	Tomlinson
Braun	Fudro	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Volk
Carlson, L.	Heinitz	Luther	St. Onge	Voss
Carlson, R.	Hokanson	Mangan	Samuelson	Wenstrom
Casserly	Jacobs	Mann	Sarna	Wenzel
Clark	Jaros	McCarron	Savelkoul	White
Clawson	Jensen	McCauley	Schreiber	Wieser
Corbid	Johnson, C.	McCollar	Schulz	Wigley
Dahl	Johnson, D.	McEachern	Schumacher	Williamson
Dean	Jopp	Menning	Searle	Zubay
DeGroat	Jude	Metzen	Setzepfandt	Speaker Sabo
Dieterich	Kahn	Munger	Sherwood	

The bill was passed and its title agreed to.

## CALENDAR

H. F. No. 238, A bill for an act relating to game and fish; restrictions upon the taking of pheasants; amending Minnesota Statutes 1974, Sections 100.27, Subdivision 5; and 100.28, Subdivision 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 114, and nays 13, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Jopp	Neisen	Sherwood
Adams, L.	Eckstein	Jude	Nelsen	Sieben, M.
Albrecht	Eken	Kalis	Nelson	Sieloff
Anderson, G.	Enebo	Kelly, R.	Niehaus	Simoneau
Anderson, I.	Erickson	Kelly, W.	Norton	Smith
Arlandson	Esau	Kempe, A.	Novak	Smogard
Beauchamp	Evans	Kempe, R.	Osthoff	Spanish
Begich	Ewald	Knickerbocker	Parish	Stanton
Berg	Faricy	Knoll	Pehler	Suss
Berglin	Fjoslien	Kroening	Peterson	Tomlinson
Biersdorf	Forsythe	Kvam	Petrafeso	Vanasek
Birnstihl	Friedrich	Langseth	Philbrook	Vento
Braun	Fudro	Lemke	Pleasant	Volk
Brinkman	Fugina	Lindstrom	Prahl	Voss
Byrne	George	Luther	Reding	Wenstrom
Carlson, A.	Graba	Mangan	Samuelson	Wenzel
Carlson, L.	Hanson	Mann	Sarna	White
Carlson, R.	Heinitz	McCarron	Savelkoul	Wieser
Clark	Hokanson	McCauley	Schreiber	Wigley
Clawson	Jacobs	McCollar	Schulz	Williamson
Dean	Jensen	Menning	Schumacher	Zubay
DeGroat	Johnson, C.	Metzen	Searle	Speaker Sabo
Dieterich	Johnson, D.	Moe	Setzepfandt	

Those who voted in the negative were:

Corbid	Ketola	McEachern	Sieben, H.	Ulland
Jaros	Kostohryz	Munger	Skoglund	
Kaley	Laidig	Patton	Swanson	

The bill was passed and its title agreed to.

H. F. No. 753, A bill for an act relating to game and fish; prohibiting taking of birds by certain methods; amending Minnesota Statutes 1974, Section 100.29, by adding a subdivision.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 3, as follows:

Those who voted in the affirmative were:

Abeln	Eken	Kalis	Neisen	Sieben, M.
Adams, L.	Enebo	Kelly, R.	Nelsen	Sieloff
Albrecht	Erickson	Kelly, W.	Nelson	Simoneau
Anderson, G.	Esau	Kempe, A.	Niehaus	Skoglund
Anderson, I.	Evans	Kempe, R.	Norton	Smith
Arlandson	Ewald	Ketola	Novak	Smogard
Beauchamp	Faricy	Knickerbocker	Osthoff	Spanish
Begich	Fjoslien	Knoll	Parish	Stanton
Berg	Forsythe	Kostohryz	Patton	Suss
Berglin	Friedrich	Kroening	Peher	Swanson
Biersdorf	Fudro	Kvam	Peterson	Tomlinson
Birnstihl	Fugina	Laidig	Petrafaso	Ulland
Braun	George	Langseth	Philbrook	Vanasek
Brinkman	Graba	Lemke	Pleasant	Vento
Byrne	Hanson	Lindstrom	Reding	Volk
Carlson, A.	Heinitz	Luther	St. Onge	Wenstrom
Carlson, L.	Hokanson	Mangan	Samuelson	Wenzel
Carlson, R.	Jacobs	Mann	Sarna	White
Casserly	Jaros	McCarron	Savelkoul	Wieser
Clark	Jensen	McCauley	Schreiber	Wigley
Clawson	Johnson, C.	McCollar	Schulz	Williamson
Corbid	Johnson, D.	McEachern	Schumacher	Zubay
Dahl	Jopp	Menning	Searle	Speaker Sabo
Dean	Jude	Metzen	Setzpfandt	
Dieterich	Kahn	Moe	Sherwood	
Doty	Kaley	Munger	Sieben, H.	

Those who voted in the negative were:

DeGroat	Prahl	Voss
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The bill was passed and its title agreed to.

H. F. No. 1078, A bill for an act relating to real estate; requiring certain real estate developers to comply with trust account requirements; amending Minnesota Statutes, 1975 Supplement, Section 82.18.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 6, as follows:

Those who voted in the affirmative were:

Abeln	Birnstihl	Dahl	Faricy	Jacobs
Adams, L.	Braun	Dean	Fjoslien	Jaros
Albrecht	Brinkman	DeGroat	Forsythe	Jensen
Anderson, G.	Byrne	Dieterich	Friedrich	Johnson, C.
Anderson, I.	Carlson, A.	Doty	Fudro	Johnson, D.
Arlandson	Carlson, L.	Eken	Fugina	Jopp
Beauchamp	Carlson, R.	Enebo	George	Jude
Begich	Casserly	Erickson	Graba	Kahn
Berg	Clark	Esau	Hanson	Kalis
Berglin	Clawson	Evans	Heinitz	Kelly, R.
Biersdorf	Corbid	Ewald	Hokanson	Kelly, W.

Kempe, A.	Mann	Parish	Searle	Ulland
Kempe, R.	McCarron	Pehler	Setzepfandt	Vanasek
Ketola	McCauley	Peterson	Sherwood	Vento
Knickerbocker	McCollar	Petrafero	Sieben, H.	Volk
Knoll	Menning	Philbrook	Sieben, M.	Voss
Kostohryz	Metzen	Pleasant	Simoneau	Wenstrom
Kroening	Moe	Prahl	Skoglund	Wenzel
Kvam	Munger	Reding	Smith	White
Laidig	Neisen	Samuelson	Smogard	Wieser
Langseth	Nelsen	Sarna	Spanish	Williamson
Lemke	Nelson	Savelkoul	Stanton	Speaker Sabo
Lindstrom	Norton	Schreiber	Suss	
Luther	Novak	Schulz	Swanson	
Mangan	Osthoff	Schumacher	Tomlinson	

Those who voted in the negative were:

Eckstein	Niehaus	Patton	Sieloff	Zubay
Kaley				

The bill was passed and its title agreed to.

H. F. No. 681, A bill for an act relating to agricultural societies; prohibiting the exclusion of an agricultural society from certain appropriations unless the society is named in the appropriation.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kaley	Munger	Sherwood
Adams, L.	Eckstein	Kalis	Neisen	Sieben, H.
Albrecht	Eken	Kelly, R.	Nelsen	Sieben, M.
Anderson, G.	Enebo	Kelly, W.	Nelson	Sieloff
Anderson, I.	Erickson	Kempe, A.	Niehaus	Simoneau
Arlandson	Esau	Kempe, R.	Norton	Skoglund
Beauchamp	Evans	Ketola	Novak	Smith
Begich	Ewald	Knickerbocker	Osthoff	Smogard
Berg	Farcy	Knoll	Parish	Spanish
Berglin	Fjoslien	Kostohryz	Patton	Stanton
Biersdorf	Forsythe	Kroening	Pehler	Suss
Birnstihl	Friedrich	Kvam	Peterson	Swanson
Braun	Fudro	Laidig	Petrafero	Tomlinson
Brinkman	George	Langseth	Philbrook	Ulland
Byrne	Graba	Lemke	Pleasant	Vanasek
Carlson, A.	Hanson	Lindstrom	Prahl	Vento
Carlson, L.	Heinitz	Luther	Reding	Volk
Carlson, R.	Hokanson	Mangan	St. Onge	Voss
Cassery	Jacobs	Mann	Samuelson	Wenstrom
Clark	Jaros	McCarron	Sarna	Wenzel
Clawson	Jensen	McCauley	Savelkoul	White
Corbid	Johnson, C.	McCollar	Schreiber	Wieser
Dahl	Johnson, D.	McEachern	Schulz	Wigley
Dean	Jopp	Menning	Schumacher	Williamson
DeGroat	Jude	Metzen	Searle	Zubay
Dieterich	Kahn	Moe	Setzepfandt	Speaker Sabo

The bill was passed and its title agreed to.

### CONSIDERATION UNDER RULE 1.10

Pursuant to Rule 1.10, Kelly, W., requested immediate consideration of H. F. No. 1977.

H. F. No 1977, A bill for an act relating to the operation of government; changing the qualification for community school programs aid and for certain proceeds of the supplementary tax on taconite and iron sulphides; clarifying the provisions for certain reductions of foundation aid; sanctioning the reduction of certain levies and authorizing certain transfers of funds; amending Minnesota Statutes, 1975 Supplement, Sections 124.271, Subdivision 1; and 298.244, Subdivision 1.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kalis	Nelsen	Sieloff
Adams, L.	Eken	Kelly, R.	Nelson	Simoneau
Albrecht	Enebo	Kelly, W.	Niehaus	Skoglund
Anderson, G.	Erickson	Kempe, A.	Norton	Smith
Anderson, I.	Esau	Kempe, R.	Novak	Smogard
Arlandson	Evans	Ketola	Osthoff	Spanish
Beauchamp	Ewald	Knickerbocker	Parish	Stanton
Begich	Faricy	Knoll	Patton	Suss
Berg	Fjoslien	Kostohryz	Pehler	Swanson
Berglin	Forsythe	Kroening	Peterson	Tomlinson
Biersdorf	Friedrich	Kvam	Petrafeso	Ulland
Birnstihl	Fudro	Laidig	Philbrook	Vanasek
Braun	Fugina	Langseth	Pleasant	Vento
Brinkman	George	Lemke	Prahl	Volk
Byrne	Graba	Lindstrom	Reding	Voss
Carlson, A.	Hanson	Luther	St. Onge	Wenstrom
Carlson, L.	Heinitz	Mangan	Samuelson	Wenzel
Carlson, R.	Hokanson	Mann	Sarna	White
Casserly	Jacobs	McCarron	Savelkoul	Wieser
Clark	Jaros	McCaughey	Schreiber	Wigley
Clawson	Jensen	McCollar	Schulz	Williamson
Corbid	Johnson, C.	McEachern	Schumacher	Zubay
Dahl	Johnson, D.	Menning	Searle	Speaker Sabo
Dean	Jopp	Metzen	Setzepfandt	
DeGroat	Jude	Moe	Sherwood	
Dieterich	Kahn	Munger	Sieben, H.	
Doty	Kaley	Neisen	Sieben, M.	

The bill was passed and its title agreed to.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the motion of Suss to recommend re-referral of H. F. No. 33, to the Committee on Labor-Management Relations.

The roll being called, there were yeas 42, and nays 88, as follows:

Those who voted in the affirmative were:

Begich	George	Mangan	Prahl	Suss
Birnstihl	Hokanson	Mann	Reding	Swanson
Brinkman	Johnson, C.	McCarron	St. Onge	Vento
Carlson, R.	Kaley	McCollar	Samuelson	White
Eckstein	Kelly, R.	McEachern	Sarna	Wigley
Enebo	Kempe, A.	Metzen	Sieben, H.	Zubay
Evans	Ketola	Neisen	Sieloff	
Fudro	Kroening	Osthoff	Simoneau	
Fugina	Lemke	Patton	Spanish	

Those who voted in the negative were:

Abeln	Dahl	Jensen	Moe	Sherwood
Adams, L.	Dean	Johnson, D.	Munger	Sieben, M.
Albrecht	DeGroat	Jopp	Nelson	Skoglund
Anderson, G.	Dieterich	Jude	Niehaus	Smith
Anderson, I.	Doty	Kahn	Norton	Smogard
Arlandson	Eken	Kalis	Novak	Stanton
Beauchamp	Erickson	Kelly, W.	Parish	Tomlinson
Berg	Esau	Kempe, R.	Pehler	Ulland
Berglin	Ewald	Knickerbocker	Peterson	Vanasek
Biersdorf	Faricy	Knoll	Petrafeso	Volk
Braun	Fjoslien	Kostohryz	Philbrook	Voss
Byrne	Forsythe	Kvam	Pleasant	Wenstrom
Carlson, A.	Friedrich	Laidig	Savelkoul	Wenzel
Carlson, L.	Graba	Langseth	Schreiber	Wieser
Casserly	Hanson	Lindstrom	Schulz	Williamson
Clark	Heinitz	Luther	Schumacher	Speaker Sabo
Clawson	Jacobs	McCauley	Searle	
Corbid	Jaros	Menning	Setzepfandt	

The motion did not prevail.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 33, offered by Anderson, I.:

Page 2, line 5, strike "not less than:" and insert "five cents."

Page 2, lines 6 to 11, strike the remainder of the subdivision.

The roll being called, there were yeas 35, and nays 96, as follows:

Those who voted in the affirmative were:

Anderson, I.	Brinkman	Eckstein	Evans	Johnson, C.
Begich	Carlson, R.	Eken	Friedrich	Johnson, D.
Birnstihl	DeGroat	Enebo	Fugina	Kaley

Kalis	McEachern	Osthoff	St. Onge	Suss
Ketola	Metzen	Patton	Samuelson	Vento
McCarron	Neisen	Peterson	Schulz	Wenzel
McCollar	Niehaus	Reding	Setzepfandt	Wigley

Those who voted in the negative were:

Abeln	Doty	Kelly, R.	Nelson	Smith
Adams, L.	Erickson	Kelly, W.	Norton	Smogard
Albrecht	Esau	Kempe, A.	Novak	Spanish
Anderson, G.	Ewald	Kempe, R.	Parish	Stanton
Arlandson	Faricy	Knickerbocker	Pehler	Swanson
Beauchamp	Fjoslien	Knoll	Petrafeso	Tomlinson
Berg	Forsythe	Kostohryz	Philbrook	Ulland
Berglin	Fudro	Kroening	Pleasant	Vanasek
Biersdorf	George	Laidig	Prahl	Volk
Braun	Graba	Langseth	Sarna	Voss
Byrne	Hanson	Lemke	Savelkoul	Wenstrom
Carlson, A.	Haugerud	Lindstrom	Schreiber	White
Carlson, L.	Heinitz	Luther	Schumacher	Wieser
Casserly	Hokanson	Mangan	Searle	Williamson
Clark	Jacobs	Mann	Sherwood	Zubay
Clawson	Jaros	McCauley	Sieben, H.	Speaker Sabo
Corbid	Jensen	Menning	Sieben, M.	
Dahl	Jopp	Moe	Sieloff	
Dean	Jude	Munger	Simoneau	
Dieterich	Kahn	Nelsen	Skoglund	

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

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 33, offered by Schreiber:

Strike everything after the enacting clause and insert:

"Section 1. The following question shall be submitted to the people at the 1976 general election:

"Should a law be enacted requiring that beverage containers be sold only if they have refund values?"

Yes .....

No ....."

Sec. 2. The question shall be administered by the election officials in the manner of a proposed constitutional amendment so far as appropriate."

Further delete the title and insert

"A bill for an act relating to solid waste pollution; providing for a state wide advisory vote on beverage containers."

The roll being called, there were yeas 37, and nays 92, as follows:

Those who voted in the affirmative were:

Albrecht	Fjoslien	Kempe, A.	Peterson	Sieloff
Biersdorf	Forsythe	Kempe, R.	Prahl	Wenzel
Birnstihl	Friedrich	Kvam	St. Onge	Wieser
Dahl	Fudro	Lemke	Samuelson	Wigley
Eckstein	Hanson	McEachern	Sarna	Williamson
Erickson	Jude	Nelsen	Savelkoul	
Esau	Kaley	Niehaus	Schreiber	
Evans	Kelly, R.	Osthoff	Searle	

Those who voted in the negative were:

Abeln	Dean	Jopp	Metzen	Skoglund
Adams, L.	DeGroat	Kahn	Moe	Smith
Anderson, G.	Dieterich	Kalis	Munger	Smogard
Anderson, I.	Doty	Kelly, W.	Neisen	Spanish
Arlandson	Eken	Ketola	Nelson	Stanton
Beauchamp	Enebo	Knickerbocker	Norton	Suss
Begich	Ewald	Knoll	Novak	Swanson
Berg	Faricy	Kostohryz	Parish	Tomlinson
Berglin	Fugina	Kroening	Pehler	Ulland
Braun	George	Laidig	Petrafeso	Vanasek
Brinkman	Graba	Langseth	Philbrook	Volk
Byrne	Haugerud	Lindstrom	Reding	Voss
Carlson, A.	Heinitz	Luther	Schulz	Wenstrom
Carlson, L.	Hokanson	Mangan	Schumacher	White
Carlson, R.	Jacobs	Mann	Setzpfandt	Zubay
Casserly	Jaros	McCarron	Sherwood	Speaker Sabo
Clark	Jensen	McCauley	Sieben, H.	
Clawson	Johnson, C.	McCollar	Sieben, M.	
Corbid	Johnson, D.	Menning	Simoneau	

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

Pursuant to Rule 1.6, a roll call was taken on the motion of Nelson to recommend passage of H. F. No. 33, as amended.

The roll being called, there were yeas 60, and nays 71, as follows:

Those who voted in the affirmative were:

Abeln	Clark	Jaros	Moe	Sherwood
Adams, L.	Corbid	Johnson, D.	Munger	Sieben, M.
Anderson, G.	Dahl	Jopp	Nelson	Skoglund
Anderson, I.	Dean	Jude	Norton	Smith
Arlandson	DeGroat	Kahn	Novak	Smogard
Beauchamp	Dieterich	Kempe, R.	Parish	Stanton
Berg	Faricy	Knickerbocker	Pehler	Ulland
Berglin	Fjoslien	Laidig	Petrafeso	Vanasek
Braun	Graba	Langseth	Philbrook	Volk
Carlson, A.	Haugerud	Lindstrom	Schulz	Voss
Carlson, L.	Heinitz	Luther	Schumacher	Wenstrom
Casserly	Jacobs	Menning	Setzpfandt	Williamson

Those who voted in the negative were:

Albrecht	Biersdorf	Brinkman	Carlson, R.	Doty
Begich	Birnstihl	Byrne	Clawson	Eckstein

Eken	Johnson, C.	Mann	Prahl	Swanson
Enebo	Kaley	McCarron	Reding	Tomlinson
Erickson	Kalis	McCauley	St. Onge	Vento
Esau	Kelly, R.	McCollar	Samuelson	Wenzel
Evans	Kelly, W.	McEachern	Sarna	White
Ewald	Kempe, A.	Metzen	Savelkoul	Wieser
Forsythe	Ketola	Neisen	Schreiber	Wigley
Friedrich	Knoll	Nelsen	Searle	Zubay
Fudro	Kostohryz	Niehaus	Sieben, H.	Speaker Sabo
Fugina	Kroening	Osthoff	Sieloff	
George	Kvam	Patton	Simoneau	
Hokanson	Lemke	Peterson	Spanish	
Jensen	Mangan	Pleasant	Suss	

The motion did not prevail.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. No. 33 upon which it recommended progress until Wednesday, February 4, 1976, retaining its place on General Orders with the following amendments:

Offered by Nelson:

Page 1, line 7, after "to" delete "7" and insert "6".

Page 2, line 15, after "the" and before "brand" insert kind, size and".

Page 2, line 26, after the period insert "A dealer may refuse to accept an empty beverage container that is grossly unclean."

Page 3; delete lines 8 to 12.

Page 3, delete lines 16 to 20.

Renumber subsequent section.

Offered by Tomlinson:

Page 2, line 30, delete "both".

Page 2, line 31, delete "and" and insert a comma.

Page 3, line 1, after "container" insert ", and the retail price per pint, not including the refund value".

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

## ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 1206:

Volk, Kahn and Searle.

## ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Tuesday, February 3, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## SIXTY-SECOND DAY

SAINT PAUL, MINNESOTA, TUESDAY, FEBRUARY 3, 1976

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kahn	Munger	Sieben, M.
Adams, L.	Eckstein	Kaley	Neisen	Sieloff
Adams, S.	Eken	Kalis	Nelsen	Simoneau
Albrecht	Enebo	Kelly, R.	Nelson	Skoglund
Anderson, G.	Erickson	Kelly, W.	Niehaus	Smith
Anderson, I.	Esau	Kempe, A.	Norton	Smogard
Arlandson	Evans	Kempe, R.	Novak	Spanish
Beauchamp	Ewald	Ketola	Osthoff	Stanton
Begich	Faricy	Knickerbocker	Parish	Suss
Berg	Fjoslien	Knoll	Patton	Swanson
Berglin	Forsythe	Kostohryz	Pehler	Tomlinson
Biersdorf	Friedrich	Kroening	Peterson	Uiland
Birnstihl	Fudro	Kvam	Petrafeso	Vanasek
Braun	Fugina	Laidig	Pleasant	Vento
Brinkman	George	Langseth	Prahl	Volk
Byrne	Graba	Lemke	Reding	Voss
Carlson, A.	Hanson	Lindstrom	St. Onge	Wenstrom
Carlson, L.	Haugerud	Luther	Samuelson	Wenzel
Carlson, R.	Heinitz	Mangan	Sarna	White
Casserly	Hokanson	Mann	Savelkoul	Wieser
Clark	Jacobs	McCarron	Schreiber	Wigley
Clawson	Jaros	McCauley	Schulz	Williamson
Corbid	Jensen	McCollar	Schumacher	Zubay
Dahl	Johnson, C.	McEachern	Searle	Speaker Sabo
Dean	Johnson, D.	Menning	Setzepfandt	
DeGroat	Jopp	Metzen	Sherwood	
Dieterich	Jude	Moe	Sieben, H.	

A quorum was present.

Philbrook and Rice were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Vanasek the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1078, 1895 and 33 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

Moe from the Committee on Crime Prevention and Corrections to which was referred:

H. F. No. 910, A bill for an act relating to crimes; specifying the acts constituting arson and the possession of certain explosives; providing penalties; amending Minnesota Statutes 1974, Chapters 299F, by adding sections; and 609, by adding sections; repealing Minnesota Statutes 1974, Sections 299F.81; 609.555; 609.56; 609.565; 609.57; 609.575; and 609.61.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. Minnesota Statutes 1974, Chapter 299F, is amended by adding a section to read:

[299F.811] [POSSESSION OF EXPLOSIVES OR INCENDIARY DEVICES.] *Whoever possesses, manufactures, or transports any explosive compound, timing or detonating device for use with any explosive compound or incendiary device and either intends to use the explosive or device to commit a crime or knows that another intends to use the explosive or device to commit a crime, may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$5,000 or both.*

Sec. 2. Minnesota Statutes 1974, Chapter 299F, is amended by adding a section to read:

[299F.815] [POSSESSION OF A CHEMICAL IGNITING DEVICE OR MOLOTOV COCKTAIL.] *Subdivision 1. Whoever shall possess, manufacture, transport, or store a chemical self-igniting device or a molotov cocktail with intent to use the same for any unlawful purpose may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$5,000 or both.*

*Subd. 2. For purposes of this section, "molotov cocktail" means any crude hand grenade made of a bottle or container filled with a flammable liquid and fitted with an ignition device.*

Sec. 3. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.556] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 3 to 9, the terms defined in this section have the meanings given them.*

*Subd. 2. "Property of another" means a building or other property, whether real or personal, in which a person other than the accused has an interest which the accused has no authority to defeat or impair even though the accused may also have an interest in the building or property.*

*Subd. 3. "Building" in addition to its ordinary meaning includes any tent, watercraft, structure or vehicle that is customarily used for overnight lodging of a person or persons. If a building consists of two or more units separately secured or occupied, each unit shall be deemed a separate building.*

Sec. 4. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.561] [ARSON IN THE FIRST DEGREE.] *Subdivision 1. Whoever intentionally by means of fire or explosives sets fire to, or burns or causes to be burned, any building that is used as a dwelling at the time the act is committed, whether the inhabitant is present therein at the time of the act or not, or stable, barn, or other outbuilding that is parcel thereof or belonging to or adjoining a dwelling whether the property of himself or of another, commits arson in the first degree and may be sentenced to imprisonment for not more than 20 years or to a fine of not more than \$20,000, or both.*

*Subd. 2. Whoever intentionally by means of fire or explosives sets fire to or burns or causes to be burned any building not included in subdivision 1, whether the property of himself or another commits arson in the first degree and may be sentenced to imprisonment for not more than 20 years or to a fine of not more than \$20,000, or both if:*

*(a) Another person who is not a participant in the crime is present in the building at the time and the defendant knows that; or*

*(b) The circumstances are such as to render the presence of such a person therein a reasonable possibility.*

Sec. 5. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.562] [ARSON IN THE SECOND DEGREE.] *Whoever intentionally by means of fire or explosives sets fire to or*

burns or causes to be burned any building not covered by section 4 of this act, whether the property of himself or another, may be sentenced to imprisonment for not more than ten years or to a fine of not more than \$10,000 or both.

Sec. 6. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.563] [ARSON IN THE THIRD DEGREE.] *Subdivision 1. Whoever intentionally by means of fire or explosives sets fire to or burns or causes to be burned any personal property belonging to another may be sentenced to imprisonment for not more than five years or to a fine of \$5,000 or both, if:*

(a) *The property intended by the accused to be damaged or destroyed had a value of \$100 or more; or*

(b) *Property of the value of \$100 or more was unintentionally damaged or destroyed but such damage or destruction could reasonably have been foreseen; or*

(c) *The property specified in clauses (a) and (b) in the aggregate had a value of \$100 or more.*

*Subd. 2. In all other cases whoever intentionally by means of fire or explosives sets fire to or burns or causes to be burned any personal property belonging to another may be sentenced to imprisonment for not more than 90 days or to payment of a fine of not more than \$300.*

Sec. 7. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.564] [ARSON, DEFENSES.] *It shall be a defense to prosecution under sections 4, 5 and 6, that:*

(a) *The defendant's sole intent was to destroy or damage the property for a lawful and proper purpose; and*

(b) *The defendant had no reasonable grounds to believe that his conduct might endanger the life or safety of another person or damage another's property.*

Sec. 8. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.576] [NEGLIGENT FIRES.] *Subdivision 1. Whoever is culpably negligent in causing a fire to burn or get out of control thereby causing damage or injury to another, and as a result thereof:*

(a) A human being is injured and great bodily harm incurred, is guilty of a crime and may be sentenced to imprisonment of not more than three years or to a fine of not more than \$3,000, or both; or

(b) Property of another is injured, thereby, is guilty of a crime and may be sentenced as follows:

(1) To imprisonment for not more than 90 days or to payment of a fine of not more than \$300, or both, if the value of the property damage is under \$100;

(2) To imprisonment for not less than 90 days, nor more than one year, or to a fine of \$1,000 or both, if the value of the property damaged is at least \$100 and under \$2,500;

(3) To imprisonment for not more than one year, or to a fine of \$1,000, or both, if the value of the property damaged is \$2,500 and under \$10,000;

(4) To imprisonment for not more than three years or to a fine of \$3,000 or both, if value of property damaged is \$10,000 or greater.

Sec. 9. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.611] [DEFRAUDING INSURER.] *Whoever with intent to injure or defraud an insurer, damages any property real or personal, whether his own or that of another, which is at the time insured by any person, firm or corporation against loss or damage:*

(a) *May be sentenced to imprisonment for not more than three years or to payment of fine of not more than \$3,000, or both if the value insured for is less than \$20,000, or*

(b) *May be sentenced to imprisonment for not more than five years or to payment of fine of not more than \$5,000, or both if the value insured for is \$20,000 or greater.*

Sec. 10. [REPEALER.] *Minnesota Statutes 1974, Sections 299F.81; 609.555; 609.56; 609.565; 609.57; 609.575; and 609.61, are repealed."*

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

S. F. No. 1584, A bill for an act relating to public safety; providing for the reporting of malicious false fire alarms and establishing procedures for deactivations of fire alarm systems in educational facilities.

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

The report was adopted.

REPORT FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

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

Senate Concurrent Resolution No. 9, A senate concurrent resolution relating to joint rules; providing deadlines for committee reports; amending Joint Rule 20.

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

The report was adopted.

SENATE CONCURRENT RESOLUTION NO. 9

A senate concurrent resolution relating to joint rules; providing deadlines for committee reports; amending Joint Rule 20.

*Be It Resolved*, by the Senate of the State of Minnesota, the House of Representatives concurring therein:

Joint Rule 20 is amended to read:

DEADLINES

Rule 20. Except for reports from the Senate Committees on Finance and on Taxes and Tax Laws, and the House Committees on Appropriations and on Taxes, committee reports on bills favorably acted upon by the committee in the house of origin after April 19, 1975, for the first year of the biennium, and committee reports on bills originating in the other house favorably acted upon by the committee after May 7, 1975, for the first year of the biennium, shall be referred in the Senate to the Committee on Rules and Administration, and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition.

*Except for reports from the Senate Committees on Finance and on Taxes and Tax Laws, and the House Committees on Appropriations and on Taxes, committee reports on bills favorably acted upon by the committee in the house of origin after March 9, 1976, for the second year of the biennium, and committee reports on bills originating in the other house favorably acted upon by the committee after March 16, 1976, for the second year of the biennium, shall be referred in the Senate to the Committee on Rules and Administration, and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition.*

Anderson, I., moved that Senate Concurrent Resolution No. 9 be now adopted.

Senate Concurrent Resolution No. 9 was adopted and the Joint Rules of the House and Senate for the Sixty-ninth Session were amended.

## SECOND READING OF HOUSE BILLS

H. F. No. 910 was read for the second time.

## SECOND READING OF SENATE BILLS

S. F. No. 1584 was read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Wenzel, Niehaus, Lemke, Jensen and Mann introduced:

H. F. No. 2079, A bill for an act relating to agriculture; changing the duty of the commissioner of agriculture in establishing standards, grades, and price differentials for milk and cream from mandatory to permissive; amending Minnesota Statutes 1974, Section 32.401, Subdivision 1.

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

Sieben, H.; Knoll and McCauley introduced:

H. F. No. 2080, A bill for an act relating to revolving charge accounts; computation of average daily balance; amending Minnesota Statutes, 1974 Section 334.16, by adding a subdivision.

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

Vento, Sarna, Jacobs, Biersdorf and Tomlinson introduced:

H. F. No. 2081, A bill for an act relating to social and charitable organizations; changing requirement of a certified public accountants statement in certain cases; amending Minnesota Statutes 1974, Section 309.53, Subdivision 3.

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

Samuelson introduced:

H. F. No. 2082, A bill for an act relating to education; correcting gross earnings tax reimbursement payments to Independent School District 181; appropriating money.

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

Biersdorf, Birnstihl, Vanasek, Munger and White introduced:

H. F. No. 2083, A bill for an act relating to natural resources; authorizing the marking and designation of canoe and boating routes on the Straight river; amending Minnesota Statutes 1974, Section 85.32, Subdivision 1.

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

Hanson, Wenzel, McCauley, Abeln and Philbrook introduced:

H. F. No. 2084, A bill for an act relating to banks and banking; authorizing consumer banking facilities; providing penalties.

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

Luther; Prah!; McCollar; Carlson, L.; and Brinkman introduced:

H. F. No. 2085, A bill for an act relating to insurance; providing for investigation and review of rate changes; setting guidelines for approving increases; providing a state actuary for the department of insurance; charging a fee on insurance premiums; appropriating money; amending Minnesota Statutes 1974, Sections 70A.05; 70A.06, Subdivisions 1 and 4; 70A.10, Subdivisions 1 and 2; and Chapter 70A, by adding sections; repealing Minnesota Statutes 1974, Sections 70A.02, Subdivision 3; 70A.10, Subdivisions 3 and 4; 70A.11; 70A.12; and 70A.18.

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

Tomlinson, Osthoff, Knickerbocker, Jacobs and Fudro introduced:

H. F. No. 2086, A bill for an act relating to elections; providing certain changes in voter registration; amending Minnesota Statutes 1974, Sections 201.091, Subdivisions 2 and 3, and by adding a subdivision; and 201.121, Subdivision 2.

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

Mangan, Ulland, Neisen, Clawson and Kelly, R., introduced:

H. F. No. 2087, A bill for an act relating to animals; providing reimbursement to counties which incur expenses for animal care; requiring peace officers to provide care for animals found exposed; amending Minnesota Statutes 1974, Chapter 346, by adding a section; and Section 346.27, Subdivision 1.

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

Anderson, G.; Vento; Smogard; Wenstrom and Biersdorf introduced:

H. F. No. 2088, A bill for an act relating to ethics in government; defining "lobbyist" to exclude persons communicating with their elected public officials; amending Minnesota Statutes 1974, Section 10A.01, Subdivision 11.

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

Patton, Beauchamp, Moe, Sarna and Fudro introduced:

H. F. No. 2089, A bill for an act relating to retirement; purchase of service credit by certain state employees or former employees; amending Minnesota Statutes 1974, Section 352.021, Subdivision 3.

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

Erickson introduced:

H. F. No. 2090, A bill for an act relating to the city of Worthington; volunteer firemen's service pensions.

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

Tomlinson; Fudro; Carlson, R.; McCauley and Sieben, M., introduced:

H. F. No. 2091, A bill for an act relating to building contractors; providing for a state bond to replace local requirements; amending Minnesota Statutes 1974, Chapter 16, by adding a section.

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

Heinitz, Kaley, Forsythe and Swanson introduced:

H. F. No. 2092, A bill for an act relating to medicine and osteopathy; authorizing continuing education requirements for licensed practitioners; amending Minnesota Statutes 1974, Chapter 147, by adding a section.

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

Berglin, Arlandson, Byrne, Clark and Heinitz introduced:

H. F. No. 2093, A bill for an act relating to health; providing that persons eligible for medical assistance have free selection of a medical care vendor; amending Minnesota Statutes, 1975 Supplement, Sections 256D.03, Subdivision 3; and 261.21, Subdivision 2.

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

Voss; Fugina; Graba; Kelly, W.; and McCauley introduced:

H. F. No. 2094, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIII, Section 3; allowing the status of the University of Minnesota to be provided by law.

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

Smith, Pehler, Searle, Fugina and Volk introduced:

H. F. No. 2095, A bill for an act relating to education; authorizing the higher education coordinating board and regional consortium to cooperate in the development of health education programs.

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

Sieben, H.; Knoll and McCauley introduced:

H. F. No. 2096, A bill for an act relating to courts; time limitations on actions when party is outside the state; amending Minnesota Statutes 1974, Section 541.13.

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

Sieben, H.; and Knoll introduced:

H. F. No. 2097, A bill for an act relating to unlawful termination of life; providing that it is no defense to an action for death by wrongful act and certain crimes that after the act constituting the basis for civil or criminal liability was committed medical treatment was withdrawn from the victim; amending Minnesota Statutes 1974, Section 573.02, by adding a subdivision; and Chapter 609, by adding a section.

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

Skoglund, Clark, Byrne, Clawson and Dieterich introduced:

H. F. No. 2098, A bill for an act relating to juvenile court; abolishing the status offense jurisdiction of juvenile courts; amending Minnesota Statutes 1974, Sections 260.015, Subdivision 5; and 260.185, Subdivision 1.

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

Vanasek, Kvam, Suss, Setzepandt and Dieterich introduced:

H. F. No. 2099, A bill for an act relating to civil procedure; admission of certain evidence in negligence actions.

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

Williamson, Pleasant, Abeln and Swanson introduced:

H. F. No. 2100, A bill for an act relating to the city of Bloomington; housing and redevelopment authority; rental assistance; home improvement loans and grants; amending Laws 1971, Chapter 616, Sections 1 and 2.

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

Pleasant; Faricy; Carlson, A.; Neisen and Zubay introduced:

H. F. No. 2101, A bill for an act relating to taxation; permitting certain executors to claim senior citizens' income tax credit due decedents; amending Minnesota Statutes 1974, Section 290.0602.

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

Heinitz introduced:

H. F. No. 2102, A bill for an act relating to taxation; changing the classification of certain mobile homes for purposes of assessment; amending Minnesota Statutes 1974, Section 273.13, Subdivision 4; and Minnesota Statutes, 1975 Supplement, Section 273.13, Subdivision 3.

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

Erickson, Fudro, Kvam, Neisen and Lemke introduced:

H. F. No. 2103, A bill for an act relating to motor vehicles; authorizing the issuance of special license plates to physically handicapped persons; amending Minnesota Statutes, 1975 Supplement, Section 168.021, Subdivisions 1 and 2.

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

Kahn introduced:

H. F. No. 2104, A bill for an act relating to highways; adding a new route to the trunk highway system in substitution of an existing route.

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

#### HOUSE ADVISORY BILLS

Pursuant to Rule 5.3, the following House Advisory Bill was introduced:

Haugerud introduced:

H. A. B. No. 58, Unemployment compensation provisions relating to "voluntary quits".

The bill was referred to the Committee on Governmental Operations.

Kelly, W., was excused at 4:00 p.m. Smith was excused at 5:15 p.m.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Casserly, Schreiber and Berg offered the following amendment to H. F. No. 1530, as amended:

Page 6, lines 1 to 9, delete Section 7 and insert a new section to read:

*"Sec. 7. [SYSTEMS STATEMENTS; RECONCILIATION PROCEDURES.] If after affirmative and concerted efforts, a local governmental unit or school district and the council are unable to resolve disagreements over the content of a systems statement or amendment, the unit or district may by resolution request that a hearing be conducted by the advisory committee for the purpose of correcting errors in the systems statement or amendment or examining the factual assumptions on which it is based. The request shall be made by the unit or district within 60 days after receipt of the systems statement or amendment and shall be accompanied by a description of the disagreement together with specific proposed amendments to the systems statement to correct the claimed errors or mistaken assumptions and an explanation and justification of each proposed amendment. Hearings shall be conducted by the advisory committee, or a hearing officer engaged by the committee, within 60 days after request, provided that the committee may consolidate hearings on related requests. Within 30 days after the hearing the committee, by resolution containing findings of fact and conclusions, shall make its recommendations to the council respecting the proposed amendments. Within 30 days of receipt of the advisory committee's recommendations the council, by resolution containing findings of fact and conclusions, shall make a final determination respecting the proposed amendments and shall if necessary modify the systems statement accordingly. At any point in the reconciliation procedure established by this section, the council and a local governmental unit or district may resolve their disagreement by stipulation."*

Pursuant to Rule 1.6, a roll call was taken on the following amendment to the Casserly, Schreiber and Berg amendment offered by Sieben, M.:

Strike everything in the Casserly, Schreiber and Berg amendment and insert:

Page 2, after line 22, insert a new subdivision to read:

*"Subd. 4. "Board" or "Board of Appeals" shall mean the Board of Appeals established pursuant to section 4 of this act."*

Renumber the following subdivisions accordingly.

Page 4, after line 14, insert a new section to read:

*"Sec. 4. [BOARD OF APPEALS.] When disputes arise between the council and local governmental units or school districts, the board of appeals shall mediate such disputes at public hearings conducted within the affected unit or district. The board of appeals shall consist of seven county commissioners, one from each county in the metropolitan area, appointed by the respective county boards each year for one year terms, one council member appointed by the metropolitan council, and one local elected official appointed by the affected unit or district. The board shall elect its own chairman from among its members and shall hold public hearings as determined by the board. Its rulings shall be final subject to appeal to the courts."*

Renumber the following sections accordingly.

Page 6, line 1, delete "45" and insert "90".

Page 6, line 4, delete "request the council to conduct a hearing at".

Page 6, delete lines 5 to 9 and insert "by resolution request the council to modify any portion of the metropolitan systems statement or amendment or any portion of metropolitan system plans. A request for modification shall be accompanied by an explanation of the reasons necessitating or justifying the request. The council shall conduct a hearing to consider the request and not later than 30 days after the hearing shall by resolution, containing findings of fact and final order, affirm or modify the systems statement or systems plans. The local unit or district may appeal the council's decision to the board which shall hold a public hearing in the affected unit or district to hear the issues. The subject of the hearing shall extend to questions concerning the need for, and basis or reasonableness of the metropolitan system plans which apply to that local unit or district. Within 45 days of the council's decision, the board shall make a decision respecting the requested modifications of the systems statement or system plans which shall be binding on all parties subject to appeal to the courts."

Page 14, line 31, delete "may commence civil proceedings to enforce".

Page 14, delete line 32 and insert "may appeal to the board of appeals for final determination. Any party to the dispute may appeal the determination of the board to the district court where the local governmental unit or district is located."

Page 17, after line 19, insert a new section to read as follows:

"Sec. 19. [ADMINISTRATIVE REVIEW.] *Any local governmental unit or school district aggrieved by a final council order may request the council to reconsider its order. If the unit or district and the council are unable to reach an agreement on the matter that is acceptable to the parties, then a record of the disagreement, stating the positions of both parties, shall be made and presented to the board of appeals. The board, after notice and hearings as provided by chapter 15 for contested cases, shall make a final decision which shall be binding on all parties. The board shall have the power to resolve the dispute and for this purpose may direct the council to amend any systems statement or system plan to the extent necessary to effect a resolution. The board's review authority shall include examination of questions concerning the need for, basis, and reasonableness of the metropolitan system plans which apply to that local unit or district.*"

Renumber the following sections accordingly.

Page 17, line 22, delete "section" and insert "sections 7 or".

The roll being called, there were yeas 56, and nays 68, as follows:

Those who voted in the affirmative were:

Abeln	Forsythe	Kaley	Neisen	Suss
Adams, S.	Friedrich	Kempe, A.	Nelsen	Swanson
Albrecht	Fugina	Kempe, R.	Niehaus	Vanasek
Anderson, G.	Haugerud	Ketola	Novak	Wenzel
Anderson, I.	Heinitz	Knickerbocker	Parish	White
Biersdorf	Jacobs	Laidig	Patton	Wieser
Birnstihl	Jaros	Langseth	St. Onge	Wigley
Clawson	Jensen	Lindstrom	Samuelson	Zubay
Corbid	Johnson, C.	Mangan	Sieben, H.	
Doty	Johnson, D.	McCarron	Sieben, M.	
Ewald	Jopp	McCauley	Smith	
Fjoslien	Jude	Metzen	Spanish	

Those who voted in the negative were:

Adams, L.	Dahl	Kahn	Nelson	Simoneau
Arlandson	Dean	Kalis	Norton	Skoglund
Beauchamp	DeGroat	Kelly, R.	Osthoff	Smogard
Begich	Dieterich	Kelly, W.	Pehler	Stanton
Berg	Eken	Knoll	Petrafeso	Tomlinson
Berglin	Erickson	Kostohryz	Pleasant	Ulland
Braun	Esau	Kroening	Prahl	Vento
Brinkman	Evans	Luther	Reding	Volk
Byrne	Faricy	Mann	Sarna	Voss
Carlson, A.	Fudro	McCollar	Schreiber	Westrom
Carlson, L.	George	McEachern	Schumacher	Williamson
Carlson, R.	Graba	Menning	Setzpfandt	Speaker Sabo
Casserly	Hanson	Moe	Sherwood	
Clark	Hokanson	Munger	Sieloff	

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

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 1530, as amended, offered by Mangan:

Page 1, line 4, strike "and school districts".

Page 1, line 23, strike the second "and".

Page 1, line 24, strike "school districts".

Page 2, line 8, strike "and school district".

Page 2, line 30, strike "or".

Page 2, line 31, strike "school districts".

Page 4, line 2, strike Subdivision 11.

Page 4, line 23, strike "and to each school".

Page 4, strike all of line 24.

Page 4, line 25, strike "systems statements affecting school districts".

Page 5, line 18, strike "and school".

Page 5, strike all of line 19.

Page 5, line 20, strike "improvement programs submitted to the council,".

Page 5, line 30 strike "or school district".

Page 6, line 3, strike "or school".

Page 6, line 4, strike "district".

Page 6, line 5, strike "or district".

Page 6, line 19, strike "and affected".

Page 6, line 20, strike "school districts".

Page 7, line 21, strike "and affected school districts".

Page 10, and 11, strike all of Section 13.

Page 12, line 25, strike all of Subd. 2.

Page 13, line 7, strike "capital".

Page 13, line 8, strike "*improvement program of a school district or amendment*".

Page 13, line 9, strike "*thereto*".

Page 13, line 15, strike "*or*".

Page 13, line 16, strike "*school district*".

Page 13, line 26, strike "*or*".

Page 13, line 27, strike "*district*".

Page 13, line 30, strike "*or district*".

Page 13, line 31, strike "*or district*".

Page 14, line 1, strike "*or district*".

Page 14, line 13, strike "*or the program of*".

Page 14, line 14, strike "*the school district*".

Page 14, line 17, strike "*or the capital improvement*".

Page 14, line 18, strike "*program of a school district*".

Page 14, line 24, strike "*or if a school district fails to adopt a*".

Page 14, line 25, strike "*capital improvements program*".

Page 14, line 29, strike "*or school district*".

Page 15, line 2, strike "*or school district*".

Page 15, line 5, strike "*and each school district shall adopt its*".

Page 15, line 6, strike "*capital improvements program*".

Page 15, line 10, strike "*or the capital improvement*".

Page 15, line 11, strike "*program of a school district*".

Page 16, line 5, strike "*or*".

Page 16, line 6, strike "*school district*".

Page 17, line 8, strike "*or*".

Page 17, line 9, strike "school district".

Page 17, line 13, strike "or school district".

Page 17, line 21, strike "school district".

Page 17, line 25, strike "district".

The roll being called, there were yeas 50, and nays 74, as follows:

Those who voted in the affirmative were:

Abeln	Ewald	Jopp	McCauley	Setzepfandt
Adams, S.	Fjoslien	Jude	Metzen	Sieben, H.
Albrecht	Forsythe	Kaley	Neisen	Smith
Arlandson	Friedrich	Kalis	Neisen	Suss
Biersdorf	Fugina	Kempe, R.	Niehaus	Swanson
Birnstihl	Heinitz	Knickerbocker	Novak	Wenzel
Eckstein	Hokanson	Kvam	Parish	White
Erickson	Jensen	Laidig	Peterson	Wieser
Esau	Johnson, C.	Lemke	Pleasant	Wigley
Evans	Johnson, D.	Mangan	Samuelson	Zubay

Those who voted in the negative were:

Adams, L.	Clawson	Kahn	Munger	Sieben, M.
Anderson, G.	Corbid	Kelly, R.	Nelson	Sieloff
Anderson, I.	Dean	Kempe, A.	Norton	Simoneau
Beauchamp	DeGroat	Ketola	Osthoff	Skoglund
Begich	Dieterich	Knoll	Patton	Smogard
Berg	Doty	Kostohryz	Pehler	Stanton
Berglin	Eken	Kroening	Petraleso	Tomlinson
Braun	Enebo	Langseth	Prahl	Ulland
Brinkman	Faricy	Lindstrom	Reding	Vento
Byrne	Fudro	Luther	St. Onge	Volk
Carlson, A.	George	Mann	Sarna	Voss
Carlson, L.	Graba	McCarron	Schreiber	Wenstrom
Carlson, R.	Hanson	McCollar	Schulz	Williamson
Casserly	Jacobs	Menning	Schumacher	Speaker Sabo
Clark	Jaros	Moe	Sherwood	

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

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 1530, as amended, offered by Sieben, H.:

Page 6, delete the new Sec. 7 (inserted by previous amendment) and insert:

"Sec. 7. [APPEAL.] *Within 90 days after receipt of its metropolitan systems statement, or parts thereof or amendments thereto, any local governmental unit or school district may by resolution of its governing body request the council to modify any portion of the metropolitan systems statement or amend-*

*ments. The request for modification shall be specific as to the change being requested and the reasons necessitating the change. Within 45 days after receipt of the request for modification the council shall hold a hearing on the request according to the procedures established in chapter 15 for contested cases, except that the report of the hearing examiner provided for in section 15.052, subdivision 3, shall be binding on all parties."*

Page 17, delete the last two sentences of the new Sec. 19 (inserted by previous amendment) and insert:

*"All parts of the hearing examiners report shall be binding on the parties to the proceeding and shall be implemented by an order from the hearing examiner. Any party to the proceeding aggrieved by the report or order of the hearing examiner may appeal in the manner provided in chapter 15 for contested cases."*

The roll being called, there were yeas 68, and nays 58, as follows:

Those who voted in the affirmative were:

Adams, L.	Doty	Johnson, C.	Lindstrom	Samuelson
Adams, S.	Eckstein	Johnson, D.	Mangan	Sieben, H.
Albrecht	Erickson	Jopp	Mann	Sieben, M.
Anderson, G.	Esau	Jude	McCauley	Sieloff
Anderson, I.	Evans	Kaley	Metzen	Suss
Begich	Ewald	Kalis	Neisen	Swanson
Biersdorf	Forsythe	Kempe, A.	Niehaus	Vanasek
Birnstihl	Friedrich	Kempe, R.	Novak	Wenstrom
Braun	Fugina	Ketola	Parish	Wenzel
Brinkman	Heinitz	Knickerbocker	Patton	White
Carlson, R.	Hokanson	Kvam	Peterson	Wigley
Clawson	Jacobs	Laidig	Pleasant	Zubay
Corbid	Jaros	Langseth	Reding	
DeGroat	Jensen	Lemke	St. Onge	

Those who voted in the negative were:

Abeln	Dieterich	Knoll	Osthoff	Spanish
Arlandson	Eken	Kostohryz	Pehler	Stanton
Beauchamp	Enebo	Kroening	Petrafereso	Tomlinson
Berg	Fariely	Luther	Prahl	Ulland
Berglin	Fjoslien	McCarron	Sarna	Vento
Byrne	Fudro	McCollar	Schreiber	Volk
Carlson, A.	George	Menning	Schumacher	Voss
Carlson, L.	Graba	Moe	Setzpfandt	Wieser
Casserly	Hanson	Munger	Sherwood	Williamson
Clark	Haugerud	Nelsen	Simoneau	Speaker Sabo
Dahl	Kahn	Nelson	Skoglund	
Dean	Kelly, R.	Norton	Smogard	

The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the motion of Casserly to recommend passage of H. F. No. 1530, as amended.

The roll being called, there were yeas 89, and nays 38, as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Kahn	Munger	Sieben, H.
Adams, L.	Dean	Kalis	Neisen	Sieben, M.
Adams, S.	DeGroat	Kelly, R.	Nelson	Sieloff
Anderson, G.	Dieterich	Kempe, A.	Norton	Simoneau
Anderson, I.	Doty	Ketola	Novak	Skoglund
Arlandson	Eckstein	Knoll	Osthoff	Smogard
Beauchamp	Eken	Kostohryz	Patton	Stanton
Begich	Enebo	Kroening	Pehler	Swanson
Berg	Faricy	Langseth	Petrafaso	Tomlinson
Berglin	Fudro	Lemke	Prahl	Ulland
Braun	Fugina	Lindstrom	Reding	Vanasek
Byrne	George	Luther	St. Onge	Vento
Carlson, A.	Graba	Mann	Sarna	Voss
Carlson, L.	Hanson	McCauley	Schreiber	Wenstrom
Carlson, R.	Haugerud	McCollar	Schulz	Wenzel
Casserly	Hokanson	McEachern	Schumacher	Williamson
Clark	Jaros	Menning	Setzepfandt	Speaker Sabo
Corbid	Johnson, D.	Moe	Sherwood	

Those who voted in the negative were:

Albrecht	Ewald	Jopp	Metzen	Suss
Biersdorf	Fjoslien	Jude	Nelsen	Volk
Birnstihl	Forsythe	Kaley	Niehaus	White
Brinkman	Friedrich	Kempe, R.	Parish	Wieser
Clawson	Heinitz	Knickerbocker	Peterson	Wigley
Erickson	Jacobs	Kvam	Pleasant	Zubay
Esau	Jensen	Laidig	Samuelson	
Evans	Johnson, C.	Mangan	Saveikoul	

The motion prevailed.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. No. 1530 upon which it recommended to pass with the following amendments:

Offered by Casserly, Schreiber and Berg:

Page 3, line 1, delete "7" and insert "8".

Page 3, line 2, delete "11" and insert "12".

Page 4, line 8, delete "*Laws 1975, Chapter 13, Section 4*" and insert "*Minnesota Statutes, 1975 Supplement, Section 473.127*".

Page 6, line 17, delete "13" and insert "14".

Page 8, delete line 3 and insert "*Minnesota Statutes, 1975 Supplement, Section 473.204*".

Page 9, line 21, delete "8" and insert "9".

Page 9, line 24, delete "8" and insert "9".

Page 10, line 10, delete "8" and insert "9".

Page 10, line 13, delete "8" and insert "9".

Page 10, line 18, delete "8" and insert "9".

Page 10, line 23, delete "10" and insert "11".

Page 10, line 24, delete "10" and insert "11".

Page 11, line 3, delete "13" and insert "14".

Page 11, line 32, delete "*Laws 1975, Chapter 13, Section 19*" and insert "*Minnesota Statutes, 1975 Supplement, Section 473.175*".

Page 12, line 2, delete "Sec. 19. [473.175]" and insert "473.175".

Page 15, line 8, delete "13" and insert "14".

Page 17, line 22, delete "13" and insert "14".

Further amend the title as follows:

Line 7, delete "Laws 1975, Chapter 13,".

Delete line 8 and insert "Minnesota Statutes, 1975 Supplement, Section 473.175".

Offered by Casserly, Schreiber and Berg:

Page 4, line 22, delete "1976" and insert "1977".

Page 5, line 23, delete "1977" and insert "1978".

Page 9, line 25, delete "1976" and insert "1977".

Page 10, line 22, delete "1976" and insert "1977".

Page 10, line 32, delete "1979" and insert "1980".

Offered by Casserly, Schreiber and Berg:

Page 2, line 29, after "the" and before "impact" insert "financial".

Page 2, line 30, delete "*current operating expense of the*".

Page 4, line 12, after "*county*" insert "*, one from each generalized policy area identified in the development framework adopted by the council on March 27, 1975,*".

Page 12, line 18, delete "*may*" and insert "*shall*".

Page 13, line 11, after "*modifications*" insert "*to assure conformance with the metropolitan system plans*".

Offered by Casserly, Schreiber and Berg:

Page 6, lines 1 to 9, delete section 7 and insert a new section to read:

"Sec. 7. [SYSTEMS STATEMENTS; RECONCILIATION PROCEDURES.] *If after affirmative and concerted efforts, a local governmental unit or school district and the council are unable to resolve disagreements over the content of a systems statement or amendment, the unit or district may by resolution request that a hearing be conducted by the advisory committee for the purpose of correcting errors in the systems statement or amendment or examining the factual assumptions on which it is based. The request shall be made by the unit or district within 60 days after receipt of the systems statement or amendment and shall be accompanied by a description of the disagreement together with specific proposed amendments to the systems statement to correct the claimed errors or mistaken assumptions and an explanation and justification of each proposed amendment. Hearings shall be conducted by the advisory committee, or a hearing officer engaged by the committee, within 60 days after request, provided that the committee may consolidate hearings on related requests. Within 30 days after the hearing the committee, by resolution containing findings of fact and conclusions, shall make its recommendations to the council respecting the proposed amendments. Within 30 days of receipt of the advisory committee's recommendations the council, by resolution containing findings of fact and conclusions, shall make a final determination respecting the proposed amendments and shall if necessary modify the systems statement accordingly. At any point in the reconciliation procedure established by this section, the council and a local governmental unit or district may resolve their disagreement by stipulation.*"

Offered by Casserly, Schreiber and Berg:

Page 13, line 11, delete "*required*" and insert "*its decision, if any, to request*".

Page 13, line 12, delete "*Any modifications*".

Page 13, delete line 13.

Page 13, line 14, delete "*findings of fact and final order.*".

Page 13, line 21, delete "*required*".

Page 13, line 21, after "*program*" and before the period insert "*required by a final decision, order, or judgment made pursuant to section 19*".

Page 14, line 28, after "*and*" and before "*the*" insert "*that*".

Page 14, line 29, delete "*does not adopt*" and insert "*has not adopted*".

Page 14, line 30, delete "*required modifications*" and insert "*modifications required pursuant to section 19*".

Page 14, line 31, after "*time*" and before the comma insert "*following a final decision, order, or judgment made pursuant to section 19*".

Page 15, line 7, delete "*receipt of the council's*".

Page 15, delete line 8 and insert "*a final decision, order, or judgment made pursuant to section 19.*".

Page 17, lines 20 to 28, delete section 19, and insert a section to read:

"Sec. 19. [CONTESTED CASES; ADMINISTRATIVE AND JUDICIAL REVIEW.] *The council's decision to request modification under section 14 may be contested by the affected local governmental unit or school district. The unit or district shall have 60 days within which to request a hearing on the council's decision to request modification. If within 60 days the unit or district has not requested a hearing, the council shall make its final decision whether to require modification. If an affected unit or district requests a hearing, the request for hearing shall be granted, and the hearing shall be conducted by the state office of hearing examiners in the manner provided by chapter 15 for contested cases. The subject of the hearing shall not extend to questions concerning the need for, or the basis or reasonableness of, the metropolitan system plans or any part thereof. In the report of the hearing examiner the costs of the hearing shall be apportioned among the parties to the proceeding. Upon receipt of the hearing examiners report, the council shall make its final decision whether to require modification in the manner provided by chapter 15 for contested cases. Any party to the proceeding aggrieved by this final decision, or by a final order or judgment rendered on appeal to the district court, may appeal in the manner provided by chapter 15 for contested cases.*"

Offered by Sieben, H. :

Page 6, delete the new Sec. 7 (inserted by previous amendment) and insert:

"Sec. 7. [APPEAL.] *Within 90 days after receipt of its metropolitan systems statement, or parts thereof or amendments thereto, any local governmental unit or school district may by resolution of its governing body request the council to modify any portion of the metropolitan systems statement or amendments. The request for modification shall be specific as to the change being requested and the reasons necessitating the change. Within 45 days after receipt of the request for modification the council shall hold a hearing on the request according to the procedures established in chapter 15 for contested cases, except that the report of the hearing examiner provided for in section 15.052, subdivision 3, shall be binding on all parties.*"

Page 17, delete the last two sentences of the new Sec. 19 (inserted by previous amendment) and insert:

*"All parts of the hearing examiners report shall be binding on the parties to the proceeding and shall be implemented by an order from the hearing examiner. Any party to the proceeding aggrieved by the report or order of the hearing examiner may appeal in the manner provided in chapter 15 for contested cases."*

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

#### MOTIONS AND RESOLUTIONS

Osthoff moved that his name be stricken as an author on H. F. No. 1411. The motion prevailed.

Sherwood moved that the name of Sherwood be stricken and the name of Arlandson be shown as chief author on H. F. No. 154. The motion prevailed.

Wenzel moved that his name be stricken as an author on H. F. No. 1196. The motion prevailed.

Wenzel moved that his name be stricken as an author on H. F. No. 1356. The motion prevailed.

Johnson, D., moved that the names of Casserly, Ulland, and Jaros be added as authors on H. F. No. 1358. The motion prevailed.

George moved that his name be stricken as an author on H. F. No. 877. The motion prevailed.

Eckstein moved that his name be stricken as an author on H. F. No. 1807. The motion prevailed.

Wenzel moved that his name be stricken as an author on H. F. No. 1192. The motion prevailed.

Hokanson moved that her name be stricken as an author on H. F. No. 1616. The motion prevailed.

Carlson, R., moved that the name of Clawson be added as an author on H. F. No. 1384. The motion prevailed.

Langseth moved that the name of Kelly, W., be stricken as an author on H. F. No. 510. The motion prevailed.

Suss moved that the name of Stanton be stricken as an author on H. F. No. 1835. The motion prevailed.

Laidig moved that the name of Menning be added as an author on H. F. No. 1333. The motion prevailed.

Kroening moved that the name of Heinitz be added as an author on H. F. No. 1322. The motion prevailed.

Langseth moved that the name of Jopp be added as an author on H. F. No. 1831. The motion prevailed.

Johnson, D., moved that his name be stricken as an author on H. F. No. 1909. The motion prevailed.

Skoglund moved that the names of Knoll and Swanson be added as authors on H. F. No. 1885. The motion prevailed.

Haugerud moved that the name of Skoglund be shown as chief author and the name of Haugerud be shown as fourth author on H. F. No. 1684. The motion prevailed.

McCarron moved that H. F. No. 1917, now in the Committee on Commerce and Economic Development be returned to its author. The motion prevailed.

McCarron moved that House File No. 1621, now in the Committee on Local and Urban Affairs, be returned to its author. The motion prevailed.

Nelsen introduced:

House Resolution No. 16, A house resolution congratulating the Long Prairie High School Marching Band.

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

Parish, Smogard, Schumacher and Patton introduced:

House Resolution No. 17, A house resolution urging Congress, the President, the Army Corps of Engineers, and the Environmental Protection Agency to refrain from extending federal regulation beyond the navigable waters of the United States.

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

Volk, Niehaus and Brinkman introduced:

House Resolution No. 18, A house resolution providing an interim committee to investigate the constitutionality of federal and state metro regional government.

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

Faricy introduced:

House Resolution No. 19, A house resolution congratulating Mary Murphy on her success in the Miss Minnesota Teenager competition.

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

Munger, for the Committee on Environment and Natural Resources, introduced:

House Resolution No. 20, A house resolution relating to water level problems at Upper and Lower Red Lake.

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

Ewald introduced:

House Resolution No. 21, A house resolution congratulating the Happiness Emporium barbershop quartet.

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

Savelkoul introduced:

House Resolution No. 22, A house resolution providing for the dates of committee reports and adjournment.

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

Carlson, R., introduced:

House Resolution No. 23, A house resolution congratulating the Moose Lake High School Girls Volleyball team on winning the State Championship.

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

Savelkoul introduced:

House Concurrent Resolution No. 13, A house concurrent resolution providing for reports of standing committees and the day of adjournment in 1976.

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

Savelkoul introduced:

House Concurrent Resolution No. 14, A house concurrent resolution defining circumstances in which a per diem payment for expenses may be made to a member.

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

Savelkoul introduced:

House Concurrent Resolution No. 15, A house concurrent resolution amending the joint rule governing the conduct of conference committees.

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

Savelkoul introduced:

House Concurrent Resolution No. 16, A house concurrent resolution adding a joint rule to require two weeks notice of interim committee meetings.

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

Savelkoul introduced:

House Concurrent Resolution No. 17, A house concurrent resolution providing for the conduct of interim study committees.

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

#### ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Wednesday, February 4, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## SIXTY-THIRD DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, FEBRUARY 4, 1976

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kahn	Neisen	Sieben, H.
Adams, L.	Eckstein	Kaley	Nelsen	Sieben, M.
Adams, S.	Eken	Kalis	Nelson	Sieloff
Albrecht	Enebo	Kelly, R.	Niehaus	Simoneau
Anderson, G.	Erickson	Kempe, A.	Norton	Skoglund
Anderson, I.	Esau	Kempe, R.	Novak	Smith
Arlandson	Evans	Ketola	Osthoff	Smogard
Beauchamp	Ewald	Knickerbocker	Parish	Spanish
Begich	Faricy	Knoll	Patton	Stanton
Berg	Fjoslien	Kostohryz	Pehler	Suss
Berglin	Forsythe	Kroening	Peterson	Swanson
Biersdorf	Friedrich	Kvam	Petrafeso	Tomlinson
Birnstihl	Fudro	Laidig	Philbrook	Ulland
Braun	Fugina	Langseth	Pleasant	Vanasek
Brinkman	George	Lenke	Prahl	Vento
Byrne	Graba	Lindstrom	Reding	Volk
Carlson, A.	Hanson	Luther	Rice	Voss
Carlson, L.	Haugerud	Mangan	St. Onge	Wenstrom
Carlson, R.	Heinitz	Mann	Samuelson	Wenzel
Casserly	Hokanson	McCarron	Sarna	White
Clark	Jacobs	McCauley	Savelkoul	Wieser
Clawson	Jaros	McCollar	Schreiber	Wigley
Corbid	Jensen	McEachern	Schulz	Williamson
Dahl	Johnson, C.	Menning	Schumacher	Zubay
Dean	Johnson, D.	Metzen	Searle	Speaker Sabo
DeGroat	Jopp	Moe	Setzpfandt	
Dieterich	Jude	Munger	Sherwood	

A quorum was present.

Kelly, W., was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Erickson the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 910 and 1530 have been placed in the members' files.

## PETITIONS AND COMMUNICATIONS

The following communication was received:

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

February 3, 1976

The Honorable Martin O. Sabo  
Speaker of the House of Representatives  
The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1976 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1976</i>	<i>Date Filed 1976</i>
	1003	1	February 2	February 2
	1555	2	February 2	February 2

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 2036, A bill for an act relating to nursing homes; requiring training for certain nursing assistants.

Reported the same back with the following amendments:

Page 2, delete lines 3 to 5 and insert:

"Subd. 2. [CURRICULA; TECHNICAL ASSISTANCE.] The commissioner of education shall develop curricula for nursing assistant training programs for employees of nursing homes. The curricula shall be utilized by area vocational-technical schools or where most appropriate as designated by the commissioner of education.

Subd. 3. The commissioner of education shall provide necessary and appropriate technical assistance to area vocational-technical schools in the development of nursing assistant training programs.

Subd. 4. The board of nursing shall review and approve curricula developed by the commissioner of education for nursing assistant training programs for employees of nursing homes.

Subd. 5. Every nursing assistant hired to".

Renumber the following subdivision.

Page 2, after line 14, insert new sections to read:

"Sec. 3. Nursing homes shall be permitted to claim as allowable costs, under the department of public welfare's nursing home reimbursement formula, up to 50 percent of the actual costs of tuition and reasonable expenses paid to nursing home assistants by nursing homes during the period of their enrollment in an approved nursing assistant training program.

Sec. 4. [APPROPRIATION.] Subdivision 1. The sum of \$ . . . . . is hereby appropriated to the commissioner of education for the purposes of subdivisions 2 and 3 of section 2.

Subd. 2. The sum of \$ . . . . . is hereby appropriated to the department of public welfare for the purposes of section 3."

Renumber subsequent section in sequence.

Further amend the title as follows:

Page 1, line 3, after "assistants" insert "; appropriating money".

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

The report was adopted.

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

H. F. No. 2041, A bill for an act relating to the elderly; establishing a state policy for older citizens dependent on long-term care and treatment.

Reported the same back with the following amendments:

Page 1, line 7, delete "establish a state policy ensuring" and insert "declare".

Page 1, line 8, delete "is" and insert "should be".

Page 1, line 8, after "afforded" delete "the" and insert "every reasonable".

Page 1, line 21, delete "older".

Page 1, line 21, delete "be recognized as a unique".

Page 1, delete line 22, and insert "recognize the".

Page 2, line 1, after "worth" insert "of each older citizen".

Page 2, line 2, after "to" insert "reasonable efforts by the state to assist in attaining".

Page 2, line 6, after "not" insert "be a".

Page 2, line 6, after "cause" insert "of".

Page 2, line 7, delete "identity or".

Page 2, line 12, delete "The reduction and removal of" and insert "Reasonable efforts to reduce".

Page 2, line 16, delete "The establishment of a balance of power between the".

Page 2, delete line 17.

Page 2, line 18, delete "balance shall include" and insert "The development of".

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

H. F. No. 1915, A bill for an act relating to public employment labor relations; establishing a procedure for the disposition of unfair labor practice claims; amending Minnesota Statutes 1974, Sections 15.0411, Subdivision 2, as amended; 15A.081, Subdivision 1, as amended; 179.64, Subdivisions 5 and 7; 179.67, Subdivisions 3 and 13; 179.68, Subdivision 1; 179.72, Subdivisions 1, 2, 3 and 4; and Chapter 179, by adding a section.

Reported the same back with the following amendments:

Page 4, line 4, delete "30,000" and insert "28,000".

Page 4, line 5, delete "28,000" and insert "25,000".

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. No. 2041 was read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Eken introduced:

H. F. No. 2105, A bill for an act relating to county agricultural societies; authorizing the renewal of the period of corporate existence of certain agricultural societies whose period of duration has expired; validating acts done and contracts made subsequent to the expiration of the corporate existence,

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

McEachern, Sarna, Simoneau, Fudro and Schreiber introduced:

H. F. No. 2106, A bill for an act relating to intoxicating liquors; licensing the sale of non-intoxicating malt liquors; amending Minnesota Statutes 1974, Section 340.02, Subdivision 2.

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

Smith, Faricy, Samuelson, Dieterich and Metzen introduced:

H. F. No. 2107, A bill for an act relating to public employees; providing for payment of attorney's fees necessary to obtain benefits for survivors of peace officers killed in line of duty; amending Minnesota Statutes 1974, Chapter 352E, by adding a section.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Carlson, R.; Sherwood; Vanasek; Tomlinson and Johnson, D., introduced:

H. F. No. 2108, A bill for an act relating to taxation; providing that easements may be granted on tax-forfeited land for recreational trails; amending Minnesota Statutes 1974, Section 282.04, Subdivision 4.

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

Sieloff, Abeln, McCauley and Schulz introduced:

H. F. No. 2109, A bill for an act relating to automobile insurance; changing priority of certain benefits; requiring certain premium reductions; providing income loss coverage to disabled unemployment compensation recipients; amending Minnesota Statutes 1974, Sections 65B.44, Subdivision 3; 65B.61; and 65B.70, by adding a subdivision.

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

Heinitz, Sieloff, Prahl and Faricy introduced:

H. F. No. 2110, A bill for an act relating to insurance; reporting of certain professional liability judgments or settlements.

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

Anderson, G.; Spanish; Schumacher; Smith and St. Onge introduced:

H. F. No. 2111, A bill for an act relating to ethics; changing the definition of lobbyist; amending Minnesota Statutes 1974, Section 10A.01, Subdivision 1.

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

Moe, Patton, Parish, Beauchamp and Biersdorf introduced:

H. F. No. 2112, A bill for an act relating to retirement; increasing certain benefits and annuities; appropriating money.

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

Beauchamp, Stanton, Pehler, Wenstrom and McCauley introduced:

H. F. No. 2113, A bill for an act relating to human rights; changing duties of commissioner; increasing penalties; amending Minnesota Statutes 1974, Sections 363.05, Subdivision 1; 363.06, Subdivision 5; 363.071, Subdivision 2; and 363.14, Subdivision 1.

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

Prahl, Vento, McEachern, Kostohryz and Esau introduced:

H. F. No. 2114, A bill for an act relating to retirement; military service credit for teachers; amending Minnesota Statutes 1974, Section 354.53, Subdivisions 1 and 3.

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

Moe, Berglin, Byrne, Clark and Patton introduced:

H. F. No. 2115, A bill for an act relating to retirement; service credit for teachers on parental or maternity leave; amending Minnesota Statutes 1974, Section 354.42, by adding a subdivision.

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

Knoll; Sieben, H.; Petrafeso; Kroening and Berglin introduced:

H. F. No. 2116, A bill for an act relating to the legislature; creating a legislative commission on housing and community development; prescribing its powers and duties; requiring a report and budget estimate; and appropriating money.

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

Samuelson, Forsythe, Swanson and Petrafeso introduced:

H. F. No. 2117, A bill for an act relating to public welfare; authorizing the assignment of accident insurance proceeds by any recipient of medical assistance; amending Minnesota Statutes, 1975 Supplement, Sections 256B.02, Subdivision 9; 256B.042, by adding a subdivision; and 256B.06, Subdivision 1.

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

Heinitz and Pleasant introduced:

H. F. No. 2118, A bill for an act relating to courts; increasing the jurisdictional limits in conciliation courts of Hennepin county and Ramsey county; amending Minnesota Statutes 1974, Sections 488A.12, Subdivision 3; and 488A.29, Subdivision 3.

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

Lindstrom; Adams, S.; Ketola; Faricy and Kelly, W., introduced:

H. F. No. 2119, A bill for an act creating a Minnesota law revision commission; prescribing its duties and functions; and appropriating funds for its operation.

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

Sherwood, Skoglund, Esau, Carlson, R., and Menning introduced:

H. F. No. 2120, A bill for an act relating to crimes; providing penalties for operating a vehicle in so careless a manner as to cause death; amending Minnesota Statutes 1974, Chapter 609, by adding a section.

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

Anderson, G.; Berglin; McCarron; Neisen and Jopp introduced:

H. F. No. 2121, A bill for an act relating to taxation; providing that sales tax on telephone service charges be payable by person paying for the service; amending Minnesota Statutes, 1975 Supplement, Section 297A.01, Subdivision 3.

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

Anderson, I., and Braun introduced:

H. F. No. 2122, A bill for an act relating to taxation; imposing a use tax on certain vehicles owned by foreign business and providing transportation services in the state; amending Minnesota Statutes 1974, Chapter 297A, by adding a section.

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

McCauley; Johnson, D.; Sieloff; Graba and Brinkman introduced:

H. F. No. 2123, A bill for an act relating to taxation; changing qualifications for disabled persons having property designated as class 3cc for property tax purposes; amending Minnesota Statutes, 1975 Supplement, Section 273.13, Subdivision 7.

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

Johnson, C.; Lemke; Sarna; Schreiber and Stanton introduced:

H. F. No. 2124, A bill for an act relating to motor vehicles; increasing the registration tax on certain vehicles; prescribing weight limitations on certain vehicles; providing penalties; amending Minnesota Statutes 1971, Section 168.013, Subdivisions 1c, 1e, 1g and 12, as amended; Minnesota Statutes 1974, Sections 168.012, Subdivision 7; 168.31, Subdivision 3; 169.83, Subdivisions 1, 2 and 3; 169.86, Subdivision 5, and by adding a subdivision; Minnesota Statutes, 1975 Supplement, Section 169.85; repealing Minnesota Statutes 1974, Section 169.831.

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

Lindstrom, Eckstein, Ketola, Voss and Brinkman introduced:

H. F. No. 2125, A bill for an act relating to motor vehicles; registration and taxation; removing certain requirements for notarization; amending Minnesota Statutes, 1975 Supplement, Section 168.10, Subdivision 1.

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

#### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Faricy reported on the progress of H. F. No. 1519, now in Conference Committee.

## MESSAGES FROM THE SENATE

The following message was received from the Senate:

A message from the Senate relating to S. F. No. 733, and an accompanying Conference Committee report, was reported to the House.

Brinkman moved that the message from the Senate relating to S. F. No. 733 be laid over until Monday, February 9, 1976. The motion prevailed.

## CONSENT CALENDAR

H. F. No. 1895, A bill for an act relating to highway traffic regulations; brakes; amending Minnesota Statutes 1974, Section 169.67, Subdivision 3.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 4, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jude	Munger	Setzepfandt
Adams, L.	Doty	Kahn	Neisen	Sherwood
Adams, S.	Eckstein	Kaley	Nelsen	Sieben, H.
Anderson, G.	Eken	Kalis	Nelson	Sieben, M.
Anderson, I.	Enebo	Kelly, R.	Niehaus	Sieloff
Arlandson	Erickson	Kempe, A.	Norton	Skoglund
Beauchamp	Esau	Kempe, R.	Novak	Smith
Begich	Evans	Ketola	Osthoff	Smogard
Berg	Ewald	Knickerbocker	Parish	Spanish
Berglin	Fjoslien	Knoll	Patton	Stanton
Biersdorf	Forsythe	Kostohryz	Pehler	Suss
Birnstihl	Friedrich	Kroening	Peterson	Swanson
Braun	Fudro	Kvam	Petrafaso	Tomlinson
Brinkman	Fugina	Laidig	Philbrook	Ulland
Byrne	George	Langseth	Pleasant	Vanasek
Carlson, A.	Graba	Lemke	Reding	Vento
Carlson, L.	Haugerud	Lindstrom	Rice	Volk
Carlson, R.	Heinitz	Luther	St. Onge	Voss
Casserly	Hokanson	Mangan	Samuelson	Wenzel
Clark	Jacobs	Mann	Sarna	White
Clawson	Jaros	McCauley	Savelkoul	Wieser
Corbid	Jensen	McCollar	Schreiber	Wigley
Dahl	Johnson, C.	Menning	Schulz	Williamson
Dean	Johnson, D.	Metzen	Schumacher	Zubay
DeGroat	Jopp	Moe	Searle	Speaker Sabo

Those who voted in the negative were:

Faricy	Hanson	McEachern	Prahl
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The bill was passed and its title agreed to.

## CALENDAR

H. F. No. 1530, A bill for an act relating to metropolitan land use and planning; providing certain requirements and procedures for local governmental units and school districts in the metropolitan area; providing interim zoning; amending Minnesota Statutes 1974, Section 462.365, by adding a subdivision; Minnesota Statutes, 1975 Supplement, Section 473.175.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 89, and nays 42, as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Kelly, R.	Norton	Sieben, M.
Adams, L.	Dean	Kempe, A.	Novak	Sieloff
Adams, S.	Dieterich	Ketola	Osthoff	Simoneau
Anderson, G.	Doty	Knoll	Patton	Skoglund
Anderson, I.	Eckstein	Kostohryz	Pehler	Smith
Arlandson	Eken	Kroening	Petrafeso	Smogard
Beauchamp	Enebo	Langseth	Philbrook	Stanton
Begich	Faricy	Lindstrom	Prahl	Swanson
Berg	Fudro	Luther	Reding	Tomlinson
Berglin	George	Mann	Rice	Ulland
Braun	Graba	McCauley	St. Onge	Vanasek
Byrne	Hanson	McCollar	Sarna	Vento
Carlson, A.	Haugerud	McEachern	Schreiber	Voss
Carlson, L.	Hokanson	Menning	Schulz	Wenstrom
Carlson, R.	Jacobs	Moe	Schumacher	Wenzel
Casserly	Jaros	Munger	Setzepfandt	Williamson
Clark	Johnson, D.	Neisen	Sherwood	Speaker Sabo
Corbid	Kahn	Nelson	Sieben, H.	

Those who voted in the negative were:

Albrecht	Ewald	Kaley	Nelsen	Suss
Biersdorf	Fjoslien	Kalis	Niehaus	Volk
Birnstihl	Forsythe	Kempe, R.	Parish	White
Brinkman	Friedrich	Knickerbocker	Peterson	Wieser
Clawson	Heinitz	Kvam	Pleasant	Wigley
DeGroat	Jensen	Laidig	Samuelson	Zubay
Erickson	Johnson, C.	Mangan	Savelkoul	
Esau	Jopp	McCarron	Searle	
Evans	Jude	Metzen	Spanish	

The bill was passed and its title agreed to.

Berg was excused at 3:40 p.m. Doty and Searle were excused at 4:10 p.m. Schreiber and Smith were excused at 4:40 p.m. Vanasek was excused at 5:15 p.m.

## GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 838 offered by Savelkoul:

Page 1, line 20, after "on" strike "radio or".

Page 1, line 21, strike "television, or on".

The roll being called, there were yeas 46, and nays 68, as follows:

Those who voted in the affirmative were:

Albrecht	Ewald	Kvam	Pleasant	Tomlinson
Anderson, G.	Forsythe	Laidig	Prahl	Ulland
Biersdorf	Friedrich	Lindstrom	St. Onge	Vanasek
Birnstihl	Haugerud	Mangan	Savelkoul	Wenzel
Carlson, A.	Heinitz	McCauley	Schulz	Wigley
Clawson	Jopp	Moe	Searle	Zubay
Dieterich	Kahn	Niehaus	Sieben, H.	
Eckstein	Kaley	Patton	Smith	
Erickson	Kalis	Peterson	Spanish	
Evans	Knickerbocker	Petraieso	Stanton	

Those who voted in the negative were:

Abeln	Dean	Jude	Neisen	Sieloff
Adams, L.	Doty	Kelly, R.	Nelsen	Simoneau
Anderson, I.	Eken	Kempe, A.	Nelson	Skoglund
Arlandson	Enebo	Kempe, R.	Novak	Smogard
Beauchamp	Faricy	Ketola	Osthoff	Suss
Begich	Fjoslien	Knoll	Pehler	Vento
Berglin	Fudro	Kroening	Philbrook	Volk
Braun	Fugina	Langseth	Rice	Voss
Byrne	George	Luther	Samuelson	Wenstrom
Carlson, L.	Hanson	Mann	Sarna	White
Casserly	Hokanson	McCollar	Schumacher	Wieser
Clark	Jaros	McEachern	Setzepfandt	Speaker Sabo
Corbid	Jensen	Menning	Sherwood	
Dahl	Johnson, D.	Metzen	Sieben, M.	

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

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 838 offered by Carlson, R.:

Page 2, after line 29, add a subdivision to read:

*"Subd. 1c. The following statement shall be affixed to all advertisements which promote the sale of alcoholic beverages*

and shall be affixed to all beverage containers sold or offered for sale at off-sale in the state of Minnesota which contain alcoholic beverages: "Caution: Excessive Consumption of Alcohol is Dangerous to your Health." The Liquor Control Commissioner shall designate the size and exact placement of the statement on such advertisements and such beverage containers."

The roll being called, there were yeas 94, and nays 26, as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Kalis	Moe	Sieben, M.
Adams, L.	Dean	Kelly, R.	Nelsen	Simoneau
Adams, S.	Eken	Kempe, A.	Nelson	Skoglund
Anderson, G.	Enebo	Kempe, R.	Osthoff	Smogard
Anderson, I.	Erickson	Ketola	Parish	Stanton
Arlandson	Esau	Knoll	Patton	Suss
Beauchamp	Evans	Kroening	Pehler	Swanson
Begich	Ewald	Kvam	Petraferoso	Tomlinson
Berglin	Faricy	Laidig	Philbrook	Vanasek
Biersdorf	Fjoslien	Langseth	Pleasant	Vento
Birnstihl	Forsythe	Lemke	Prahl	Volk
Braun	George	Lindstrom	Reding	Voss
Byrne	Hanson	Luther	Rice	Wenstrom
Carlson, A.	Hokanson	Mangan	St. Onge	Wenzel
Carlson, L.	Jacobs	Mann	Sarna	White
Carlson, R.	Johnson, C.	McCarron	Savelkoul	Wieser
Casserly	Johnson, D.	McCollar	Schulz	Williamson
Clark	Jude	McEachern	Schumacher	Speaker Sabo
Clawson	Kahn	Menning	Sherwood	

Those who voted in the negative were:

Albrecht	Fudro	Knickerbocker	Novak	Wigley
Brinkman	Graba	McCauley	Peterson	Zubay
Corbid	Haugerud	Metzen	Sieben, H.	
DeGroat	Heinitz	Neisen	Sieloff	
Eckstein	Jensen	Niehaus	Spanish	
Friedrich	Kaley	Norton	Ulland	

The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 454 offered by Corbid:

Page 1, of the Ulland amendment, after line 16, add a new paragraph as follows:

"(2) The Commissioner of Natural Resources may designate an area for the taking of deer by muzzle loading rifle between Oct. 1 and Oct. 31 with the length of season to be determined by the commissioner."

Renumber paragraphs according to sequence.

The roll being called, there were yeas 27, and nays 67, as follows:

Those who voted in the affirmative were:

Anderson, G.	Dieterich	Knoll	Patton	Sieben, M.
Anderson, I.	Eckstein	Kostohryz	Pehler	Voss
Beauchamp	Eken	Langseth	St. Onge	Wenzel
Berglin	Graba	Lemke	Samuelson	
Braun	Johnson, C.	McCarron	Setzepfandt	
Corbid	Kahn	McCauley	Sieben, H.	

Those who voted in the negative were:

Adams, S.	Faricy	Kelly, R.	Novak	Skoglund
Albrecht	Fjoslien	Kempe, R.	Osthoff	Smogard
Begich	Friedrich	Ketola	Parish	Spanish
Biersdorf	Fudro	Knickerbocker	Peterson	Tomlinson
Brinkman	Fugina	Kvam	Petrafeso	Ulland
Byrne	Hanson	Laidig	Philbrook	Wenstrom
Carlson, A.	Heinitz	Luther	Prahl	Wieser
Carlson, L.	Hokanson	Mangan	Sarna	Wigley
Clark	Jacobs	Mann	Savelkoul	Williamson
DeGroat	Jaros	Metzen	Schulz	Zubay
Enebo	Jensen	Munger	Schumacher	Speaker Sabo
Erickson	Johnson, D.	Neisen	Searle	
Esau	Jopp	Nelsen	Sieloff	
Evans	Jude	Niehaus	Simoneau	

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

Pursuant to Rule 1.6, a roll call was taken on the motion of Ulland to recommend passage of H. F. No. 454, as amended.

The roll being called, there were yeas 78, and nays 38, as follows:

Those who voted in the affirmative were:

Adams, L.	Dieterich	Kaley	Moe	Sieloff
Adams, S.	Enebo	Kelly, R.	Munger	Skoglund
Albrecht	Evans	Kempe, A.	Neisen	Smogard
Anderson, I.	Ewald	Ketola	Niehaus	Stanton
Beauchamp	Forsythe	Knickerbocker	Norton	Tomlinson
Begich	Friedrich	Knoll	Novak	Ulland
Berglin	Graba	Kostohryz	Patton	Vento
Braun	Hanson	Kvam	Pehler	Voss
Byrne	Haugerud	Laidig	Peterson	White
Carlson, A.	Heinitz	Langseth	Petrafeso	Wieser
Carlson, L.	Jacobs	Lemke	Philbrook	Wigley
Carlson, R.	Johnson, C.	Lindstrom	Pleasant	Williamson
Casserly	Johnson, D.	Luther	Reding	Zubay
Clark	Jopp	Mangan	Savelkoul	Speaker Sabo
Dahl	Jude	McCollar	Setzepfandt	
Dean	Kahn	Metzen	Sieben, H.	

Those who voted in the negative were:

Abeln	Fariay	Mann	Rice	Spanish
Anderson, G.	Fjoslien	McCarron	St. Onge	Suss
Birnsthil	Fudro	McCauley	Samuelson	Swanson
Corbid	Fugina	Menning	Sarna	Volk
DeGroat	Jensen	Nelsen	Schulz	Wenstrom
Eckstein	Kalis	Nelson	Schumacher	Wenzel
Eken	Kempe, R.	Osthoff	Sherwood	
Esau	Kroening	Prahl	Simoneau	

The motion prevailed.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. No. 33 upon which it recommended progress until Tuesday, February 10, 1976, retaining its place on General Orders.

H. F. No. 838 upon which it recommended progress until Wednesday, February 11, 1976, with the following amendments:

Offered by Kempe, A.:

Page 2, line 9, after "approval." insert a new sentence to read *"The commissioner, before affixing his stamp of approval, shall insure that the selling price shown on such advertisement does not violate the provisions of Minnesota Statutes, Sections 325.02 to 325.075."*

Offered by Carlson, R.:

Page 2, after line 29, add a subdivision to read:

*"Subd. 1c. The following statement shall be affixed to all advertisements which promote the sale of alcoholic beverages and shall be affixed to all beverage containers sold or offered for sale at off-sale in the state of Minnesota which contain alcoholic beverages: "Caution: Excessive Consumption of Alcohol is Dangerous to your Health." The Liquor Control Commissioner shall designate the size and exact placement of the statement on such advertisements and such beverage containers."*

H. F. No. 454 upon which it recommended to pass with the following amendment offered by Ulland:

Page 2, delete lines 15 to 32 and insert:

*"Sec. 3. Minnesota Statutes, 1975 Supplement, Section 100.27, Subdivision 2, is amended to read:*

Subd. 2. Deer and moose may be taken in such areas of the state, under such restrictions and on such dates within the periods hereafter prescribed as the commissioner may, by order, provide:

(1) Deer, by bow and arrow (ONLY,) between October 1st (AND OCTOBER 31 AND IN ANY AREA OF THE STATE DESIGNATED BY THE COMMISSIONER SOUTH OF A LINE STARTING AT THE NORTH DAKOTA BORDER AT MOORHEAD, EAST ON ROUTES 10 AND 210 TO BRAINERD AND THENCE TO DULUTH BETWEEN DECEMBER 1ST) and December 31st, *with the length of the season to be determined by the commissioner;*

(2) Deer, by legal firearms (AND WITH BOW AND ARROW), between November 1 and December 15, with the length of the season to be determined by the commissioner;

(3) Moose, only during one season to be set between January 1, 1975 and December 31, 1975, by legal firearms and with bow and arrow, in areas of the state, and under such restrictions and on such dates as the commissioner may by order provide; for purposes of this section a split season in any one calendar year shall be considered as one season;

(4) Deer, by bow and arrow only, between October 15th and (NOVEMBER 15TH) *December 1st* in a year and area when the commissioner has provided that deer may not be taken by legal firearms in that year in that area;

(5) The commissioner may designate any area of the state to be open for the taking of deer by bow and arrow prohibiting other means of taking deer in these areas."

Page 3, delete lines 1 to 17.

Further, amend the title in line 4 by deleting "Sections" and inserting "Section" and after the second "and" by inserting "Minnesota Statutes, 1975 Supplement, Section".

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

## MOTIONS AND RESOLUTIONS

Wenstrom moved that the name of Sherwood be stricken and the name of Byrne be added as an author on H. F. No. 2058. The motion prevailed.

McCollar moved that his name be stricken as an author on H. F. No. 1835. The motion prevailed.

Beauchamp moved that his name be stricken as an author on H. F. No. 608. The motion prevailed.

Tomlinson moved that he be shown as fourth author, that the name of Clark be stricken and the name of Volk be shown as chief author on H. F. No. 116. The motion prevailed.

Clawson moved that H. F. No. 1801 be recalled from the Committee on Commerce and Economic Development and be referred to the Committee on Financial Institutions and Insurance. The motion prevailed.

House Resolution No. 15 was reported to the House.

#### HOUSE RESOLUTION NO. 15

A house resolution commending the Future Farmers of America.

*Whereas*, agriculture within the state of Minnesota and throughout the nation represents a basic and highly essential industry; and

*Whereas*, the future success and prosperity of this essential industry is largely dependent upon the attraction and retention of a sizeable number of younger citizens in order that the state and nation may retain their status as world leaders in the production of food and fiber; and

*Whereas*, the state and national Future Farmers of America have long played a leading role in the attraction and development of tomorrow's leaders in the agricultural industry; now, therefore,

*Be It Resolved*, by the House of Representatives of the State of Minnesota, that sincerest commendations and best wishes be extended to the Future Farmers of America.

*Be It Further Resolved*, that the Chief Clerk transmit a copy of this resolution to the Future Farmers of America Convention starting April 27th at the University of Minnesota.

Erickson moved to amend House Resolution No. 15, as follows:

Page 1, line 20, strike "27th" and insert "25th".

The motion prevailed and the amendment was adopted.

Erickson moved that House Resolution No. 15, as amended, be now adopted. The motion prevailed and House Resolution No. 15, as amended, was adopted.

## ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Thursday, February 5, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA  
SIXTY-NINTH SESSION - 1976

SIXTY-FOURTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 5, 1976

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Eckstein	Kalis	Nelson	Sieloff
Adams, L.	Eken	Kelly, R.	Niehaus	Simoneau
Albrecht	Enebo	Kelly, W.	Norton	Skoglund
Anderson, G.	Esau	Kempe, A.	Novak	Smith
Anderson, I.	Evans	Kempe, R.	Osthoff	Smogard
Arlandson	Ewald	Ketola	Parish	Spanish
Beauchamp	Faricy	Knickerbocker	Patton	Stanton
Begich	Fjoslien	Knoll	Peñler	Suss
Berg	Forsythe	Kroening	Peterson	Swanson
Berglin	Friedrich	Kvam	Petraleso	Tomlinson
Biersdorf	Fudro	Laidig	Philbrook	Ulland
Birnstihl	Fugina	Langseth	Pleasant	Vanasek
Braun	George	Lemke	Prahl	Vento
Brinkman	Graba	Lindstrom	Reding	Volk
Byrne	Hanson	Luther	Rice	Voss
Carlson, A.	Haugerud	Mangan	St. Onge	Wenstrom
Carlson, L.	Helnitz	Mann	Samuelson	Wenzel
Carlson, R.	Hokanson	McCarron	Sarna	White
Casserly	Jacobs	McCauley	Savelkoul	Wieser
Clark	Jaros	McCollar	Schreiber	Wigley
Clawson	Jensen	McEachern	Schulz	Williamson
Corbid	Johnson, C.	Menning	Schumacher	Zubay
Dahl	Johnson, D.	Metzen	Searle	Speaker Sabo
Dean	Jopp	Moe	Setzepfandt	
DeGroat	Jude	Munger	Sherwood	
Dieterich	Kahn	Neisen	Sieben, H.	
Doty	Kaley	Nelsen	Sieben, M.	

A quorum was present.

Adams, S.; Erickson and Kostohryz were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Esau the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2041, 454 and 838 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 1995, A bill for an act relating to education; eye protection requirements for certain industrial and scientific courses; defining industrial quality eye protective devices; amending Minnesota Statutes 1974, Section 126.20, Subdivision 6.

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

The report was adopted.

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

H. F. No. 1996, A bill for an act relating to education; describing co-curricular and non-curricular activities; amending Minnesota Statutes 1974, Section 123.38, Subdivisions 1, 2 and 3, and by adding subdivisions.

Reported the same back with the following amendments:

Page 1, line 9, before "ACTIVITIES" insert "CO-CURRICULAR AND NON-CURRICULAR".

Page 2, line 7, before "*activities*" insert "*these*".

Page 2, line 13, before "*the*" insert "*the general fund or*".

Page 2, line 14, delete "*, or the general fund*".

Page 3, line 8, delete "*include that group of*" and insert "*shall mean*".

Page 3, line 10, delete "*students*" and insert "*pupils*".

Page 3, line 10, after "*participate*" insert a comma.

Page 3, line 10, delete "*at*" and insert "*in*".

Page 3, line 11, delete the comma.

Page 3, line 14, after "are" insert "not".

Page 3, line 14, after "school" insert "credit".

Page 3, line 17, delete the second comma.

Page 3, line 25, delete ", and deficits resulting from the activity are".

Page 3, line 26, delete "usually subsidized by the school district general fund".

Page 3, line 32, delete "include" and insert "shall mean".

Page 4, line 2, delete "generally".

Page 4, line 7, delete "not".

Page 4, line 7, delete "during" and insert "outside".

Page 4, line 11, delete "student" and insert "pupil".

Page 4, line 13, delete "possible".

Page 4, line 18, before "The" insert "If the board does not take charge of and control non-curricular activities, the general fund or".

Page 4, line 19, delete "or the general fund" and insert "shall".

Page 4, line 21, delete the period and insert "and".

Page 4, line 22, delete "are" and insert "shall be".

Page 4, line 24, delete the comma.

Page 4, line 24, delete "available from".

Page 4, line 25, delete "the state department of education".

Page 4, line 25, after the period insert "If the board takes charge of and controls non-curricular activities, all revenues and expenditures for these activities shall be recorded in the same manner as other revenues and expenditures of the district. If the board takes charge of and controls non-curricular activities, no such activity shall be participated in by the teachers of pupils in the district, nor shall the school name or any allied name be used in connection therewith, except by consent and direction of the board."

Further, amend the title as follows:

Page 1, line 2, after the semi-colon insert "requiring school boards to take control of all co-curricular school activities; changing the method of accounting for co-curricular and non-curricular activities;".

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

H. F. No. 2043, A bill for an act relating to elections; providing for uniform reporting dates for campaign disclosure forms; providing for disclosure of campaign contributions and expenditures of political committees and candidates for local office; amending Minnesota Statutes 1974, Chapters 123, 373, and 471, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 210A.01, Subdivisions 1, 5, 6, 8, 9, and by adding subdivisions; 210A.05, Subdivision 1; 210A.16; 210A.23; 210A.24; 210A.25; 210A.26; 210A.27, Subdivision 1; 210A.29; 210A.32; 210A.33; Chapter 210A, by adding sections; repealing Minnesota Statutes, 1975 Supplement, Sections 123.015; 210A.01, Subdivisions 4 and 7; 210A.22; 210A.28; and 210A.31.

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

The report was adopted.

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

S. F. No. 932, A bill for an act relating to public welfare; permitting the commissioner of public welfare to establish maximum fees for congregate living care under the income maintenance programs; amending Minnesota Statutes 1974, Section 256.01, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 8, delete "1974" and insert ", 1975 Supplement".

Page 1, strike lines 10 to 23.

Page 2, strike lines 1 to 32.

Page 3, strike lines 1 to 32.

Page 4, strike lines 1 to 32.

Page 5, strike lines 1 to 13 and insert:

"Subd. 2. [SPECIFIC POWERS.] Subject to the provisions of Minnesota Statutes 1967, Section 241.021, Subdivision 2, the commissioner of public welfare shall:

(1) Administer and supervise all forms of public assistance provided for by state law and other welfare activities or services as may from time to time be vested in the commissioner. Nothing herein shall transfer from the veterans home board any of its present rights, powers, or duties, all of which shall continue to be exercised by said board.

(2) Administer and supervise all child welfare activities; promote the enforcement of laws protecting defective, illegitimate, dependent, neglected and delinquent children; license and supervise child-caring and child-placing agencies and institutions; supervise the care of children in boarding and foster homes or in private institutions; and generally perform all functions relating to the field of child welfare now vested in the state board of control.

(3) Administer and supervise all non-institutional service to handicapped persons, including the blind, the deaf, the tuberculous, the crippled, and otherwise handicapped persons. The authority and power conferred by this subdivision shall include the authority and power to provide and contract for the care and treatment of qualified indigent children, as defined in section 250.02, in facilities other than those located and available at state hospitals when it is not feasible to provide the service in state hospitals.

(4) Assist and actively cooperate with other departments, agencies and institutions, local, state, and federal, by performing services in conformity with the purposes of Laws 1939, Chapter 431.

(5) Act as the agent of and cooperate with the federal government in matters of mutual concern relative to and in conformity with the provisions of Laws 1939, Chapter 431, including the administration of any federal funds granted to the state to aid in the performance of any functions of the commissioner as specified in Laws 1939, Chapter 431, and including the promulgation of rules and regulations making uniformly available medical care benefits to all recipients of public assistance, at such times as the federal government increases its participation in assistance expenditures for medical care to recipients of public assistance, the cost thereof to be borne in the same proportion as are grants of aid to said recipients.

(6) Establish and maintain any administrative units reasonably necessary for the performance of administrative functions common to all divisions of the department.

(7) Administer and supervise any additional welfare activities and services as may, from time to time, hereafter be vested by law in the state department.

(8) The commissioner is hereby specifically constituted as guardian of both the estate and the person of all the wards of the state of Minnesota and other persons the guardianship of whom has been heretofore vested in the state board of control, whether by operation of law or by an order of court, without any further act or proceeding whatever, except as to persons committed as feeble-minded or epileptic. All of said guardianships, and the funds and property of the same, are hereby transferred to and vested in said commissioner, and said commissioner is hereby constituted a legal entity and is hereby empowered to act as guardian under any laws of this state heretofore conferring such powers upon the state board of control.

(9) All the powers and duties vested in or imposed upon the director of public institutions with reference to the Minnesota state sanatorium are hereby transferred to, vested in, and imposed upon the commissioner of public welfare. The commissioner of public welfare shall appoint the superintendent of the Minnesota state sanatorium, but shall not have the power to fix his salary.

(10) Act as coordinating referral and informational center on requests for service for newly arrived immigrants coming to Minnesota.

(11) The specific enumeration of powers and duties as hereinabove set forth shall in no way be construed to be a limitation upon the general transfer of powers herein contained.

(12) Establish county, regional, or state-wide schedules of maximum fees and charges which may be paid *by local agencies* for medical, dental, surgical, hospital, nursing and nursing home care and medicine and medical supplies under all programs of medical care provided by the state *and for congregate living care under the income maintenance programs.*

(13) Have the authority to conduct and administer experimental projects to test methods and procedures of administering assistance and services to recipients or potential recipients of public welfare. To carry out such experimental projects, it is further provided that the commissioner of public welfare is authorized to waive the enforcement of existing specific statutory program requirements, regulations, and standards in one or more counties. The order establishing the waiver shall provide alternative methods and procedures of administration, shall not be in conflict with the basic purposes, coverage, or benefits provided by law, and in no event shall the duration of a project exceed two years. It is further provided that no order establishing

an experimental project as authorized by the provisions of this section shall become effective until the following conditions have been met:

(a) The proposed comprehensive plan including estimated project costs and the proposed order establishing the waiver shall be filed with the Secretary of the Senate and Chief Clerk of the House of Representatives at least 60 days prior to its effective date.

(b) The secretary of health, education, and welfare of the United States has agreed, for the same project, to waive state plan requirements relative to state-wide uniformity.

(c) A comprehensive plan, including estimated project costs, shall be approved by the legislative advisory committee and filed with the commissioner of administration.

(14) In accordance with federal requirements establish procedures to be followed by local welfare boards in creating citizen advisory committees, including procedures for selection of committee members.

(15) Promulgate, by rule and regulation, standards of administration to be applied by local welfare boards administering state and county financed programs of medical assistance pursuant to chapter 256B, general relief medical care pursuant to section 256D.02, subdivision 4 and medical, hospital, and surgical care for persons eligible for general assistance pursuant to chapter 256D, or for indigent persons whose costs of hospitalization are paid pursuant to sections 261.21 to 261.232. The rules and regulations shall specify a uniform standard of performance and a tolerated error rate, but shall not specify the minimum number of personnel to be employed by a local agency if the agency operates at the specified standard of performance or at or below the tolerated error rate. The commissioner may deduct from the earned administrative reimbursements of a county a penalty for the county's failure to comply with the standards of administration. The penalty shall be fixed by the commissioner as a percentage of the overexpenditure caused by improper administration, beyond an initial tolerated amount of overexpenditure. In the event that fiscal sanctions are imposed by the federal government because of improper administration of the programs, one-half of the amount of the sanctions attributable to local agency performance shall be deducted from administrative reimbursement otherwise due the county.

(16) Develop a plan and report to the legislature during its 1976 session on methods by which the payment and administration of all income maintenance programs could be assumed by the state department of public welfare."

Amend the title:

Line 6, delete "1974" and insert ", 1975 Supplement".

With the recommendation that when so amended the bill do pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1995, 1996 and 2043 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. No. 932 was read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

McCauley, Beauchamp, Evans, Stanton and Pehler introduced:

H. F. No. 2126, A bill for an act relating to taxation; including the state universities in the occupation tax apportionment; amending Minnesota Statutes 1974, Section 298.17.

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

Casserly; Sieben, H.; Dieterich; Johnson, D.; and Adams, L., introduced:

H. F. No. 2127, A bill for an act relating to commerce; limiting deficiency judgments in consumer transactions.

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

Berglin; Sieben, M.; Fugina; Adams, S.; and Dean introduced:

H. F. No. 2128, A bill for an act relating to education; school arts programs; authorizing the council on quality education to make grants to school districts and state universities contracting with arts organizations; appropriating money; amending Minnesota Statutes 1974, Chapter 3, by adding a section.

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

Eckstein; Mann; Johnson, C.; Haugerud and Kalis introduced:

H. F. No. 2129, A bill for an act relating to public waters; eliminating certain permit requirements affecting certain public drainage systems; amending Minnesota Statutes 1974, Section 105.42, Subdivision 1.

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

DeGroat introduced:

H. F. No. 2130, A bill for an act relating to elections; providing for the nomination and election of legislators without party designation; amending Minnesota Statutes 1974, Section 206.07, Subdivision 1; and Minnesota Statutes, 1975 Supplement, Sections 203A.21, Subdivision 1; 203A.31, Subdivision 1; 203A.23, Subdivisions 7 and 9; and 203A.32, Subdivisions 1 and 2.

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

Beauchamp, Corbid, Langseth, Braun and Johnson, C., introduced:

H. F. No. 2131, A bill for an act relating to interstate cooperation; directing a study and meetings on various subjects of mutual concern to the states of Minnesota and North Dakota and the province of Manitoba.

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

DeGroat introduced:

H. F. No. 2132, A bill for an act relating to workers' compensation; eliminating a provision for the coordination of workers' compensation benefits to dependents with other governmental assistance programs; repealing Minnesota Statutes, 1975 Supplement, Section 176.111, Subdivision 21.

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

Beauchamp, Biersdorf, Enebo, McEachern and Erickson introduced:

H. F. No. 2133, A bill for an act relating to retirement; including employees of the Minnesota Municipal Utilities Association in membership in the public employees retirement association; amending Minnesota Statutes 1974, Chapter 353, by adding a section.

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

Adams, L.; Fudro; Erickson; Beauchamp and Kroening introduced:

H. F. No. 2134, A bill for an act relating to higher education; changing eligibility standards for state scholarships and grants-in-aid; making first-time scholarships and grants-in-aid available to students beyond the first year; reordering priorities for the awarding of scholarships and grants-in-aid; amending Minnesota Statutes, 1975 Supplement, Section 136A.121, Subdivision 3.

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

Haugerud, Voss and Eken introduced:

H. F. No. 2135, A bill for an act relating to attorneys; repealing the statutory lien for attorney's fees; repealing Minnesota Statutes 1974, Section 481.13.

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

Haugerud, Voss and Eken introduced:

H. F. No. 2136, A bill for an act relating to attorneys at law; providing standards for organization and operation of legal services organizations; cooperation of attorneys; amending Minnesota Statutes 1974, Section 481.02, Subdivision 3; and Chapter 481, by adding a section.

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

Sieben, M.; Corbid and Jaros introduced:

H. F. No. 2137, A bill for an act relating to courts; providing a judicial advisory service for the county courts; appropriating money; amending Minnesota Statutes 1974, Chapter 487, by adding a section.

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

McCauley, Birnstihl, Lemke and Erickson introduced:

H. F. No. 2138, A bill for an act relating to public employment labor relations; permitting the governor to declare a 60 day cooling off period in case of an actual or threatened public employee's strike; amending Minnesota Statutes 1974, Chapter 179, by adding a section.

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

Reding, Sarna, Samuelson and Williamson introduced:

H. F. No. 2139, A bill for an act relating to labor and employment; treatment of gratuities in computation of minimum wages; repealing Minnesota Statutes 1974, Sections 177.23, Subdivision 9; and 177.28, Subdivision 4.

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

Philbrook, Hanson, Neisen, Novak and Osthoff introduced:

H. F. No. 2140, A bill for an act relating to the city of Roseville; membership of housing and redevelopment authority.

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

Vanasek, Vento, Knoll, McCauley and Graba introduced:

H. F. No. 2141, A bill for an act relating to energy conservation; providing for promulgation of quality standards and performance labeling of solar energy devices; exempting solar energy devices from property taxation; providing a ten percent credit against income tax for the cost of pollution control equipment and solar energy devices; extending feedlot pollution control equipment credit; exempting solar energy devices and pollution control equipment from sales taxation; amending Minnesota Statutes 1974, Sections 290.06, Subdivisions 9 and 9a; and 297A.25, Subdivision 1; and Minnesota Statutes, 1975 Supplement, Section 272.02, Subdivision 1.

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

Sieloff; Adams, S.; Kvam and Peterson introduced:

H. F. No. 2142, A bill for an act relating to taxation; providing for the income tax treatment of certain pension contributions; amending Minnesota Statutes 1974, Section 290.09, by adding subdivisions; and Minnesota Statutes, 1975 Supplement, Section 290.01, Subdivision 20.

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

Jude; Jensen; Kempe, R.; Adams, S.; and Vanasek introduced:

H. F. No. 2143, A bill for an act relating to taxation; providing that local aid formula calculations may be based on special census figures; amending Minnesota Statutes, 1975 Supplement, Section 477A.01, Subdivision 4.

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

Lemke, Patton, Voss, Carlson, R., and Stanton introduced:

H. F. No. 2144, A bill for an act relating to the state transportation system; creating the Minnesota state transportation fund; appropriating money therefrom for construction and reconstruction of bridges and bridge approaches; authorizing the issuance of state bonds therefor pursuant to article XI of the constitution.

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

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 645, A bill for an act relating to health; authorizing a state subsidy to local units of government for providing community health services; prescribing the powers of the state board of health; appropriating money.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 22, A bill for an act relating to education; the establishment of educational cooperative service units to provide educational services and programs on a regional basis; appropriating money therefor.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

## CONFERENCE COMMITTEE REPORT ON S. F. NO. 22

A bill for an act relating to education; the establishment of educational cooperative service units to provide educational services and programs on a regional basis; appropriating money therefor.

February 3, 1976

The Honorable Alec G. Olson  
President of the Senate  
The Honorable Martin O. Sabo  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 22 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the House amendments and that S. F. No. 22 be further amended as follows:

Page 3, line 20, after "act" and before the period insert ", except that all school districts whose central administrative offices are within that ECSU whose boundaries coincide with those of development region 11 shall participate in the planning and planning research functions of that ECSU. No planning or planning research decision of that ECSU shall be binding on these region 11 districts".

Page 8, line 15, after "talents" insert "and special needs".

Page 10, line 22, strike "\$500,000" and insert "\$499,950".

Page 10, line 26, strike "\$30,000 per year" and insert "\$45,450".

Page 10, line 29, strike "annually".

Page 10, line 29, strike "\$55,000;" and insert "\$90,900.".

Page 10, strike lines 30 to 32.

Page 11, strike line 1.

The amendment to S. F. No. 22 adopted May 19, 1975, by the House of Representatives adding a section be amended by adding a subdivision after subdivision 4 to read:

"Subd. 5. The council shall expire and the terms, compensation and removal of members shall be as provided in section 15.059."

Further, renumber the subdivisions accordingly.

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

Senate Conferees: JEROME M. HUGHES, DOUGLAS H. SILLERS  
and JERALD C. ANDERSON.

House Conferees: RUSSELL P. STANTON, FRED C. NORTON and TED SUSS.

Stanton moved that the report of the Conference Committee on S. F. No. 22 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 22, A bill for an act relating to education; the establishment of educational cooperative service units to provide educational services and programs on a regional basis; appropriating money therefor.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Neisen	Sieben, H.
Adams, L.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Niehaus	Sieloff
Anderson, G.	Esau	Kempe, A.	Norton	Simoneau
Anderson, I.	Evans	Kempe, R.	Novak	Skoglund
Ariandson	Ewald	Ketola	Osthoff	Smith
Beauchamp	Faricy	Knickerbocker	Parish	Smogard
Begich	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kroening	Pehler	Suss
Biersdorf	Friedrich	Kvam	Peterson	Swanson
Birnstihl	Fudro	Laidig	Petrafereso	Ulland
Braun	Fugina	Langseth	Philbrook	Vento
Brinkman	George	Lemke	Pleasant	Volk
Byrne	Graba	Lindstrom	Prahl	Voss
Carlson, A.	Hanson	Luther	Reding	Wenstrom
Carlson, L.	Haugerud	Mangan	St. Onge	Wenzel
Carlson, R.	Heinitz	Mann	Samuelson	White
Clark	Hokanson	McCarron	Sarna	Wieser
Clawson	Jacobs	McCauley	Savelkoul	Wigley
Corbid	Jaros	McCollar	Schreiber	Zubay
Dahl	Johnson, C.	McEachern	Schulz	Speaker Sabo
Dean	Johnson, D.	Menning	Schumacher	
DeGroat	Jopp	Metzen	Searle	
Dieterich	Jude	Moe	Setzpfandt	
Doty	Kahn	Munger	Sherwood	

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

#### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Osthoff reported on the progress of S. F. No. 570, now in Conference Committee.

Pursuant to Joint Rule 13, Patton reported on the progress of S. F. No. 919, now in Conference Committee.

Pursuant to Joint Rule 13, Sherwood reported on the progress of S. F. No. 1308, now in Conference Committee.

### CALENDAR

H. F. No. 454, A bill for an act relating to game and fish; seasons and licenses for taking of game; amending Minnesota Statutes 1974, Sections 98.46, Subdivisions 2 and 14; and Minnesota Statutes, 1975 Supplement, Section 100.27, Subdivision 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 91, and nays 32, as follows:

Those who voted in the affirmative were:

Albrecht	Esau	Kelly, R.	Neisen	Setzepfandt
Arlandson	Evans	Kelly, W.	Nelson	Sieben, H.
Beauchamp	Ewald	Kempe, A.	Niehaus	Sieben, M.
Berglin	Forsythe	Ketola	Norton	Sieloff
Biersdorf	Fudro	Knickerbocker	Novak	Skoglund
Braun	George	Knoll	Osthoff	Smogard
Brinkman	Graba	Kroening	Parish	Stanton
Byrne	Hanson	Kvam	Patton	Suss
Carlson, A.	Haugerud	Laidig	Pehler	Ulland
Carlson, L.	Heinitz	Langseth	Peterson	Voss
Carlson, R.	Hokanson	Lemke	Petraleso	White
Casserly	Jacobs	Lindstrom	Philbrook	Wieser
Clark	Jaros	Luther	Pleasant	Wigley
Clawson	Johnson, C.	Mangan	Prahl	Zubay
Dahl	Jopp	Mann	Reding	Speaker Sabo
Dean	Jude	McCauley	Sarna	
Dieterich	Kahn	Metzen	Savelkoul	
Doty	Kaley	Moe	Schreiber	
Enebo	Kalis	Munger	Searle	

Those who voted in the negative were:

Abeln	Eken	Kempe, R.	Samuelson	Swanson
Anderson, G.	Faricy	McCarron	Schulz	Volk
Anderson, I.	Fjoslien	McCollar	Schumacher	Wenstrom
Begich	Friedrich	McEachern	Sherwood	Wenzel
Birnstihl	Fugina	Menning	Simoneau	
Corbid	Jensen	Nelsen	Smith	
DeGroat	Johnson, D.	St. Onge	Spanish	

The bill was passed and its title agreed to.

Reding was excused at 3:30 p.m. Berg was excused at 3:50 p.m.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the motion of Eken to recommend re-referral of H. F. No. 608 to the Committee on Appropriations.

The roll being called, there were yeas 69, and nays 59, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Jopp	Niehaus	Sieloff
Albrecht	Eken	Kaley	Norton	Smith
Anderson, G.	Esau	Kalis	Parish	Smogard
Arlandson	Evans	Kelly, W.	Peterson	Spanish
Beauchamp	Fjoslien	Knickerbocker	Petrafeso	Swanson
Begich	Forsythe	Laidig	Samuelson	Ulland
Biersdorf	Friedrich	Langseth	Savelkoul	Voss
Birnstihl	George	Lemke	Schreiber	Wenstrom
Braun	Graba	Lindstrom	Schulz	Wenzel
Carlson, A.	Haugerud	Mann	Schumacher	Wieser
Corbid	Heinitz	McCauley	Searle	Wigley
Dean	Jensen	McCollar	Setzepfandt	Zubay
DeGroat	Johnson, C.	Menning	Sherwood	Speaker Sabo
Doty	Johnson, D.	Nelsen	Sieben, H.	

Those who voted in the negative were:

Adams, L.	Enebo	Kempe, R.	Nelson	Sieben, M.
Anderson, I.	Ewald	Ketola	Novak	Simoneau
Berg	Fudro	Knoll	Osthoff	Skoglund
Berglin	Fugina	Kroening	Patton	Stanton
Byrne	Hanson	Kvam	Pehler	Suss
Carlson, L.	Hokanson	Luther	Philbrook	Tomlinson
Carlson, R.	Jacobs	Mangan	Pleasant	Vanasek
Casserly	Jaros	McCarron	Prahl	Vento
Clark	Jude	McEachern	Reding	Voik
Clawson	Kahn	Metzen	Rice	White
Dahl	Kelly, R.	Munger	St. Onge	Williamson
Dieterich	Kempe, A.	Neisen	Sarna	

The motion prevailed.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to S. F. No. 1647 offered by Fjoslien:

Page 1, line 22, reinstate the stricken language and strike "natural resources".

The roll being called, there were yeas 34, and nays 69, as follows:

Those who voted in the affirmative were:

Albrecht	Eckstein	Kalis	Peterson	Spanish
Anderson, G.	Evans	Knickerbocker	Savelkoul	Ulland
Biersdorf	Fjoslien	Kvam	Schreiber	Wenstrom
Braun	Friedrich	Laidig	Schulz	Wenzel
Carlson, A.	Fugina	Lemke	Searle	Wieser
Dean	Jopp	McCauley	Setzepfandt	Wigley
DeGroat	Kaley	Nelsen	Sieloff	

Those who voted in the negative were:

Abeln	Eken	Kahn	Novak	Simoneau
Anderson, I.	Faricy	Kelly, R.	Osthoff	Skoglund
Beauchamp	Forsythe	Kempe, A.	Parish	Smith
Berg	Fudro	Ketola	Patton	Smogard
Berglin	George	Kroening	Pehler	Stanton
Brinkman	Hanson	Lindstrom	Philbrook	Suss
Byrne	Haugerud	Luther	Prahl	Swanson
Carlson, L.	Hokanson	Mangan	Rice	Tomlinson
Carlson, R.	Jacobs	McCollar	Samuelson	Vento
Casserly	Jaros	Metzen	Sarna	Volk
Clark	Jensen	Moe	Schumacher	Voss
Corbid	Johnson, C.	Munger	Sherwood	Williamson
Dieterich	Johnson, D.	Neisen	Sieben, H.	Zubay
Doty	Jude	Niehaus	Sieben, M.	

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

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 1061 offered by Dieterich:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 10A.27, Subdivision 4, is amended to read:

Subd. 4. For the purposes of this section, a political party includes a political party's organization within congressional districts, counties, legislative districts, municipalities, wards *and* precincts(, AND ANY LEGISLATIVE BODY).".

Further, amend the title as follows:

Delete lines 4 to 6 and insert "Section 10A.27, Subdivision 4."

The roll being called, there were yeas 110, and nays 2, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Faricy	Jopp	Lemke
Adams, L.	Carlson, R.	Fjoslien	Jude	Lindstrom
Albrecht	Casserly	Forsythe	Kahn	Luther
Anderson, G.	Clark	Friedrich	Kaley	Mangan
Arlandson	Clawson	Fudro	Kalis	Mann
Beauchamp	Corbid	Fugina	Kempe, A.	McCarron
Begich	Dahl	George	Kempe, R.	McCauley
Berglin	Dean	Graba	Ketola	McCollar
Biersdorf	Dieterich	Hanson	Knickerbocker	McEachern
Birnstihl	Doty	Heinitz	Knoll	Menning
Braun	Eckstein	Hokanson	Kroening	Metzen
Brinkman	Enebo	Jacobs	Kvam	Moe
Byrne	Esau	Jaros	Laidig	Munger
Carlson, A.	Ewald	Johnson, D.	Langseth	Neisen

Nelsen	Philbrook	Schumacher	Smogard	Wenstrom
Nelson	Pleasant	Setzepfandt	Spanish	Wenzel
Niehaus	Prahl	Sieben, H.	Stanton	White
Norton	Samuelson	Sieben, M.	Suss	Wieser
Novak	Sarna	Sieloff	Tomlinson	Wigley
Osthoff	Savelkoul	Simoneau	Ulland	Williamson
Patton	Schreiber	Skoglund	Vanasek	Zubay
Peterson	Schulz	Smith	Voss	Speaker Sabo

Those who voted in the negative were:

Rice                      Vento

The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the motion of Dieterich to recommend passage of H. F. No. 1061, as amended.

The roll being called, there were yeas 117, and nays 2, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jude	Munger	Sieben, H.
Adams, L.	Doty	Kahn	Neisen	Sieben, M.
Albrecht	Eckstein	Kaley	Nelsen	Sieloff
Anderson, G.	Eken	Kalis	Nelson	Simoneau
Anderson, I.	Enebo	Kelly, R.	Niehaus	Skoglund
Arlandson	Esau	Kempe, A.	Norton	Smith
Beauchamp	Evans	Kempe, R.	Novak	Smogard
Begich	Ewald	Ketola	Osthoff	Spanish
Berglin	Faricy	Knickerbocker	Patton	Stanton
Biersdorf	Fjoslien	Knoll	Peterson	Suss
Birnathl	Forsythe	Kroening	Petraleso	Tomlinson
Braun	Friedrich	Kvam	Philbrook	Ulland
Brinkman	Fudro	Langseth	Pleasant	Vanasek
Byrne	Fugina	Lemke	Prahl	Wenstrom
Carlson, A.	George	Lindstrom	Rice	Wenzel
Carlson, L.	Graba	Luther	St. Onge	White
Carlson, R.	Hanson	Mangan	Samuelson	Wieser
Casserly	Heinritz	Mann	Sarna	Wigley
Clark	Hokanson	McCarron	Savelkoul	Williamson
Clawson	Jacobs	McCauley	Schreiber	Zubay
Corbid	Jaros	McEachern	Schulz	Speaker Sabo
Dahl	Jensen	Menning	Schumacher	
Dean	Johnson, D.	Metzen	Setzepfandt	
DeGroat	Jopp	Moe	Sherwood	

Those who voted in the negative were:

Vento                      Voss

The motion prevailed.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. No. 608 which it recommended re-referral to the Committee on Appropriations.

H. F. No. 814 upon which it recommended to pass with the following amendment offered by McEachern:

Page 3, line 25, after "\$1" strike ", which fee shall be".

Page 3, line 26, strike all of the line.

Page 3, line 27, strike "compensation otherwise allowed him by law".

S. F. No. 1647 upon which it recommended to pass with the following amendments:

Offered by Hanson:

Page 3, line 5, after "Statutes" strike "1974" and insert "1975 Supplement".

Page 3, delete lines 7 to 32 and insert in lieu thereof:

"Subd. 15. The commissioner shall acquire by gift, lease, purchase, or condemnation in the manner prescribed by chapter 117, in the name of the state, state water access sites, not to exceed (FIVE) *seven* acres, adjacent to public waters to which the public theretofore had no access or where the access is inadequate and upon which the public has a right to hunt and fish, and such easements and rights of way as may be required to connect such sites with public highways, (PROVIDED, NO ACQUISITION COSTING OVER \$1,000 SHALL BE MADE WITHOUT FIRST OBTAINING THE APPROVAL OF THE EXECUTIVE COUNCIL, AND) provided (FURTHER) that the authority herein granted shall not extend to lakes completely surrounded by lands owned and maintained for the purpose of conducting an educational or religious institution, or to lakes which are unmeandered or which contain less than 200 acres within the meander lines; provided, that in the case of any lake containing less than 200 acres but not less than 150 acres within the meander lines, the authority herein granted shall apply where the lands, easements, or rights of way required are acquired by gift or purchase but not by condemnation and provided further, that public easements and public right of way may be acquired other than by condemnation to lakes of any size which are to be thereafter managed intensively for fishing. All sites, easements, and rights of the commissioner may make agreements with the county board if the connecting public highway is a county state-aid highway or county highway and the town board if the connecting public highway is a town road for the maintenance of the easements and rights of way to the sites. The county board and town board may expend money from their respective road and bridge funds for such maintenance in accordance with the agreement."

Page 4, delete lines 1 to 8.

Page 8, line 10, strike "1976" and insert "1977".

Further, amend the title as follows:

Line 12, after the second ";" strike "97.48,".

Line 13, strike "Subdivision 15;".

Line 16, after the ";" insert "amending Minnesota Statutes, 1975 Supplement, Section 97.48, Subdivision 15;".

Offered by Faricy:

Page 2, line 1, of the Hanson amendment, after "rights of" insert "way acquired hereunder shall be maintained by the commissioner, except that".

H. F. No. 1061 upon which it recommended to pass with the following amendment offered by Dieterich:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 10A.27, Subdivision 4, is amended to read:

Subd. 4. For the purposes of this section, a political party includes a political party's organization within congressional districts, counties, legislative districts, municipalities, wards, and precincts(, AND ANY LEGISLATIVE BODY)."

Further, amend the title as follows:

Delete lines 4 to 6 and insert "Section 10A.27, Subdivision 4."

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

### MOTIONS AND RESOLUTIONS

Novak moved that his name be stricken as an author on H. F. No. 1654. The motion prevailed.

Carlson, R., introduced:

House Resolution No. 24, A house resolution congratulating Rob Best on his success in the National Punt, Pass and Kick Contest.

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

**ADJOURNMENT**

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, February 9, 1976. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Monday, February 9, 1976.

**EDWARD A. BURDICK, Chief Clerk, House of Representatives**

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## SIXTY-FIFTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 9, 1976

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Eckstein	Kaley	Neisen	Sieben, M.
Adams, L.	Eken	Kalis	Nelsen	Sieloff
Albrecht	Enebo	Kelly, R.	Nelson	Simoneau
Anderson, G.	Erickson	Kelly, W.	Niehaus	Skoglund
Anderson, I.	Esau	Kempe, A.	Norton	Smith
Arlandson	Evans	Kempe, R.	Novak	Smogard
Beauchamp	Ewald	Ketola	Osthoff	Spanish
Begich	Faricy	Knickerbocker	Parish	Stanton
Berg	Fjoslien	Knoll	Patton	Suss
Berglin	Forsythe	Kroening	Pehler	Swanson
Biersdorf	Friedrich	Kvam	Peterson	Tomlinson
Birnstihl	Fudro	Laidig	Philbrook	Ulland
Braun	George	Langseth	Prahl	Vanasek
Brinkman	Graba	Lemke	Reding	Vento
Byrne	Hanson	Lindstrom	Rice	Volk
Carlson, L.	Haugerud	Luther	St. Onge	Voss
Carlson, R.	Heinitz	Mangan	Samuelson	Wenstrom
Casserly	Hokanson	Mann	Sarna	Wenzel
Clark	Jacobs	McCarron	Savelkoul	White
Clawson	Jaros	McCauley	Schreiber	Wieser
Corbid	Jensen	McCollar	Schulz	Williamson
Dahl	Johnson, C.	McEachern	Schumacher	Zubay
Dean	Johnson, D.	Menning	Searle	Speaker Sabo
DeGroat	Jopp	Metzen	Setzepfandt	
Dieterich	Jude	Moe	Sherwood	
Doty	Kahn	Munger	Sieben, H.	

A quorum was present.

Adams, S.; Carlson, A.; Kostohryz; Pleasant and Wigley were excused. Fugina and Petrafeso were excused until 3:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Samuelson the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1995, 2043, 814, 1996 and 1061 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

February 6, 1976

The Honorable Martin Sabo  
Speaker of the House

Sir:

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

H. F. No. 1741, An Act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for the horticultural society; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government; for maintenance of the uniform laws commission; for the Port Authority of Duluth; and for other purposes.

Sincerely,

WENDELL R. ANDERSON  
Governor

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 995, A bill for an act relating to nuclear energy facilities; requiring a certificate of need for certain nuclear facilities; establishing procedures to ensure that the state and its residents are adequately compensated for damages arising from certain nuclear accidents; amending Minnesota Statutes 1974, Sections 116H.02, Subdivision 5, and by adding a subdivision;

116H.13, by adding a subdivision; and 12.21, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, delete lines 12 to 25.

Page 2, delete lines 1 to 13 and insert the following:

“Section 1. Minnesota Statutes, 1975 Supplement, Section 116H.02, Subdivision 5, is amended to read:

Subd. 5. “Large energy facility” means any electric power generating plant or combination of plants at a single site with a combined capacity of 50,000 kilowatts or more, any high voltage transmission line with a capacity of 200 kilovolts or more and having more than 100 miles of its length in Minnesota, any facility on a single site designed for or capable of storing more than one million gallons of crude petroleum or petroleum fuels or oil or derivatives thereof, any pipeline greater than six inches in diameter and having more than 50 miles of its length in Minnesota used for the transportation of crude petroleum or petroleum fuels or oil or derivatives thereof, any pipeline for transporting natural or synthetic gas at pressures in excess of 200 pounds per square inch and having more than 50 miles of its length in Minnesota, any facility designed for or capable of storing on a single site more than 100,000 gallons of liquified natural gas or synthetic gas, any underground gas storage facility requiring a permit pursuant to section 84.57, any facility designed or capable of serving as a depot for coal transported into this state for use within the state or transshipment from the state (AND), any petroleum refinery, (AND) any facility intended to convert coal into any other combustible fuel and having the capacity to process in excess of 25 tons per hour, any facility designed for or capable of serving as a milling, enrichment, or reprocessing facility in the nuclear fuel cycle, or any facility designed for or capable of serving as a storage site for high-level radioactive wastes.”.

Page 2, delete lines 23 to 32.

Page 3, delete lines 1 to 22 and insert the following:

“Subd. 9. Except as otherwise provided in this subdivision, the director shall not issue a certificate of need for any large energy facility unless the owner and the operator of the plant demonstrate to the satisfaction of the governor:

(a) That the owner and the operator jointly and severally have the financial capacity, or have made adequate arrangements through insurance or indemnity contracts, to meet claims for

*death, personal injury, or damage to property that might result from operation of the facility, to the extent determined by the director to be necessary and appropriate in the public interest; and*

*(b) That no conditions exist that would exempt, absolve, or immunize the owner, operator, or any vendor or other person or entity from their legal responsibility to provide full and complete compensation for death, personal injury, or damage to property that might result from the operation of the facility."*

Further amend the title as follows:

Page 1, line 2, delete "nuclear".

Page 1, line 4, delete "establishing procedures to ensure" and insert "requiring".

Page 1, line 5, delete "are" and insert "be".

Page 1, line 7, delete "nuclear".

Page 1, line 7, after "accidents" and before the ";" insert "related to the operation of large energy facilities".

Page 1, line 8, delete "Subdivision 5, and".

Page 1, line 10, before the "." insert "; and Minnesota Statutes, 1975 Supplement, Section 116H.02, Subdivision 5".

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

H. F. No. 1322, A bill for an act relating to public health; providing for the regulation of ambulance services; amending Minnesota Statutes 1974, Sections 144.801; 144.802; 144.803; 144.806; Chapter 144, by adding sections; and repealing Minnesota Statutes 1974, Sections 144.804 and 144.805.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Section 144.801, is amended to read:

144.801 [DEFINITIONS.] Subdivision 1. (UNLESS THE CONTEXT REQUIRES OTHERWISE, THE DEFINITIONS IN THIS SECTION GOVERN THE CONSTRUCTION OF SECTIONS 144.801 TO 144.806.) *For the purposes of sections 144.801 to 144.807 and sections 4 and 5 of this act, the terms defined in this section have the meanings given them.*

*Subd. 2. "Land ambulance" means any vehicle which is designed or intended or actually used in providing land transportation of wounded, injured, sick, invalid, or incapacitated human beings, or expectant mothers.*

**Subd. (2) 3. ("AMBULANCE" MEANS A VEHICLE OR OTHER FORM OF TRANSPORTATION WHICH IS DESIGNED OR INTENDED TO BE USED IN PROVIDING)** *"Air ambulance" means any vehicle which is designed or intended or actually used in providing air transportation of wounded, injured, sick, invalid, or incapacitated human beings, or expectant mothers.*

**Subd. (3) 4. ("AMBULANCE SERVICE" MEANS:**

**(A) TRANSPORTATION FOR A WOUNDED, INJURED, SICK, INVALID, OR INCAPACITATED HUMAN BEING, OR EXPECTANT MOTHER, WHICH IS REGULARLY PROVIDED, OR OFFERED TO BE PROVIDED, TO THE PUBLIC BY ANY PERSON OR PUBLIC OR PRIVATE AGENCY; AND**

**(B) TREATMENT WHICH IS RENDERED OR OFFERED TO BE RENDERED BY ANY PERSON EMPLOYED TO PROVIDE OR ASSIST IN PROVIDING THE TRANSPORTATION REFERRED TO IN CLAUSE (A), WHETHER SUCH TREATMENT IS RENDERED OR OFFERED TO BE RENDERED PRELIMINARY TO, DURING, OR AFTER SUCH TRANSPORTATION.**

**SUBD. 3A. "NON-EMERGENCY AMBULANCE SERVICE" MEANS TRANSPORTATION IN AN AMBULANCE FOR INDIVIDUALS NOT REQUIRING TREATMENT WHILE IN THE AMBULANCE.)** *"Emergency ambulance service" means the provision of transportation and treatment which is rendered or offered to be rendered preliminary to or during transportation for wounded, injured, sick, invalid, or incapacitated human beings, or expectant mothers.*

*Subd. 5. "Nonemergency ambulance service" means the provision of transportation for wounded, injured, sick, invalid, or incapacitated human beings, or expectant mothers, which transportation is regularly provided, or offered to be provided by any person or public or private agency but which transportation does not regularly include treatment of the person being transported.*

**Subd. (4) 6. "License" means authority granted by the state board of health for the operation of land emergency ambulance**

*service, nonemergency ambulance service, air emergency ambulance service, or air nonemergency ambulance service in the state of Minnesota.*

Subd. (5) 7. "Operator" means a person, firm, partnership, corporation, service club, volunteer fire department, municipality or other organization which (HAS A LICENSE FROM THE STATE BOARD OF HEALTH TO PROVIDE) *provides land emergency ambulance service, land nonemergency ambulance service, air emergency ambulance service, or air non-emergency ambulance service.*

Subd. 8. "Base of operation" means the municipality in which the physical plant housing ambulances, related equipment and personnel is located.

Subd. 9. "Newly established ambulance service" means any person, firm, partnership, corporation, service club, volunteer fire department, municipality or other organization which does not possess a current license to provide the specific type of ambulance service intended to be offered from the proposed base of operation.

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 144.802, is amended to read:

144.802 [LICENSING.] *Subdivision 1. No operator shall operate (AN) a land emergency ambulance service, land non-emergency ambulance service, air emergency ambulance service, or air nonemergency ambulance service within this state unless it possesses a valid license to do so issued by the state board of health. The license shall specify the municipality in which the service is based. The operator shall obtain a separate license from the state board of health if he wishes to establish a new base of operation in another municipality. Any operator licensed to provide emergency ambulance service may also provide non-emergency ambulance service without obtaining an additional license. Licenses shall not be transferable. If ownership of a service is transferred, a new license shall be issued upon the approval of the state board of health and a finding of conformance with all the requirements of Minnesota Statutes, Sections 144.801 to 144.806 and sections 4 and 5 of this act and the rules promulgated thereunder. A public hearing shall not be required when there is a transfer of ownership. The cost of (THE LICENSE) licenses shall be in an amount prescribed by the board pursuant to section 144.122. Licenses shall expire and be renewed as prescribed by the board pursuant to section 144.122.*

Subd. 2. The state board of health shall not issue licenses for the operation of a newly established ambulance service or a new base of operation for an existing ambulance service in the state unless the service meets the standards required by sections 144.801 to 144.806 and the applicant has demonstrated to the

satisfaction of the state board of health at a public hearing that the public convenience and necessity require the proposed ambulance service. *Except as otherwise provided by subdivision 3, all ambulances offering emergency services, whether publicly or privately owned, shall offer ambulance service 24 hours per day every day of the year.*

*Subd. 3. An ambulance service operated by a nonprofit entity and limiting its operation exclusively to providing emergency ambulance service by contract for specific events and meetings need not offer emergency service 24 hours per day every day of the year but shall meet all other legal standards for ambulance services offering emergency service.*

Sec. 3. Minnesota Statutes 1974, Section 144.803, is amended to read:

144.803 [LICENSING; SUSPENSION AND REVOCATION.] The state board of health may, after hearing upon reasonable notice, suspend or revoke the license of an operator upon finding that the licensee has violated sections 144.801 to 144.806 or section 4 or 5 of this act or any rule promulgated pursuant to section 4 of this act. Proceedings by the state board of health pursuant to this section and review thereof shall be subject to the provisions of chapter 15.

Sec. 4. Minnesota Statutes 1974, Chapter 144, is amended by adding a section to read:

[144.808] [RULES.] *Subdivision 1. The state board of health may, pursuant to chapter 15, promulgate rules prescribing personnel staffing requirements for ambulance services, training requirements for ambulance personnel, radio communications systems and equipment requirements for ambulance services.*

*Subd. 2. An advisory council on emergency medical services consisting of not more than 15 members shall be appointed by the state board of health to make recommendations to the board regarding the establishment of rules under this section. The membership of the council shall include, but not be limited to, the following individuals:*

- (a) One member representing volunteer ambulance services;*
- (b) One member representing private ambulance services;*
- (c) One member representing hospital-operated ambulance services;*
- (d) At least one physician;*

- (e) *At least one nurse;*
- (f) *At least one hospital administrator;*
- (g) *At least one member of a police department;*
- (h) *At least one member representing fire and rescue services;*
- (i) *At least one member representing regional health planning agencies; and*
- (j) *At least one member representing educational institutions.*

Sec. 5. Minnesota Statutes 1974, Chapter 144, is amended by adding a section to read:

[144.809] [INSPECTIONS.] *The state board of health may inspect ambulance services as frequently as deemed necessary by the department. The inspections shall determine if the operator is in compliance with sections 144.801 to 144.806 and sections 4 and 5 of this act and the rules promulgated thereunder.*

Sec. 6. Minnesota Statutes 1974, Section 144.806, is amended to read:

144.806 [PENALTIES.] Any person who violates a provision of sections 144.801 to 144.806 or section 4 or 5 of this act is guilty of a misdemeanor.

Sec. 7. [REPEALER.] *Minnesota Statutes 1974, Sections 144.804, Subdivisions 1, 2 and 3; and 144.805, are repealed.*

Sec. 8. [EFFECTIVE DATE.] *Section 2, Subdivision 3, of this act is effective on the day following its final enactment. The remaining provisions of this act shall become effective on January 1, 1977."*

Further, delete the title in its entirety and insert the following:

*"A bill for an act relating to public health; providing for the regulation of ambulance services; providing penalties; amending Minnesota Statutes 1974, Chapter 144, by adding sections; and Sections 144.801; 144.803; and 144.806; and Minnesota Statutes, 1975 Supplement, Section 144.802; repealing Minnesota Statutes 1974, Sections 144.804, Subdivisions 1, 2 and 3; and 144.805."*

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

H. F. No. 1323, A bill for an act relating to health; setting standards for contract emergency ambulance services; amending Minnesota Statutes 1974, Section 144.804, Subdivision 3.

Reported the same back with the following amendments:

Page 2, after line 8, add a new section to read:

Sec. 2. *This bill becomes effective the day after final enactment.*

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

H. F. No. 2038, A bill for an act relating to medical assistance for the needy; directing the commissioner of public welfare to identify and investigate certain medical assistance abuses; requiring certain reports; amending Minnesota Statutes 1974, Section 256B.04, Subdivision 5, and by adding subdivisions.

Reported the same back with the following amendments:

Page 2, line 5, after "*commenced*" delete "*immediately*" and insert "*within 30 days*".

Page 2, line 5, after "*If*" insert "*it appears to*".

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

Page 2, line 6, after "*care*" delete "*has*" and insert "*may have*".

Page 2, line 8, delete "*and the appropriate*".

Page 2, line 9, delete "*county attorney*".

Page 2, line 18, after "*which*" insert "*it appears to*".

Page 2, line 18, delete "*has determined*".

Page 2, line 19, after "*care*" insert "*may have*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

S. F. No. 234, A bill for an act relating to eminent domain ; providing for payments and benefits in negotiated acquisitions under no threat of eminent domain ; waiver of benefits ; amending Minnesota Statutes 1974, Chapter 117, by adding a section.

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

The report was adopted.

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

S. F. No. 1405, A bill for an act relating to the city of Edina ; establishing terms for certain municipal offices.

Reported the same back with the following amendments:

Page 1, line 14, after "city" insert "council".

Page 1, line 14, after "of" insert "the city of".

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 995, 1322, 1323 and 2038 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 234 and 1405 were read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Faricy; Johnson, C.; Beauchamp; Kalis and Stanton introduced:

H. F. No. 2145, A bill for an act relating to elections; providing for an increased income tax checkoff; providing for redistribution of moneys in the elections campaign fund; providing limitations on political contributions; amending Minnesota Statutes 1974, Sections 10A.27; 10A.30, Subdivision 2; 10A.31; and 10A.32, Subdivisions 2 and 4.

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

Eken, Smogard, Schumacher, Wenstrom and Biersdorf introduced:

H. F. No. 2146, A bill for an act relating to agriculture; providing for a fee imposed on wholesale produce dealers; providing for reimbursement of farmers for certain losses; providing for a produce default fund; appropriating money; amending Minnesota Statutes 1974, Chapter 27, by adding a section.

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

Sieben, H., introduced:

H. F. No. 2147, A bill for an act relating to traffic regulation; providing for traffic and parking regulation by school boards; providing a penalty; amending Minnesota Statutes 1974, Chapter 123, by adding a section.

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

Skoglund, Reding, Sherwood, Hanson and Munger introduced:

H. F. No. 2148, A bill for an act relating to game and fish; removing lynx from the definition of unprotected animals; authorizing the commissioner of natural resources to establish a season for taking lynx; amending Minnesota Statutes 1974, Section 100.27, Subdivision 7; Minnesota Statutes, 1975 Supplement, Sections 100.26, Subdivision 1; and 100.27, Subdivision 3.

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

Dieterich, McCauley, Norton, Faricy and Dahi introduced:

H. F. No. 2149, A bill for an act relating to insurance; defining persons entitled to participate in the assigned claims plan for motor vehicle injuries; amending Minnesota Statutes 1974, Section 65B.64, Subdivision 1.

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

Brinkman; Biersdorf; Kelly, W.; Lindstrom and McCauley introduced:

H. F. No. 2150, A bill for an act relating to insurance; clarifying the definition of insurance premium finance agreement; excluding certain agreements entered into by licensed insurance agents; amending Minnesota Statutes 1974, Sections 59A.02, Subdivision 2; and 59A.03, Subdivision 1.

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

Doty, Jaros, Ulland and Fudro introduced:

H. F. No. 2151, A bill for an act relating to the city of Duluth; exempting the Spirit Mountain recreation area authority from the provisions of certain laws relating to retirement and unemployment compensation; amending Laws 1973, Chapter 327, as amended, by adding a section.

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

Patton, Lemke, Metzen, Sieben, M., and Fudro introduced:

H. F. No. 2152, A bill for an act relating to the powers and duties of the commissioner of administration; regulations on the use of state owned vehicles; providing that such regulations do not apply to certain state law enforcement officials; amending Minnesota Statutes, 1975 Supplement, Section 16.753.

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

Sieben, H., introduced:

H. F. No. 2153, A bill for an act relating to state administrative procedures; office of hearing examiners; qualifications of hearing examiners; amending Minnesota Statutes, 1975 Supplement, Section 15.052, Subdivision 3.

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

Sieben, H., introduced:

H. F. No. 2154, A bill for an act relating to the operation and structure of state government; eliminating certain qualifications for the office of commissioner of personnel; amending Minnesota Statutes 1974, Section 43.001, Subdivision 2.

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

Knoll, Sarna, Fudro, Carlson, A., and Enebo introduced:

H. F. No. 2155, A bill for an act relating to retirement; proportionate annuities for members of various funds; amending Minnesota Statutes, 1975 Supplement, Section 356.32, Subdivision 2.

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

Sieben, H., introduced:

H. F. No. 2156, A bill for an act relating to state administrative procedures; amending Minnesota Statutes, 1975 Supplement, Section 15.0411, Subdivisions 3 and 4.

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

Sieben, H., introduced:

H. F. No. 2157, A bill for an act relating to public welfare; providing for administrative and judicial review of certain actions and decisions of local welfare agencies; repealing Minnesota Statutes 1974, Sections 256.77; 256B.10; 256B.11; 256D.12; and 256D.40.

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

Hokanson, Fudro, Lemke, Hanson and Clawson introduced:

H. F. No. 2158, A bill for an act relating to energy conservation; authorizing the purchase of electric automobiles for the purpose of determining the feasibility of the use of such automobiles in state operations; prescribing the powers and duties of the director of the state energy agency in relation to such vehicles; and appropriating money.

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

Knoll, Sarna, Fudro, Carlson, A., and Enebo introduced:

H. F. No. 2159, A bill for an act relating to the city of Minneapolis; municipal employees survivor benefits; amending Minnesota Statutes 1974, Section 422A.23, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Section 422A.23, Subdivision 4.

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

Suss and Beauchamp introduced:

H. F. No. 2160, A bill for an act relating to retirement; membership of the board of trustees of the public employees retirement fund; amending Minnesota Statutes 1974, Section 353.03, Subdivision 1.

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

Suss and Beauchamp introduced:

H. F. No. 2161, A bill for an act relating to retirement; distribution of state aid to policemen's relief associations; amending Minnesota Statutes 1974, Sections 69.011, Subdivisions 1, 2, and 4; and 69.021, Subdivisions 5, 6, and 7.

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

Simoneau, Jensen, Birnstihl, Sherwood and Clark introduced:

H. F. No. 2162, A bill for an an act relating to state government; executive orders of the governor; effective and expiration dates and orders setting up task forces; amending Minnesota Statutes 1974, Section 15.051, Subdivision 3; and Minnesota Statutes, 1975 Supplement, Section 15.051, Subdivision 1.

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

Doty; Patton; Adams, L.; Ketola and Biersdorf introduced:

H. F. No. 2163, A bill for an act relating to retirement; survivor benefits for survivors of deceased public employees; amending Minnesota Statutes 1974, Section 353.30, Subdivision 3.

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

Novak, Patton, Voss, Volk and Biersdorf introduced:

H. F. No. 2164, A bill for an act relating to health; restricting persons who may administer anesthesia; licensing registered nurses to administer anesthesia; providing for temporary permits and extended time for compliance; amending Minnesota Statutes 1974, Section 148.171; and Chapters 145, by adding a section; and 148 by adding a section.

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

Pehler, Kroening, Fugina, McCauley and Anderson, I., introduced:

H. F. No. 2165, A bill for an act relating to education; requiring state universities and state community colleges to accept at full value all college and university level credits earned at the university of Minnesota or at any other state university or state community college; urging the university of Minnesota to so accept state university and state community college credits.

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

Kelly, R.; Lindstrom; Arlandson; Sherwood and Philbrook introduced:

H. F. No. 2166, A bill for an act relating to public information; limiting use of certain information contained on commercial mailing lists; requiring permits and posting of bonds; defining terms.

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

Suss introduced:

H. F. No. 2167, A bill for an act relating to game and fish; trespass upon private shooting preserves; providing a penalty.

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

Sherwood, Simoneau, Jensen, Birnstihl and Evans introduced:

H. F. No. 2168, A bill for an act relating to crimes; providing penalties for the assault of a peace officer; amending Minnesota Statutes 1974, Chapter 609, by adding a section.

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

Parish; Faricy; Sieben, M.; Norton and Evans introduced:

H. F. No. 2169, A bill for an act relating to torts; defining the state's liability for torts.

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

Neisen and McCollar introduced:

H. F. No. 2170, A bill for an act relating to towns; election of officers; submittal of optional plans of town government to electors; amending Minnesota Statutes, 1975 Supplement, Sections 367.03, Subdivision 1; and 367.31, Subdivision 1.

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

Jensen; Sieben, H.; White; Kempe, R.; and Kempe, A.; introduced:

H. F. No. 2171, A bill for an act relating to municipalities within Dakota county; providing for financing of the Dakota County League of Municipalities; amending Laws 1967, Chapter 112, Section 1.

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

Jensen; Sieben, H.; White; Kempe, R.; and Kempe, A.; introduced:

H. F. No. 2172, A bill for an act relating to municipalities within Dakota county; providing for financing of the Dakota County League of Municipalities; amending Laws 1967, Chapter 112, Section 1.

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

Sieloff, Hokanson, Skoglund and Swanson introduced:

H. F. No. 2173, A bill for an act relating to aeronautics; providing property owners reimbursement for decreased property values due to noise pollution from airlines; authorizing metropolitan airports commission to assess airlines; providing a hearing.

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

Schreiber, Sarna, Voss, Forsythe and Jacobs introduced:

H. F. No. 2174, A bill for an act relating to taxation; providing for a deduction from income for the cost of replacement of prohibited gas lamps; amending Minnesota Statutes 1974, Section 290.09, by adding a subdivision.

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

Sieben, H., introduced:

H. F. No. 2175, A bill for an act relating to taxation; altering calculation of levy limit base adjustments; amending Minnesota Statutes, 1975 Supplement, Section 275.52, Subdivision 4.

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

Wieser, Haugerud, Schumacher and Heinitz introduced:

H. F. No. 2176, A bill for an act relating to taxation; providing for credits and refunds of taxes paid in this state on gasoline and special fuel consumed in other states; amending Minnesota Statutes 1974, Section 296.17, Subdivisions 3 and 12.

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

Savelkoul, Kvam, Sieloff, DeGroat and Jopp introduced:

H. F. No. 2177, A bill for an act relating to taxation; providing an inflation adjustment for income subject to income tax; amending Minnesota Statutes 1974, Section 290.06, by adding a subdivision.

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

Sieloff, Hokanson, Swanson and Skoglund introduced:

H. F. No. 2178, A bill for an act relating to taxation; providing for a reduction in assessed valuation of residential real property affected by noise from aircraft flight paths; amending Minnesota Statutes, 1975 Supplement, Section 273.11, Subdivision 1.

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

Wenstrom introduced:

H. F. No. 2179, A bill for an act relating to the city of Browns Valley; providing for property value assessment in the city.

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

Savelkoul, Dean, Evans, McCauley and Friedrich introduced:

H. F. No. 2180, A bill for an act relating to taxation; extending pollution control equipment credits; providing for credits against tax and deductions from income for the cost of certain equipment and investments; permitting increased withholding based on itemized deductions; eliminating the payroll tax; amending Minnesota Statutes 1974, Section 290.06, Subdivisions 9 and 9a, and by adding subdivisions; 290.09, by adding subdivisions; and 290.92, by adding a subdivision; repealing Minnesota Statutes 1974, Sections 290.031; 290.921; and 290.922.

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

Savelkoul, Forsythe, Schreiber, DeGroat and Albrecht introduced:

H. F. No. 2181, A bill for an act relating to taxation; exempting heating fuels, insulation materials, and pollution control equipment from the sales tax; providing for apportionment of sales tax on heavy construction and transportation equipment according to its use within and without the state; amending Minnesota Statutes 1974, Section 297A.25, Subdivision 1, and Chapter 297A, by adding a section.

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

Savelkoul, Albrecht, Peterson, Dean and Forsythe introduced:

H. F. No. 2182, A bill for an act relating to taxation; increasing personal credits against income tax; amending Minnesota Statutes 1974, Section 290.06, by adding a subdivision; and Minnesota Statutes, 1975 Supplement, Section 290.06, Subdivision 3c.

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

Savelkoul, Schreiber, Dean, Forsythe and Evans introduced:

H. F. No. 2183, A bill for an act relating to taxation; providing for an annually adjustable commodities inflation credit against income taxes; amending Minnesota Statutes 1974, Section 290.06, by adding a subdivision.

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

Savelkoul, McCauley, Friedrich, Kaley and Albrecht introduced:

H. F. No. 2184, A bill for an act relating to taxation; providing that amounts paid as social security taxes be excluded from gross income for purposes of income tax calculations; amending Minnesota Statutes, 1975 Supplement, Section 290.01, Subdivision 20.

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

Pleasant, Swanson, Fudro, Abeln and Heinitz introduced:

H. F. No. 2185, A bill for an act relating to motor vehicles; registration and taxation of recreational vehicles; amending Minnesota Statutes 1971, Section 168.013, Subdivision 1g, as amended.

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

Biersdorf, Osthoff, Lemke, Sarna and Sieben, H., introduced:

H. F. No. 2186, A bill for an act relating to public safety; highway patrol; authorizing the commissioner of public safety to maintain certain aircraft; excepting certain personnel in the department of public safety from the requirement of reimbursing the state for the cost of using state-owned vehicles; amending Minnesota Statutes, 1975 Supplement, Section 16.753.

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

Fjoslien, Eken, Schulz, Anderson, G., and Nelsen introduced:

H. F. No. 2187, A bill for an act relating to taxation; excise tax on gasoline and gasoline substitutes; refunds; amending Minnesota Statutes 1974, Section 296.18, Subdivision 1.

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

Carlson, R.; Fudro; Lemke; Vanasek and Stanton introduced:

H. F. No. 2188, A bill for an act relating to motor vehicles; defining powers of the registrar of motor vehicles; providing for the appointment of private deputy registrars; providing for the appointment of a county license bureau director as deputy registrar; amending Minnesota Statutes 1974, Section 373.35, Subdivision 1; and Minnesota Statutes, 1975 Supplement, Section 168.33, Subdivision 2; repealing Minnesota Statutes 1974, Section 373.36.

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

Ulland, Fjoslien, Niehaus, Pleasant and Albrecht introduced:

H. F. No. 2189, A bill for an act relating to elections; providing for election of officers of cities of the first class without party designation; amending Minnesota Statutes 1974, Section 205.17, Subdivisions 1 and 3; and Minnesota Statutes, 1975 Supplement, Section 202A.28; repealing Minnesota Statutes 1974, Section 205.17, Subdivisions 2 and 4.

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

## 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. 1977, A bill for an act relating to the operation of government; changing the qualification for community school programs aid and for certain proceeds of the supplementary tax on taconite and iron sulphides; clarifying the provisions for certain reductions of foundation aid; sanctioning the reduction of certain levies and authorizing certain transfers of funds; amending Minnesota Statutes, 1975 Supplement, Sections 124.271, Subdivision 1; and 298.244, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

A message from the Senate relating to S. F. No. 733, and an accompanying Conference Committee report, was reported to the House.

Brinkman moved that the message from the Senate relating to S. F. No. 733 be laid over until Tuesday, February 17, 1976. The motion prevailed.

#### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Volk reported on the progress of S. F. No. 1206, now in Conference Committee.

#### CONSENT CALENDAR

H. F. No. 1995, A bill for an act relating to education; eye protection requirements for certain industrial and scientific courses; defining industrial quality eye protective devices; amending Minnesota Statutes 1974, Section 126.20, Subdivision 6.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 113, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Jopp	Moe	Sieben, H.
Adams, L.	Eckstein	Jude	Munger	Sieben, M.
Albrecht	Eken	Kaley	Neisen	Sieloff
Anderson, G.	Enebo	Kalis	Nelsen	Simoneau
Anderson, I.	Erickson	Kelly, W.	Nelson	Skoglund
Arlandson	Esau	Kempe, A.	Niehaus	Smith
Beauchamp	Evans	Kempe, R.	Norton	Smogard
Begich	Ewald	Ketola	Novak	Stanton
Berg	Faricy	Knickerbocker	Osthoff	Suss
Berglin	Fjoslien	Knoll	Patton	Swanson
Biersdorf	Forsythe	Kroening	Pehler	Ulland
Birnstihl	Fudro	Kvam	Peterson	Vanasek
Braun	George	Laidig	Prahl	Vento
Brinkman	Graba	Langseth	Reding	Volk
Byrne	Hanson	Lemke	Rice	Voss
Carlson, L.	Haugerud	Lindstrom	St. Onge	Wenstrom
Carlson, R.	Heinitz	Luther	Samuelson	Wenzel
Clark	Hokanson	Mann	Sarna	White
Clawson	Jacobs	McCarron	Schulz	Wieser
Corbid	Jaros	McCollar	Schumacher	Zubay
Dean	Jensen	McEachern	Searle	Speaker Sabo
DeGroat	Johnson, C.	Menning	Setzepfandt	
Dieterich	Johnson, D.	Metzen	Sherwood	

The bill was passed and its title agreed to.

#### CALENDAR

H. F. No. 814, A bill for an act relating to taxation; authorizing an increase in fees charged for preparation of delinquent tax, current tax and federal tax lien certificates; amend-

ing Minnesota Statutes 1974, Sections 272.12; 272.47; and 272.483.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 98, and nays 17, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Johnson, C.	Menning	Sieloff
Adams, L.	Dieterich	Johnson, D.	Metzen	Simoneau
Albrecht	Doty	Jopp	Moe	Skoglund
Anderson, I.	Eckstein	Jude	Munger	Smith
Arlandson	Eken	Kaley	Neisen	Smogard
Beauchamp	Enebo	Kelly, R.	Nelson	Stanton
Begich	Evans	Kelly, W.	Niehaus	Swanson
Berg	Ewald	Kempe, A.	Norton	Tomlinson
Berglin	Forsythe	Kempe, R.	Novak	Vanasek
Biersdorf	Fudro	Knickerbocker	Osthoff	Vento
Birnstihl	Fugina	Knoll	Pehler	Volk
Braun	George	Kroening	Reding	Voss
Brinkman	Graba	Kvam	Rice	Wenstrom
Byrne	Hanson	Langseth	St. Onge	Wenzel
Carlson, L.	Haugerud	Lemke	Samuelson	White
Carlson, R.	Heinitz	Luther	Sarna	Wieser
Clark	Hokanson	Mann	Schulz	Zubay
Clawson	Jacobs	McCarron	Setzepfandt	Speaker Sabo
Corbid	Jaros	McCollar	Sieben, H.	
Dean	Jensen	McEachern	Sieben, M.	

Those who voted in the negative were:

Anderson, G.	Fjoslien	Nelsen	Savelkoul	Ulland
Erickson	Ketola	Patton	Schumacher	
Esau	Laidig	Peterson	Searle	
Faricy	Lindstrom	Prahl	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 1647, A bill for an act relating to natural resources; transferring forest pest control jurisdiction from the commissioner of agriculture to commissioner of natural resources; expanding volunteer programs; eliminating certain restrictions on acquisition of public access; changing license fees for commercial fishing on Lake Superior; prohibiting decoys and erection of blinds on public lands; prescribing penalties for certain violations; amending Minnesota Statutes 1974, Sections 18.341, Subdivision 3; 18.391, Subdivision 1; 85.041, Subdivision 1; 97.48, Subdivision 15; 97.55, Subdivisions 1, 2, 3 and 4; 98.46, Subdivision 12; 98.47, Subdivision 9; 100.29, Subdivision 18; and 102.28, Subdivisions 2, 3 and 4; repealing Laws 1963, Chapter 70, Section 1.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 54, and nays 71, as follows:

Those who voted in the affirmative were:

Adams, L.	Fudro	Kempe, R.	Nelson	Sieben, H.
Arlandson	George	Ketola	Norton	Sieben, M.
Berg	Graba	Knoll	Novak	Simoneau
Berglin	Hanson	Kroening	Osthoff	Skoglund
Byrne	Hokanson	Luther	Parish	Stanton
Carlson, L.	Jacobs	Mangan	Patton	Tomlinson
Casserly	Jaros	McCarron	Pehler	Vento
Clark	Jensen	McCollar	Philbrook	Voss
Dahl	Kahn	Moe	Reding	Williamson
Dieterich	Kelly, R.	Munger	Rice	Speaker Sabo
Faricy	Kempe, A.	Neisen	Sherwood	

Those who voted in the negative were:

Albrecht	Eckstein	Jude	Nelson	Spanish
Anderson, G.	Eken	Kaley	Niehaus	Suss
Anderson, I.	Enebo	Kalis	Peterson	Swanson
Beauchamp	Erickson	Kelly, W.	Prahl	Ulland
Begich	Esau	Knickerbocker	St. Onge	Vanasek
Biersdorf	Evans	Kvam	Samuelson	Volk
Birnstihl	Ewald	Laidig	Sarna	Wenstrom
Braun	Fjoslien	Langseth	Savelkoul	Wenzel
Brinkman	Forsythe	Lemke	Schulz	White
Carlson, R.	Friedrich	Lindstrom	Schumacher	Wieser
Clawson	Haugerud	Mann	Searle	Zubay
Corbid	Heinitz	McCauley	Setzepfandt	
Dean	Johnson, C.	McEachern	Sieloff	
DeGroat	Johnson, D.	Menning	Smith	
Doty	Jopp	Metzen	Smogard	

The bill was not passed.

H. F. No. 1061, A bill for an act relating to ethics in government; redefining political party; amending Minnesota Statutes 1974, Section 10A.27, Subdivision 4.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 2, as follows:

Those who voted in the affirmative were:

Abeln	Berglin	Clark	Eken	Friedrich
Adams, L.	Biersdorf	Clawson	Enebo	Fudro
Albrecht	Birnstihl	Corbid	Erickson	George
Anderson, G.	Braun	Dahl	Esau	Graba
Anderson, I.	Brinkman	Dean	Evans	Hanson
Arlandson	Byrne	DeGroat	Ewald	Haugerud
Beauchamp	Carlson, L.	Dieterich	Faricy	Heinitz
Begich	Carlson, R.	Doty	Fjoslien	Hokanson
Berg	Casserly	Eckstein	Forsythe	Jacobs

Jaros	Kroening	Munger	St. Onge	Spanish
Jensen	Kvam	Neisen	Samuelson	Stanton
Johnson, C.	Laidig	Nelsen	Sarna	Suss
Johnson, D.	Langseth	Nelson	Savelkoul	Swanson
Jopp	Lemke	Niehaus	Schulz	Tomlinson
Jude	Lindstrom	Norton	Schumacher	Ulland
Kahn	Luther	Novak	Searle	Vanasek
Kaley	Mangan	Osthoff	Setzepfandt	Volk
Kalis	Mann	Parish	Sherwood	Wenstrom
Kelly, R.	McCarron	Patton	Sieben, H.	Wenzel
Kelly, W.	McCauley	Pehler	Sieben, M.	White
Kempe, A.	McCollar	Peterson	Sieloff	Wieser
Kempe, R.	McEachern	Philbrook	Simoneau	Williamson
Ketola	Menning	Prahl	Skoglund	Zubay
Knickerbocker	Metzen	Reding	Smith	Speaker Sabo
Knoll	Moe	Rice	Smogard	

Those who voted in the negative were:

Vento            Voss

The bill was passed and its title agreed to.

McCarron was excused at 2:30 p.m. Abeln was excused at 3:30 p.m.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the motion of Faricy to recommend re-referral of H. F. No. 1076 to the Committee on Health and Welfare.

The roll being called, there were yeas 66, and nays 60, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kempe, R.	Osthoff	Smith
Adams, L.	Eken	Ketola	Patton	Smogard
Albrecht	Erickson	Kroening	Pehler	Spanish
Anderson, I.	Esau	Kvam	Peterson	Vanasek
Arlandson	Faricy	Langseth	Prahl	Vento
Beauchamp	Fudro	Lemke	Reding	Volk
Begich	Hanson	Lindstrom	St. Onge	Voss
Birnsthil	Jacobs	Mann	Samuelson	Wenstrom
Brinkman	Jensen	McCauley	Sarna	Wenzel
Carlson, R.	Jopp	McCollar	Schreiber	Wieser
Corbid	Jude	McEachern	Schulz	
Dahl	Kalis	Menning	Schumacher	
DeGroat	Kelly, W.	Neisen	Setzepfandt	
Doty	Kempe, A.	Niehaus	Sherwood	

Those who voted in the negative were:

Anderson, G.	Enebo	Johnson, C.	Munger	Sieloff
Berg	Evans	Johnson, D.	Nelsen	Simoneau
Berglin	Ewald	Kahn	Nelson	Skoglund
Biersdorf	Fjoslien	Kaley	Norton	Stanton
Braun	Forsythe	Kelly, R.	Novak	Suss
Byrne	Friedrich	Knickerbocker	Parish	Swanson
Carlson, L.	George	Knoll	Philbrook	Tomlinson
Casserly	Graba	Laidig	Rice	Ulland
Clark	Haugerud	Luther	Savelkoul	White
Clawson	Heinitz	Mangan	Searle	Williamson
Dean	Hokanson	Metzen	Sieben, H.	Zubay
Dieterich	Jaros	Moe	Sieben, M.	Speaker Sabo

The motion prevailed.

Pursuant to Rule 1.6, a roll call was taken on the motion of Lindstrom to recommend re-referral of H. F. No. 568, as amended, to the Committee on Appropriations.

The roll being called, there were yeas 37, and nays 78, as follows:

Those who voted in the affirmative were:

Anderson, I.	George	Metzen	Sarna	Swanson
Begich	Johnson, D.	Nelson	Schulz	Tomlinson
Berglin	Kelly, R.	Norton	Sieben, H.	Wenzel
Birstihl	Ketola	Osthoff	Sieben, M.	White
Doty	Lemke	Parish	Simoneau	Speaker Sabo
Enebo	Lindstrom	Pehler	Smith	
Fudro	McCollar	Rice	Spanish	
Fugina	McEachern	Samuelson	Suss	

Those who voted in the negative were:

Adams, L.	DeGroat	Jensen	McCauley	Setzepfandt
Albrecht	Dieterich	Johnson, C.	Menning	Sherwood
Anderson, G.	Eckstein	Jopp	Moe	Sieloff
Arlandson	Eken	Jude	Munger	Skoglund
Beauchamp	Erickson	Kahn	Nelsen	Smogard
Berg	Esau	Kaley	Niehaus	Stanton
Braun	Evans	Kelly, W.	Novak	Ulland
Brinkman	Ewald	Kempe, R.	Peterson	Vanasek
Byrne	Farcy	Knickerbocker	Petrafeso	Volk
Carlson, L.	Fjoslien	Kroening	Philbrook	Voss
Carlson, R.	Forsythe	Kvam	Prahl	Wenstrom
Casserly	Friedrich	Laidig	Reding	Wieser
Clark	Graba	Langseth	Savelkoul	Williamson
Clawson	Hanson	Luther	Schreiber	Zubay
Corbid	Heinitz	Mangan	Schumacher	
Dean	Hokanson	Mann	Searle	

The motion did not prevail.

Pursuant to Rule 1.6, a roll call was taken on the motion of DeGroat to recommend passage of H. F. No. 568, as amended.

The roll being called, there were yeas 87, and nays 36, as follows:

Those who voted in the affirmative were:

Adams, L.	Dieterich	Jopp	McEachern	Sherwood
Albrecht	Doty	Jude	Menning	Sieben, M.
Anderson, G.	Eckstein	Kahn	Moe	Sieloff
Arlandson	Eken	Kaley	Munger	Skoglund
Beauchamp	Erickson	Kalis	Nelson	Smogard
Biersdorf	Esau	Kelly, W.	Nelson	Stanton
Birnstihl	Evans	Kempe, A.	Neihaus	Tomlinson
Braun	Ewald	Kempe, R.	Novak	Ulland
Brinkman	Fjoslien	Ketola	Parish	Vanasek
Byrne	Friedrich	Kroening	Peterson	Volk
Carlson, L.	Graba	Kvam	Petraleso	Wenstrom
Carlson, R.	Hanson	Laidig	Philbrook	Wenzel
Casserly	Haugerud	Langseth	Prahl	White
Clark	Heinitz	Lemke	Reding	Wieser
Clawson	Hokanson	Luther	Savelkoul	Williamson
Corbid	Jaros	Mangan	Schreiber	
Dean	Jensen	Mann	Schumacher	
DeGroat	Johnson, C.	McCauley	Setzpfandt	

Those who voted in the negative were:

Anderson, I.	Fugina	Neisen	Sarna	Vento
Begich	George	Norton	Schulz	Voss
Berg	Jacobs	Osthoff	Searle	Zubay
Berglin	Johnson, D.	Patton	Sieben, H.	Speaker Sabo
Enebo	Kelly, R.	Pehler	Simoneau	
Faricy	Lindstrom	Rice	Smith	
Forsythe	McCollar	St. Onge	Spanish	
Fudro	Metzen	Samuelson	Suss	

The motion prevailed.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. No. 1377 which it recommended re-referral to the Committee on Financial Institutions and Insurance.

H. F. No. 1076 which it recommended re-referral to the Committee on Health and Welfare.

H. F. No. 1567 upon which it recommended progress.

H. F. Nos. 402 and 510 upon which it recommended progress as amended by the Committee of the Whole on Thursday, January 29, 1976.

H. F. No. 1284 upon which it recommended to pass with the following amendment offered by Eckstein:

Page 2, line 8, after "area" insert "*may regulate by land use zoning for a distance not to exceed one mile from the airport boundary, and by height-restriction zoning*".

H. F. No. 568 upon which it recommended to pass with the following amendments:

Offered by DeGroat:

Page 1, line 10, delete "1976" and insert "1977".

Offered by Faricy:

Page 1, line 20, after "*subdivision*" insert "*and subdivision 1*".

Offered by Anderson, G.:

Page 1, line 10, strike "*near and parallel to*".

Page 1, line 11, strike "*the public highways and roads of this state or*".

Page 1, line 14, strike "*interfere with the use by the*".

Page 1, line 15, strike "*public of the highways, roads or streams of the state, nor*".

Page 1, line 16, after "*the*" and before "*use*" insert "*agricultural*".

Anderson, I., moved that the report of the Committee of the Whole be adopted.

Faricy requested that the report on H. F. No. 1076 be excepted from the report of the Committee of the Whole. The request was granted.

The question recurred on the adoption of the report of the Committee of the Whole with the exception of the report on H. F. No. 1076.

The report of the Committee of the Whole with the exception of the report on H. F. No. 1076 was adopted.

The question recurred on the adoption of the report of the Committee of the Whole with reference to H. F. No. 1076.

Faricy moved to amend the report of the Committee of the Whole with reference to H. F. No. 1076 by striking "re-referred to the Committee on Health and Welfare" and inserting "progress".

The question recurred on the adoption of the report of the Committee of the Whole with reference to H. F. No. 1076 as amended.

The report of the Committee of the Whole with reference to H. F. No. 1076 was adopted as amended.

### MOTIONS AND RESOLUTIONS

Suss moved that the names of Patton and Biersdorf be added as authors on H. F. No. 2161. The motion prevailed.

Suss moved that the names of Patton and Biersdorf be added as authors on H. F. No. 2160. The motion prevailed.

Sieloff moved that the name of Williamson be added as an author on H. F. No. 2173. The motion prevailed.

Sieloff moved that the name of Williamson be added as an author on H. F. No. 2178. The motion prevailed.

Anderson, I., moved that S. F. Nos. 806 and 932 be unofficially engrossed and printed for the House. The motion prevailed.

Anderson, I., and Savelkoul introduced:

House Concurrent Resolution No. 18, A house concurrent resolution designating the National Conference of State Legislatures as an instrumentality of the State of Minnesota.

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

### ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Tuesday, February 10, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## SIXTY-SIXTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, FEBRUARY 10, 1976

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kahn	Munger	Sherwood
Adams, L.	Eckstein	Kaley	Neisen	Sieben, H.
Adams, S.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Fariy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Kvam	Petrafaso	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Volk
Carlson, L.	Haugerud	Luther	Rice	Voss
Carlson, R.	Heinitz	Mangan	St. Onge	Wenstrom
Casserly	Hokanson	Mann	Samuelson	Wenzel
Clark	Jacobs	McCarron	Sarna	White
Clawson	Jaros	McCauley	Savelkoul	Wieser
Corbid	Jensen	McCollar	Schreiber	Wigley
Dahl	Johnson, C.	McEachern	Schulz	Williamson
Dean	Johnson, D.	Menning	Schumacher	Zubay
DeGroat	Jopp	Metzen	Searle	Speaker Sabo
Dieterich	Jude	Moe	Setzepfandt	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Vento the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 995, 1284, 1322, 1323, 2038 and 568 have been placed in the members' files.

## PETITIONS AND COMMUNICATIONS

The following communication was received:

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

February 9, 1976

The Honorable Martin O. Sabo  
Speaker of the House of Representatives  
The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1976 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1976</i>	<i>Date Filed 1976</i>
	1741	3	February 6	February 6
816		4	February 6	February 6
866		5	February 6	February 6
906		6	February 6	February 6
1507		7	February 6	February 6

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

## REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 1870, A bill for an act relating to public employees; administrative expenses of salary deductions for annuity contracts; appropriating funds; repealing Laws 1975, Chapter 433, Section 12.

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 1871, A bill for an act relating to public employees; annuity purchase administrative expenses; amending Laws 1975, Chapter 433, Section 12.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Governmental Operations.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1397, A bill for an act relating to the organization and operation of state government; education; establishing a higher education governance board; transferring powers, duties and obligations of the university of Minnesota board of regents, the Minnesota higher education coordinating commission, the state college board, and the community college board to the higher education governance board.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Section 136A.02, Subdivision 1, is amended to read:

136A.02 [MEMBERSHIP; OFFICERS; COMPENSATION; ADVISORY COMMITTEES.] Subdivision 1. The higher education coordinating (COMMISSION) board shall consist of (EIGHT CITIZEN) (a) *twelve public members*, (ONE FROM EACH CONGRESSIONAL DISTRICT,) to be appointed by the governor with the advice and consent of the senate, (AND THREE CITIZEN MEMBERS ALSO) (b) *one member each from the board of regents of the university of Minnesota, the state university board, the state board for community colleges and the state board of education* to be appointed by the (GOV-

ERNOR BY AND WITH THE ADVICE AND CONSENT OF THE SENATE TO REPRESENT THE STATE AT LARGE) members of their respective boards, and (c) the executive director of the Minnesota private college council. The members representing the five systems, enumerated in clauses (b) and (c) of this subdivision, shall be *ex officio*, nonvoting members of the board. Each congressional district shall be represented on the board. All appointees to the board shall be selected for their knowledge of and interest in post secondary education (AND AT LEAST ONE SHALL BE SELECTED SPECIFICALLY FOR HIS KNOWLEDGE OF AND INTEREST IN VOCATIONAL EDUCATION).

Citizen members of the (COMMISSION) board on (MAY 22, 1971) the effective date of this act shall continue as public members of the (COMMISSION) board under the provisions of their appointments, except that their terms shall end on the first Monday in January in the year in which their terms would have ended under the provisions of Minnesota Statutes, Section 136A.02, Subdivision 1.

(EXCEPT AS PROVIDED IN SUBDIVISION 2) all appointed members shall be appointed for a four year term beginning on (FEBRUARY 15) the first Tuesday in January in the year in which the term begins, except that appointed members added by the provisions of this act shall be appointed in the following manner to terms beginning on the effective date of this act and ending on the following dates:

(a) The first Monday in January, 1977: one member of the board of regents;

(b) the first Monday in January, 1978: one member of the state university board;

(c) the first Monday in January, 1979: one member of the state board for community colleges;

(d) the first Monday in January 1980: one public member and one member of the state board of education.

The members representing the four boards and the private college council shall be appointed to terms consistent with, to the extent possible, their terms on their respective boards. Vacancies in the (COMMISSION) board shall be filled by appointments for the unexpired term. All members shall serve until their successors are appointed and have qualified.

Sec. 2. Minnesota Statutes 1974, Section 136A.02, Subdivision 2, is amended to read:

Subd. 2. (THE MEMBERS OF THE FIRST HIGHER EDUCATION COORDINATING COMMISSION WHO ARE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE SHALL BE APPOINTED AS FOLLOWS: FOUR OF THE CITIZEN MEMBERS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE SHALL BE APPOINTED FOR A TERM ENDING FEBRUARY 15, 1967, AND THE REMAINING FOUR FOR A TERM ENDING FEBRUARY 15, 1969. THE FIRST MEMBERS OF THE COMMISSION APPOINTED BY THE GOVERNOR AS CITIZEN MEMBERS TO REPRESENT THE STATE AT LARGE SHALL BE APPOINTED FOR TERMS ENDING FEBRUARY 15, 1975.) *An appointed member may be removed by his appointing authority at any time (1) for cause, after notice and hearing, or (2) after missing three consecutive meetings. The president of the board shall inform the appointing authority of a member missing the three consecutive meetings. After the second consecutive missed meeting and before the next meeting, the secretary of the board shall notify the member in writing that he may be removed if he misses the next meeting.*

Sec. 3. Minnesota Statutes 1974, Section 136A.02, Subdivision 4, is amended to read:

Subd. 4. *Members of the higher education coordinating (COMMISSION) board shall (SERVE WITHOUT COMPENSATION) be compensated at the rate of \$35 per day spent on board activities, when authorized by the board. They shall be reimbursed(, HOWEVER,) in addition for travel, subsistence, and other reasonable expenses incurred in the performance of their duties in the same manner and in the same amounts as other state officers and employees are reimbursed. Members who are full time employees of the state or of the political subdivisions of the state shall not receive the \$35 per day, but they shall suffer no loss in compensation or benefits from the state or a political subdivision as a result of their service on the board. Members who are full time employees of the state or the political subdivisions of the state may receive the expenses provided for in this subdivision unless the expenses are reimbursed by another source.*

Sec. 4. Minnesota Statutes, 1975 Supplement, Section 136A.04, is amended to read:

136A.04 [DUTIES.] *The higher education coordinating (COMMISSION) board shall:*

(a) *Continuously study and analyze all phases and aspects of higher education, both public and private, and develop necessary plans and programs to meet present and future needs of the people of the state in respect thereto;*

(b) Continuously engage in long range planning of the needs of higher education and, if necessary, cooperatively engage in such planning with neighboring states and agencies of the federal government;

(c) Act as successor to any committee or commission heretofore authorized to engage in exercising any of the powers and duties prescribed by sections 136A.01 to 136A.07;

(d) Review, make recommendations and identify priorities with respect to all plans and proposals for new or additional programs of instruction or substantial changes in existing programs to be established in or offered by, the university of Minnesota, the state (COLLEGES) *universities*, the community colleges, and public area vocational-technical institutes, and private collegiate and non-collegiate institutions offering post-secondary education, and periodically review existing programs offered in or by the above institutions and recommend discontinuing or modifying any existing program, the continuation of which is judged by the (COMMISSION) *board* as being unnecessary or a needless duplication of existing programs;

(e) Develop in cooperation with the post-secondary systems, committee on appropriations of the house of representatives, committee on finance of the senate, and the departments of administration and finance a compatible budgetary reporting format designed to provide data of a nature to facilitate systematic review of the budget submissions of the university of Minnesota, the state (COLLEGE) *university* system, the state community college system and the public vocational technical schools; and which includes the relating of dollars to program output;

(f) *Review and comment on budget requests, including plans for construction and acquisition of facilities, of the public post-secondary vocational-technical schools for the purpose of relating present resources and higher educational programs to the state's present and long range needs;*

((F)) (g) *Review and approve, disapprove, or modify budget requests, including plans for construction or acquisition of facilities, of the university of Minnesota, the state (COLLEGES,) universities and the state community colleges(, AND PUBLIC VOCATIONAL TECHNICAL SCHOOLS) for the purpose of relating present resources and higher educational programs to the state's present and long range needs; and conduct a continuous analysis of the financing of post-secondary institutions and systems, including the assessments as to the extent to which the expenditures and accomplishments are consistent with legislative intent; provided, the board shall base its actions with respect to budget requests pursuant to this section on current levels of wages and economic fringe benefits rather than on any estimates of future levels of wages and economic fringe benefits;*

(h) *Make unified presentations to the legislature of the budget requests, as approved or modified by the board, of the university of Minnesota, the state universities and the state community colleges; however, nothing in this clause shall be construed to prohibit these systems from presenting to the legislature any areas of disagreement with these unified presentations;*

((G)) (i) *Obtain from private post-secondary institutions receiving state funds a report on their use of those funds.*

Sec. 5. Minnesota Statutes, 1975 Supplement, Section 136A.05, is amended to read:

136A.05 [COOPERATION OF INSTITUTIONS OF HIGHER EDUCATION.] All institutions of higher education, public and private, and all state departments and agencies (ARE REQUESTED TO) *shall cooperate with and supply written information requested by the higher education coordinating (COMMISSION) board in order to enable it to carry out and perform its duties.*

Sec. 6. Minnesota Statutes 1974, Section 136A.07, is amended to read:

136A.07 [REPORTS.] The higher education coordinating (COMMISSION) *board shall report to the governor concerning its activities from time to time and may report in connection therewith to the governing body of each institution of higher education in the state, both public and private. It shall file a formal report with the governor not later than October 15 of each even numbered year so that the information therein contained, including recommendations, approvals, disapprovals, and modifications of budget requests, may be embodied in the governor's budget message to the legislature. It shall also report to the legislature not later than November 15 of each even numbered year.*

Sec. 7. [LEGISLATIVE ADVISORY TASK FORCE.] *Subdivision 1. A legislative advisory task force is created to study the structure, governance, coordination and planning of post-secondary education in Minnesota.*

*Subd. 2. The task force established in subdivision 1 shall (1) review the existing structure, governance, coordination and planning of post-secondary education, (2) assess anticipated conditions which will require appropriate attention through the state's arrangement for structure, governance, coordination and planning of post-secondary education in the future, (3) seek to clarify the future role and functions of the higher education coordinating board, and (4) determine any modifications in the structure, governance, coordination and planning of post-secondary education which offer promise of improving the capacity of the state to fulfill its responsibility in meeting the*

*needs of Minnesota residents for post-secondary education. The task force shall review and consider all proposals for change in the structure, governance, coordination and planning of post-secondary education currently before the legislature and any additional proposals which may be conceived by the task force or which may be forthcoming during the existence of the task force.*

*Subd. 3. The task force shall be bipartisan and shall consist of six members of the house of representatives appointed by the speaker and six members of the senate appointed by the senate committee on committees, and three citizen members appointed by the governor. Any vacancies shall be filled by the appointing authority.*

*Legislator members of the task force shall be reimbursed in the same manner and amount as for attendance at legislative meetings. Citizen members shall be compensated in the manner and amount prescribed for members of advisory councils and committees in section 15.059, subdivision 3.*

*Subd. 4. The task force shall act from the time its members are appointed until January 15, 1977. It shall report its findings and recommendations to the legislature not later than January 15, 1977.*

*Subd. 5. The task force shall hold meetings and hearings at the times and places it designates to accomplish its purposes. It shall select a chairman and other officers from its members.*

*Subd. 6. The task force shall employ a staff and contract with consultants as necessary. In order to assure an independent and objective assessment, any professional staff or consultants shall be selected from persons outside the state of Minnesota. The higher education coordinating board shall assist the task force with any research, analyses and other activities which the task force may request and shall provide office space and such staff assistance as may be requested.*

*Subd. 7. All institutions and systems providing post-secondary education are requested to cooperate fully in making information available to the task force.*

*Sec. 8. Sections 1, 2, 3, 5, 7, 9 and 10 of this act shall be effective the day following final enactment. Sections 4 and 6 of this act shall be effective April 1, 1978.*

*Sec. 9. There is appropriated from the general fund in the state treasury to the legislative advisory task force created in section 7 the sum of \$300,000 to pay the expenses of the task force and to provide the necessary staff, administrative services, and office space to allow the task force to carry out the purposes of section 7.*

Sec. 10. *There is appropriated from the general fund in the state treasury to the higher education coordinating board the sum of \$90,000. This appropriation shall be added to that appropriated in Laws 1975, Chapter 433, Section 10, Subdivision 1."*

Amend the title as follows:

Page 1, line 3, delete "education; establishing a higher".

Page 1, delete lines 4 to 9 and insert "changing the membership of the higher education coordinating board and establishing new duties for the board; creating a legislative advisory task force; amending Minnesota Statutes 1974, Sections 136A.02, Subdivisions 1, 2 and 4; 136A.07; and Minnesota Statutes, 1975 Supplement, Sections 136A.04; and 136A.05."

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

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1901, A bill for an act relating to education; authorizing the establishment of higher education extension centers to serve downtown St. Paul and its surrounding area; appropriating money.

Reported the same back with the following amendments:

Page 1, line 8, delete "three to".

Page 1, line 9, delete "five" and insert "one pilot".

Page 1, line 9, delete "centers" and insert "center".

Page 1, line 9, after "as" insert "the".

Page 1, line 10, delete "centers" and insert "center".

Page 1, line 12, delete "centers" and insert "center".

Page 1, line 16, delete "centers" and insert "center".

Page 1, line 20, delete "centers" and insert "center".

Page 1, line 22, after "participate" insert "or by independent school district No. 625".

Page 2, line 1, delete "these centers" and insert "the center".

Page 2, line 3, delete "centers" and insert "center".

Page 2, line 11, delete "centers" and insert "center".

Page 2, line 14, delete "centers" and insert "center".

Page 2, line 16, delete "centers" and insert "center".

Page 2, line 19, delete "centers" and insert "center".

Page 2, line 24, before "and" insert "independent school district No. 625,".

Page 2, line 28, delete "commission" and insert "board".

Page 3, line 1, delete "commission" and insert "board".

Page 3, line 5, delete "centers" and insert "center".

Page 3, line 7, delete "commission" and insert "board".

Page 3, line 8, delete "centers" and insert "center".

Page 3, line 10, delete "these centers" and insert "the center".

Page 3, line 13, delete "commission" and insert "board".

Page 3, line 21, delete "commission" and insert "board".

Page 3, after line 23, insert a new section to read:

"Sec. 2. The state board shall evaluate the effectiveness of the program at the end of the second year of its operation and report the results of such evaluation to the 1978 legislature."

Renumber remaining section accordingly.

Page 3, line 29, delete "\$250,000" and insert "\$ \_\_\_\_\_".

Page 3, line 30, delete "centers" and insert "center".

Page 4, line 3, delete "commission, \$225,000" and insert "board, \_\_\_\_\_".

Amend the title as follows:

Page 1, line 3, after "of" insert "a pilot".

Page 1, line 4, delete "centers" and insert "center".

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 1904, A bill for an act relating to cemeteries; prohibiting certain activities on public and private cemeteries and Indian burial grounds; requiring the posting of Indian burial grounds; amending Minnesota Statutes 1974, Section 307.08.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1: Minnesota Statutes 1974, Section 307.08, is amended to read:

307.08 [DAMAGES; DISCHARGE OF FIREARMS; PENALTY.] *Subdivision 1.* Every person who shall willfully destroy, mutilate, injure, or remove any tombstone, monument, or structure placed in any *public or private cemetery or authenticated and identified Indian burial ground*, or any fence, railing, or other work erected for protection or ornament, or any tree, shrub, or plant within the limits thereof, and every person who, without authority from the trustees or owner, shall discharge any firearms upon or over the grounds of any *public or private cemetery or authenticated and identified Indian burial ground*, shall be guilty of a misdemeanor.

*Subd. 2.* Every authenticated and identified Indian burial ground shall be posted every 75 feet around its perimeter with signs listing the activities prohibited by subdivision 1 and the penalty for violation.

*Subd. 3.* The state archaeologist and the Indian affairs board shall authenticate and identify Indian burial grounds when requested by mail by a political subdivision or landowner which has title to Indian burial grounds.

*Subd. 4.* The cost of authentication and identification shall be the responsibility of the political subdivision or landowner requesting said identification and authentication.

*Subd. 5.* The size, description and information on the sign must be approved by the Minnesota historical society. The political subdivision or landowner who has title to the Indian burial ground must supply the signs and provide for their installation.

*Subd. 6. The Indian affairs board must approve any request to relocate an authenticated and identified Indian burial ground."*

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

The report was adopted.

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

H. F. No. 1881, A bill for an act relating to metropolitan government; authorizing council regulations establishing standards and guidelines for determining matters of metropolitan significance to be adopted without specific legislative approval; amending Minnesota Statutes 1974, Section 473B.061, Subdivision 1.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Laws 1975, Chapter 13, Section 18, is amended to read:

Sec. 18. [473.173] [COUNCIL REVIEW; METROPOLITAN SIGNIFICANCE.] Subdivision 1. The council shall review all proposed matters of metropolitan significance to be undertaken by any private organization, independent commission, board or agency, local governmental unit, or any state agency in accordance with the regulations adopted pursuant to this section and the provisions of any other relevant statute.

Subd. 2. (WITHIN 12 MONTHS FOLLOWING APRIL 12, 1974) *By September 1, 1976*, the council shall adopt *and put into effect* regulations (PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT, MINNESOTA STATUTES, CHAPTER 15.) establishing standards (AND), guidelines *and procedures* for determining whether any proposed matter is of metropolitan significance, and establishing a procedure for the review of (ALL PROPOSED MATTERS REQUIRED TO BE CONSIDERED AND REVIEWED BY THE COUNCIL) *and final determination on such matters in accordance with the powers and requirements set forth in this section.* (THESE REGULATIONS SHALL TAKE EFFECT ON JULY 1, 1975.) The purpose of these regulations shall be to promote the orderly and economic development, public and private, of the metropolitan area. (THE METROPOLITAN COUNCIL SHALL SUBMIT THE REGULATIONS ADOPTED PURSUANT TO THIS SECTION TO THE SESSION OF THE LEGISLATURE IN 1975 FOR APPROVAL. THE COUNCIL SHALL ESTABLISH AN ADVISORY COMMITTEE, CONSISTING OF ELECTED OFFICIALS OF LOCAL GOVERNMENTAL UNITS AND REPRESENTATIVES OF THE METROPOLITAN AREA.)

SENTING ALL COUNCIL DISTRICTS EQUALLY, TO PROVIDE ADVICE AND MAKE RECOMMENDATIONS IN THE PREPARATION OF THESE REGULATIONS AND MAY THEREAFTER REVIEW AND MAKE RECOMMENDATIONS TO THE COUNCIL CONCERNING THE METROPOLITAN SIGNIFICANCE OF ANY PROPOSED MATTER CONSIDERED BY THE COUNCIL. THE REGULATIONS ADOPTED SHALL PROVIDE FOR A PUBLIC HEARING PRIOR TO THE DETERMINATION THAT AN ACTION IS OF METROPOLITAN SIGNIFICANCE.)

*Subd. 2a. The council shall establish an advisory committee comprised of 16 officials of local governmental units, one from each council district, plus a chairperson and such other members as may be necessary to ensure at least one representative from each metropolitan county, one from each generalized policy area identified in the development framework adopted by the council on March 27, 1975 and one from metropolitan school districts. Not less than one half of the members of the advisory committee shall be elected officials. The committee shall provide advice and make recommendations in the preparation and amendment of these regulations. The committee may review and make recommendations to the council concerning the metropolitan significance of any proposed matter considered by the council.*

Subd. 3. In developing the (ABOVE) regulations (ESTABLISHING STANDARDS AND GUIDELINES FOR DETERMINING METROPOLITAN SIGNIFICANCE) the council and the committee shall give consideration to all factors deemed relevant (TO THAT DETERMINATION) including *but not limited* to the following:

(1) The impact a proposed matter will have on the orderly, economic development, public and private, of the metropolitan area and its consistency with the *metropolitan* development guide;

(2) The relationship a proposed matter will have to the policy statement goals, standards, programs and other applicable provisions of the development guide;

(3) The impact a proposed matter will have on policy plans adopted by the council and on the development programs and functions performed and to be performed by (THE) a *metropolitan* commission;

(4) Functions of municipal governments in respect to control of land use as provided for under the municipal planning act(;;).

((5) SUCH OTHER FACTORS AS ARE DEEMED RELEVANT.)

Subd. 4. The regulations (ESTABLISHING A PROCEDURE FOR THE REVIEW OF PROPOSED MATTERS) shall include, (AMONG OTHER PROVISIONS) *without limitation, (THE FOLLOWING) provisions to effectuate and comply with the following powers and requirements:*

(1) No applicant shall be required to submit a proposed matter for review more than once unless it is materially altered.

(1a) *A public hearing shall be held prior to the final determination with regard to a proposed matter.*

(2) The council shall be empowered to suspend action on a proposed matter *during the period of review and for a period not to exceed 12 months following the issuance of its (RECOMMENDATION OR) final determination. In its final determination, the council may prescribe appropriate conditions with regard to a proposed matter which, if incorporated or complied with, would cause the council to remove the suspension.*

(3) The council's recommendation or determination concerning a proposed matter, including the determination as to its metropolitan significance, shall be issued within 90 days following its receipt of (AN ADEQUATELY SUPPORTED AND DOCUMENTED) *a proposal accompanied by adequate supporting information. To avoid duplication, the review may be suspended for not more than 90 days to await completion of review of a matter by another public agency.*

(4) The council shall be required to review a proposed matter upon request of an affected local governmental unit or metropolitan commission. The regulations shall include a procedure for review of a proposed matter upon petition by a specified number of residents of the metropolitan area *18 years of age or older.*

(5) The council shall be empowered to review all proposed matters of metropolitan significance regardless of whether the council has received a request from an affected body to conduct that review.

(6) The council shall review all proposed matters determined to be of metropolitan significance as to their consistency with the (COMPREHENSIVE) *airport portion of the metropolitan development guide (AND, IF APPROPRIATE, AN APPLICABLE POLICY PLAN), and the policy plans, development programs, and capital budgets for metropolitan waste control, transportation, and regional recreation open space, and as to adverse effects on other local governmental units.*

((7) ANY MAJOR ALTERATION OR AMENDMENT TO THE REGULATIONS ADOPTED BY THE COUNCIL SHALL

BE DEVELOPED AND PROMULGATED BY THE COUNCIL IN THE SAME MANNER AS THE ORIGINAL REGULATIONS.)

(8) (7) Previously approved policy plans and development programs and areas of operational authority of the metropolitan commissions shall not be subject to review under this section, except as specifically provided in section 17.

(8) *The regulations shall not incorporate recommendations made by the council pursuant to Minnesota Statutes, Chapter 116G.*

(9) *By November 1, 1976 the council shall reconsider each adopted comprehensive plan submitted to it prior to January 1, 1976 pursuant to Laws 1975, Chapter 13, Section 19, and shall either accept or reject each plan in whole or in part for the purposes of the review required or authorized by this section and the council's regulations promulgated pursuant thereto. Any such plan, or parts thereof, not rejected by the council by November 1, 1976 shall be deemed accepted by the council for the purposes of that review. For these purposes also, the council thereafter at its discretion may accept in whole or in part any adopted comprehensive plan submitted to it by a local governmental unit. Any adopted comprehensive plan of a city, county or town approved by the council, pursuant to a law requiring such plans or parts thereof to be prepared and submitted to the council for approval, shall be deemed accepted by the council for the purposes of the review required or authorized by this section and the council's regulations promulgated pursuant thereto.*

*If a plan is rejected by the council, within 90 days the council shall provide comments to the local unit of government indicating the council's specific objections to the plan. The local unit of government may submit an amended plan within 90 days of the receipt of the council's comments, for review. The council shall then review the amended plan within 90 days and either accept or reject the plan.*

Subd. 5. *The regulations and any major alteration or amendment thereto shall be developed and promulgated by the council in accordance with the provisions of this section and, to the extent not inconsistent or at variance with this section, in accordance with the administrative procedures act, Minnesota Statutes, Chapter 15, and regulations pursuant thereto. Once the development of all of the regulations has been completed by the council and the committee, and no later than 30 days prior to the date specified for their adoption, the council shall hold a public hearing for the purpose of considering the developed regulations and receiving comments and recommendations thereon. Notice of the hearing(, CONTAINING THE DEVELOPED REGULATIONS AND SUCH OTHER COMMENTS AS ARE DEEMED APPRO-*

PRIATE,) shall be published in (A NEWSPAPER OR) appropriate newspapers (CIRCULATED THROUGHOUT) of general circulation in the metropolitan area and mailed to all persons who have registered for that purpose under Minnesota Statutes, Chapter 15, appropriate state and regional agencies and all (LOCAL GOVERNMENTAL UNITS WHICH MAY BE AFFECTED BY THESE REGULATIONS) cities, counties, towns, school districts, and watershed districts within the metropolitan area no later than 30 days prior to the hearing. In adopting or amending the regulations the enactment of this section shall be deemed to establish or show the need for and to provide evidence in support of the regulations or amendments as required in Minnesota Statutes, Chapter 15, and regulations pursuant thereto, but the council shall prepare for distribution a written summary describing the basis for the composition of the draft regulations or amendments submitted for hearing and shall afford to all interested persons an opportunity at the hearing to question and make suggestions concerning their composition. Following the hearing, the council may revise the proposed regulations, giving consideration to all comments received, and thereafter the council shall finally adopt these regulations.

*Subd. 6. The council and the advisory committee shall review and assess the regulations throughout the first year following their effective date and thereafter at least every two years. At least one public hearing shall be part of the review and assessment, in order to afford interested persons an opportunity to testify on the regulations and their effects and to propose amendments to the regulations. On or before January 15 of 1977 and of each odd-numbered year thereafter, the council shall report to the legislature concerning metropolitan significance, the effects of the regulations, proposed and recommended amendments to the regulations, testimony at public hearings, and other information and comments elicited during the review and assessment. The report shall also account for any amendments to the regulations that the council has adopted or proposes to adopt. The council may at its discretion make reports to the legislature on metropolitan significance other than those required by this section, but any such report shall be submitted to the legislature between January 1 and January 15. No major alteration or amendments to standards for determining the necessity for a comprehensive review shall be put into effect by the council until 90 days have elapsed following the report to the legislature in which the alteration or amendment was proposed and recommended by the council.*

*Sec. 2. This act applies to the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.*

*Sec. 3. This act is effective the day following final enactment."*

Further amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to metropolitan government; providing for metropolitan council review of matters of metropolitan significance; amending Laws 1975, Chapter 13, Section 18."

With the recommendation that when so amended the bill do pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1870, 1904 and 1881 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Reding and Stanton introduced:

H. F. No. 2190, A bill for an act relating to agriculture; removing the exemption from corporate farming restrictions for certain agricultural land used for asparagus growing operations; amending Minnesota Statutes, 1975 Supplement, Section 500.24, Subdivision 2.

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

Doty, Sarna, Zubay, Vento and Enebo introduced:

H. F. No. 2191, A bill for an act relating to public employees; administrative expenses of salary deductions for annuity contracts; repealing Minnesota Statutes, 1975 Supplement, Section 356.26.

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

Evans, McCauley, Nelsen, Esau and Pleasant introduced:

H. F. No. 2192, A bill for an act relating to public employees; administrative expenses of salary deductions for annuity contracts; appropriating funds; repealing Minnesota Statutes, 1975 Supplement, Section 356.26.

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

Prahl; Patton; Smith; Carlson, R.; and Johnson, D., introduced:

H. F. No. 2193, A bill for an act relating to advertising devices and other signs along the trunk highway system; authorizing certain signs within areas adjacent to trunk highways; amending Minnesota Statutes 1974, Section 173.08, Subdivision 1.

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

Evans, Clawson, Faricy, Erickson and Forsythe introduced:

H. F. No. 2194, A bill for an act relating to crimes; defining conditions in which reparations are available to crime victims; appropriating money; amending Minnesota Statutes 1974, Section 299B.03, Subdivision 2.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Peterson, Friedrich, Eken, Albrecht and Mann introduced:

H. F. No. 2195, A bill for an act relating to education; environmental curriculum; providing for the inclusion of food production studies as part of environmental education; amending Minnesota Statutes 1974, Section 126.111.

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

Skoglund, Evans, Brinkman, Wenzel and Norton introduced:

H. F. No. 2196, A bill for an act relating to credit unions; deposits of public funds; amending Minnesota Statutes, 1975 Supplement, Section 52.04.

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

Lindstrom, Brinkman, Sieloff, Kelly, R., and Norton introduced:

H. F. No. 2197, A bill for an act relating to insurance; providing for certain mandatory deductible offerings; amending Minnesota Statutes 1974, Section 65B.49, Subdivision 5.

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

Vento; Luther; Kelly, W.; Knoll and Wieser introduced:

H. F. No. 2198, A bill for an act relating to insurance; making more certain which group insurance policies and subscriber contracts are required to provide insurance coverage to employees after termination of employment; extending the period for certain notices to terminated employees; requiring certain group insurance policies to provide for optional conversion to an individual policy after group coverage terminates; amending Minnesota Statutes 1974, Sections 62A.16; and 62A.17, Subdivisions 2 and 5, and by adding a subdivision.

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

Kvam, Eckstein, Friedrich, Albrecht and Evans introduced:

H. F. No. 2199, bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; providing that the legislature meet in regular session only in odd numbered years.

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

Doty introduced:

H. F. No. 2200, A bill for an act relating to elections; providing for nonpartisan municipal elections in Duluth; amending Minnesota Statutes 1974, Section 205.17.

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

Vento, Savelkoul, Sabo, Anderson, I., and Searle introduced:

H. F. No. 2201, A bill for an act relating to census data; providing for implementation of federal law permitting the state to design a plan for return of census data to the state; appropriating money; amending Minnesota Statutes 1974, Section 4.12, Subdivision 7; and Minnesota Statutes, 1975 Supplement, Section 204A.06, Subdivision 1, and by adding a subdivision.

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

Setzepfandt, Erickson, Eckstein and Kalis introduced:

H. F. No. 2202, A bill for an act relating to unemployment compensation; extending to ten weeks the disqualification period for persons voluntarily terminating employment without good cause; amending Minnesota Statutes, 1975 Supplement, Section 268.09, Subdivision 1.

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

Petrafeso, Swanson, Dahl, Carlson, L., and Volk introduced:

H. F. No. 2203, A bill for an act relating to medical assistance for the needy; establishing guidelines for reimbursement of medical services furnished by nursing homes; prescribing certain responsibilities for the department of public welfare.

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

Lindstrom, Arlandson, Dean and Philbrook introduced:

H. F. No. 2204, A bill for an act relating to collection and dissemination of data; providing definitions; requiring a public document on data collection; authorizing audits of data collection practices and policies; providing for emergency classification in certain situations; amending Minnesota Statutes 1974, Chapter 15, by adding a section; and Minnesota Statutes, 1975 Supplement, Sections 15.162, Subdivisions 2a, 4, 5, 5a and 8; 15.163, Subdivisions 1 and 2, and by adding a subdivision.

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

Arlandson; Suss; George; Adams, L.; and Knoll introduced:

H. F. No. 2205, A bill for an act relating to courts; increasing the jurisdictional limits in conciliation courts of Hennepin county and Ramsey county; requiring personal service of summons; amending Minnesota Statutes 1974, Sections 488A.12, Subdivision 3; 488A.14, Subdivision 4; 488A.29, Subdivision 3; and 488A.31, Subdivision 4.

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

Dieterich, Sieloff, Parish, Norton and Ketola introduced:

H. F. No. 2206, A bill for an act relating to civil actions; abolishing all civil causes of action for breach of promise to marry, alienation of affections, criminal conversation and seduction; providing penalties.

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

Ulland, Jaros and Munger introduced:

H. F. No. 2207, A bill for an act relating to the city of Duluth; liquor license for the arena-auditorium complex; amending Laws 1967, Chapter 406, Section 1, Subdivision 1.

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

Sherwood, Graba, St. Onge, Wenzel and Nelsen introduced:

H. F. No. 2208, A bill for an act relating to counties; authorizing county boards to furnish board and certain other services to prisoners in county jails; amending Minnesota Statutes, 1975 Supplement, Section 387.20, Subdivision 6.

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

Lemke, Osthoff, Metzen, Fudro and Kalis introduced:

H. F. No. 2209, A bill for an act relating to local improvements; council procedure; percentage payment on engineer's estimate; amending Minnesota Statutes 1974, Section 429.041, Subdivision 6.

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

Dieterich, Kahn, Berglin, Berg and Jaros introduced:

H. F. No. 2210, A bill for an act relating to taxation; imposing a property tax on residential leasehold interests; amending Minnesota Statutes 1974, Sections 273.13, by adding a subdivision; 278.01; Chapter 276, by adding a section; and Minnesota Statutes, 1975 Supplement, Sections 274.01; 290A.03, Subdivisions 8 and 13; 290A.04, Subdivision 1; 290A.05; 290A.07, Subdivision 2; 290A.09; 290A.10; and 290A.19.

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

Albrecht, Birnstihl, Evans, Biersdorf and Peterson introduced:

H. F. No. 2211, A bill for an act relating to taxation; compensation for collection of sales taxes; amending Minnesota Statutes 1974, Section 297A.26, by adding a subdivision.

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

Vento; Kelly, R.; Hanson; Osthoff and Kempe, A., introduced:

H. F. No. 2212, A bill for an act relating to the city of St. Paul; providing for temporary use of a plan of assessment which will delay increases in assessed valuation in the city of St. Paul for certain buildings.

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

Sieben, H., introduced:

H. F. No. 2213, A bill for an act relating to pollution; imposing fees for the deposit of certain materials in Lake Superior; providing penalties; appropriating money.

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

Reding, Voss, Lemke, Sherwood and Wenstrom introduced:

H. F. No. 2214, A bill for an act relating to motor vehicle registration; providing for waiver of penalty for cars in storage; amending Minnesota Statutes 1974, Section 168.31, Subdivision 3.

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

Mann, Haugerud, Eckstein, Corbid and Biersdorf introduced:

H. F. No. 2215, A bill for an act relating to aeronautics; appropriating and transferring money for construction of hangers.

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

#### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Dieterich reported on the progress of H. F. No. 1519, now in Conference Committee.

## POINT OF ORDER

Voss raised a point of order pursuant to Rule 5.7 that H. F. No. 995, now on Technical General Orders, be re-referred to the Committee on Appropriations.

The Speaker submitted the following question to the House:

"Is it the judgment of the House that the point of order is well taken?"

A roll call was requested and properly seconded.

The roll being called, there were yeas 62, and nays 67, as follows:

Those who voted in the affirmative were:

Adams, S.	Esau	Kaley	Neisen	Setzepfandt
Albrecht	Evans	Kalis	Nelsen	Smith
Anderson, G.	Forsythe	Knickerbocker	Niehaus	Smogard
Begich	Friedrich	Kvam	Osthoff	Spanish
Biersdorf	Fudro	Langseth	Peterson	Swanson
Birnstihl	Fugina	Lemke	Pleasant	Voss
Brinkman	Graba	Lindstrom	Samuelson	Wenzel
Dean	Haugerud	Mann	Sarna	Wieser
DeGroat	Heinitz	McCarron	Savelkoul	Wigley
Eckstein	Jacobs	McCauley	Schreiber	Zubay
Eken	Jensen	McCollar	Schulz	
Enebo	Johnson, C.	McEachern	Schumacher	
Erickson	Jopp	Menning	Searle	

Those who voted in the negative were:

Abeln	Clawson	Kelly, R.	Norton	Simoneau
Adams, L.	Corbid	Kelly, W.	Novak	Skoglund
Anderson, I.	Dieterich	Kempe, A.	Parish	Stanton
Arlandson	Doty	Ketola	Patton	Suss
Beauchamp	Ewald	Knoll	Pehler	Tomlinson
Berg	Faricy	Kostohryz	Petrafeso	Ulland
Berglin	Fjoslien	Kroening	Philbrook	Vanasek
Braun	George	Laidig	Prahl	Vento
Byrne	Hanson	Luther	Reding	Volk
Carlson, A.	Hokanson	Mangan	Rice	Wenstrom
Carlson, L.	Jaros	Metzen	Sherwood	White
Carlson, R.	Johnson, D.	Moe	Sieben, H.	
Casserly	Jude	Munger	Sieben, M.	
Clark	Kahn	Nelson	Sieloff	

So it was the judgment of the House that the point of order was not well taken.

## CALENDAR

H. F. No. 1284, A bill for an act relating to aeronautics; providing for airport zoning regulation by municipalities and joint airport zoning boards; amending Minnesota Statutes 1974, Sections 360.063, Subdivisions 1, 3, and 5, and by adding a subdivi-

sion; 360.067, Subdivision 4; 360.069; and 360.071, Subdivision 2; repealing Minnesota Statutes 1974, Section 360.063, Subdivision 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 3, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kaley	Munger	Sieben, H.
Adams, L.	Doty	Kalis	Neisen	Sieben, M.
Adams, S.	Eckstein	Kelly, R.	Neisen	Simoneau
Albrecht	Eken	Kelly, W.	Nelson	Skoglund
Anderson, G.	Enebo	Kempe, A.	Niehaus	Smith
Anderson, I.	Erickson	Kempe, R.	Norton	Smogard
Arlandson	Esau	Ketola	Novak	Spanish
Beauchamp	Ewald	Knickerbocker	Osthoff	Stanton
Begich	Fjoslien	Knoll	Parish	Suss
Berg	Forsythe	Kostohryz	Patton	Swanson
Berglin	Friedrich	Kroening	Pehler	Tomlinson
Biersdorf	Fudro	Kvam	Petrafeso	Ulland
Birnstihl	Fugina	Laidig	Philbrook	Vanasek
Braun	George	Langseth	Pleasant	Vento
Brinkman	Graba	Lemke	Reding	Volk
Byrne	Hanson	Lindstrom	Rice	Voss
Carlson, A.	Haugerud	Luther	St. Onge	Wenstrom
Carlson, L.	Heinitz	Mangan	Samuelson	Wenzel
Carlson, R.	Jacobs	Mann	Sarna	White
Casserly	Jaros	McCarron	Savelkoul	Wieser
Clark	Jensen	McCauley	Schreiber	Wigley
Clawson	Johnson, C.	McCollar	Schulz	Zubay
Corbid	Johnson, D.	McEachern	Schumacher	Speaker Sabo
Dahl	Jopp	Menning	Searle	
Dean	Jude	Metzen	Setzepfandt	
DeGroat	Kahn	Moe	Sherwood	

Those who voted in the negative were:

Faricy            Prahll            Sieloff

The bill was passed and its title agreed to.

H. F. No. 568, A bill for an act relating to public utilities; restricting construction of electric transmission lines to certain areas; amending Minnesota Statutes 1974, Section 116C.57, by adding a subdivision.

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

The question being taken on the passage of the bill and the roll being called; there were yeas 86, and nays 41, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Jensen	Mann	Sieben, M.
Adams, L.	Dieterich	Johnson, C.	McCauley	Sieloff
Adams, S.	Eckstein	Jopp	Menning	Skoglund
Albrecht	Eken	Jude	Munger	Smogard
Anderson, G.	Erickson	Kahn	Nelsen	Stanton
Arlandson	Esau	Kaley	Nelson	Tomlinson
Beauchamp	Evans	Kalis	Niehaus	Ulland
Braun	Ewald	Kelly, W.	Novak	Vanasek
Brinkman	Faricy	Kempe, A.	Parish	Wenstrom
Byrne	Fjoslien	Kempe, R.	Philbrook	Wenzel
Carlson, A.	Friedrich	Ketola	Pleasant	White
Carlson, L.	Fudro	Kroening	Prahl	Wieser
Carlson, R.	Graba	Kvam	Reding	Wigley
Casserly	Hanson	Laidig	Saveikoul	Zubay
Clark	Haugerud	Langseth	Schreiber	
Clawson	Heinitz	Lemke	Schumacher	
Corbid	Hokanson	Luther	Setzepfandt	
Dean	Jaros	Mangan	Sherwood	

Those who voted in the negative were:

Anderson, I.	Fugina	McEachern	Samuelson	Swanson
Begich	George	Metzen	Sarna	Vento
Berg	Jacobs	Neisen	Schalz	Volk
Berglin	Johnson, D.	Norton	Searle	Voss
Birnstihl	Knickerbocker	Osthoff	Sieben, H.	Speaker Sabo
Dahl	Kostohryz	Patton	Simoneau	
Doty	Lindstrom	Pehler	Smith	
Enebo	McCarron	Petrafeso	Spanish	
Forsythe	McCollar	Rice	Suss	

The bill was passed and its title agreed to.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 33 offered by McCollar:

Page 2, line 3, delete "1977" and insert "1980".

Page 2, line 13, delete "1977" and insert "1980".

Page 3, line 5, delete "1977" and insert "1980".

The roll being called, there were yeas 85, and nays 47, as follows:

Those who voted in the affirmative were:

Abeln	Anderson, I.	Berg	Byrne	Carlson, R.
Adams, L.	Arlandson	Berglin	Carlson, A.	Casserly
Anderson, G.	Beauchamp	Braun	Carlson, L.	Clark

Clawson	Hokanson	Laidig	Niehaus	Schumacher
Dahl	Jaros	Lindstrom	Norton	Sherwood
Dean	Jensen	Luther	Novak	Simoneau
Dieterich	Johnson, D.	Mangan	Osthoff	Skoglund
Doty	Jopp	Mann	Parish	Smith
Erickson	Jude	McCarron	Pehler	Smogard
Esau	Kahn	McCollar	Peterson	Stanton
Ewald	Kelly, W.	McEachern	Petrafeso	Swanson
Faricy	Kempe, R.	Menning	Philbrook	Vanasek
Forsythe	Ketola	Moe	Pleasant	Volk
Fudro	Knickerbocker	Munger	St. Onge	Wenstrom
Graba	Knoll	Neisen	Sarna	Wenzel
Hanson	Kostohryz	Nelsen	Savelkoul	White
Heinitz	Kvam	Nelson	Schreiber	Wieser

Those who voted in the negative were:

Adams, S.	Enebo	Kelly, R.	Rice	Tomlinson
Albrecht	Evans	Kempe, A.	Samuelson	Ulland
Begich	Fjoslien	Kroening	Schulz	Vento
Biersdorf	Friedrich	Langseth	Searle	Voss
Birnstihl	Fugina	Lemke	Setzepfandt	Wigley
Brinkman	Haugerud	McCauley	Sieben, H.	Zubay
Corbid	Jacobs	Metzen	Sieben, M.	Speaker Sabo
DeGroat	Johnson, C.	Patton	Sieloff	
Eckstein	Kaley	Prahl	Spanish	
Eken	Kalis	Reding	Suss	

The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 33, as amended, offered by Nelson:

Page 2, line 1, after the period insert:

“Subd. 6. “Handling charge” means the cost of sorting empty containers and shall not exceed one cent per container.”.

Page 2, line 5, delete the colon and insert “five cents nor more than fifteen cents.”.

Page 2, delete lines 6 to 11.

Page 2, line 22, after “subdivision 1” insert “plus a handling charge”.

The roll being called, there were yeas 70, and nays 57, as follows:

Those who voted in the affirmative were:

Abeln	Berglin	Dahl	Hanson	Kahn
Adams, L.	Braun	Dean	Heinitz	Kaley
Anderson, G.	Byrne	Dieterich	Hokanson	Kalis
Anderson, I.	Carlson, A.	Ewald	Jacobs	Kempe, R.
Arlandson	Carlson, L.	Faricy	Jaros	Laidig
Beauchamp	Casserly	Fjoslien	Johnson, D.	Luther
Berg	Clark	Graba	Jude	Mangan

Mann	Norton	Samuelson	Sherwood	Ulland
McCollar	Novak	Sarna	Skoglund	Vanasek
McEachern	Parish	Savelkoul	Smith	Volk
Menning	Peterson	Schreiber	Smogard	Voss
Moe	Petrafeso	Schulz	Stanton	Wenstrom
Munger	Philbrook	Schumacher	Swanson	White
Nelson	St. Onge	Setzepfandt	Tomlinson	Wieser

Those who voted in the negative were:

Adams, S.	Eken	Kelly, R.	Neisen	Sieloff
Albrecht	Enebo	Kelly, W.	Nelsen	Simoneau
Begich	Erickson	Ketola	Niehaus	Spanish
Biersdorf	Evans	Kostohryz	Patton	Suss
Birnstihl	Forsythe	Kroening	Pehler	Vento
Brinkman	Friedrich	Kvam	Pleasant	Wenzel
Carlson, R.	Fudro	Langseth	Prahl	Wigley
Clawson	Fugina	Lemke	Reding	Zubay
Corbid	George	Lindstrom	Rice	Speaker Sabo
DeGroat	Haugerud	McCarron	Searle	
Doty	Jensen	McCauley	Sieben, H.	
Eckstein	Johnson, C.	Metzen	Sieben, M.	

The motion prevailed and the amendment was adopted.

Farcy offered the following amendment to H. F. No. 33, as amended.

Page 3, after line 12 insert a new section to read:

Sec. 6. Subdivision 1. There is hereby created a commission to be known as the emergency beverage container employee displacement commission. The commission shall consist of nine members appointed by the governor. Three members shall be representatives of employees in the beverage container industry. Three members shall be representatives of employers in the beverage container industry. Three members, one of whom the governor shall designate as chairman, shall be representatives of the public.

Subd. 2. The commission shall initiate, and sponsor programs to reduce hardship caused to employees because of reductions in employment in the beverage container industry. Among matters for consideration by the commission are the loss of pension benefits, the loss of health and welfare plan coverage, the need for retraining in new skills, the need for relocation near new employment, and the need for temporary subsistence payments to supplement or extend unemployment compensation.

Subd. 3. The commission is authorized to begin its functions upon the day following final enactment of this act regardless of the effective date for the container refund provisions and accompanying provisions of this act. The commission shall continue in existence until two years after the effective date of the container refund provisions of this act. Meetings of the commis-

sion shall be called by the chairman upon his own motion or upon the written request of any five members of the commission. Commission action shall be by majority vote of all members. The commission may hire staff necessary to aid it in the performance of its functions.

Subd. 4. The commission shall prepare a budget for presentation to the 1977 Legislative session. The sum of \$50,000 is hereby appropriated which is available at the time of enactment.

Renumber the following section.

Further amend the title, as follows:

Page 1, line 4, in the title after "penalties" insert "; creating a commission to study employment in the beverage container industry; appropriating money".

Pursuant to Rule 1.6, a roll call was taken on the following amendment to the Faricy amendment offered by Swanson:

Strike "\$50,000" and insert "\$250,000".

The roll being called, there were yeas 18, and nays 113, as follows:

Those who voted in the affirmative were:

Begich	Fudro	Kroening	Rice	Swanson
Biersdorf	Fugina	Osthoff	Samuelson	Vento
Birnstihl	Ketola	Prahl	Sarna	
Enebo	Kostohryz	Reding	Suss	

Those who voted in the negative were:

Abeln	Dean	Jaros	Mann	Savelkoul
Adams, L.	DeGroat	Jensen	McCarron	Schreiber
Adams, S.	Dieterich	Johnson, C.	McCauley	Schulz
Albrecht	Doty	Johnson, D.	McCollar	Schumacher
Anderson, G.	Eckstein	Jopp	Menning	Searle
Anderson, I.	Eken	Jude	Metzen	Setzepfandt
Arlandson	Erickson	Kahn	Moe	Sherwood
Beauchamp	Esau	Kaley	Munger	Sieben, H.
Berg	Evans	Kalis	Neisen	Sieben, M.
Berglin	Ewald	Kelly, R.	Nelsen	Sieloff
Braun	Faricy	Kelly, W.	Nelson	Simoneau
Brinkman	Fjoslien	Kempe, A.	Niehaus	Skoglund
Byrne	Forsythe	Knickerbocker	Norton	Smith
Carlson, A.	Friedrich	Knoll	Novak	Smogard
Carlson, L.	George	Kvam	Parish	Spanish
Carlson, R.	Graba	Laidig	Patton	Stanton
Casserly	Hanson	Langseth	Pehler	Tomlinson
Clark	Haugerud	Lemke	Peterson	Ulland
Clawson	Heinitz	Lindstrom	Petrafeso	Vanasek
Corbid	Hokanson	Luther	Philbrook	Volk
Dahl	Jacobs	Mangan	Pleasant	Voss

Wenstrom	White	Wigley	Zubay	Speaker Sabo
Wenzel	Wieser	Williamson		

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

The question recurred on the Faricy amendment and pursuant to Rule 1.6, a roll call was taken.

The roll being called, there were yeas 78, and nays 53, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Kempe, A.	Novak	Simoneau
Adams, L.	Dieterich	Kempe, R.	Parish	Skoglund
Anderson, I.	Doty	Knickerbocker	Patton	Smith
Arlandson	Faricy	Knoll	Pehler	Smogard
Beauchamp	Fjoslien	Kostohryz	Peterson	Stanton
Berg	Forsythe	Laidig	Petrafero	Tomlinson
Berglin	George	Luther	Philbrook	Ulland
Byrne	Graba	Mangan	Pleasant	Vanasek
Carlson, L.	Hanson	Mann	Prahl	Vento
Carlson, R.	Jacobs	Menning	Samuelson	Volk
Casserly	Jaros	Moe	Savelkoul	Voss
Clark	Johnson, D.	Munger	Schreiber	Wenstrom
Clawson	Jude	Neisen	Schumacher	Williamson
Corbid	Kahn	Nelsen	Setzepfandt	Speaker Sabo
Dahl	Kelly, R.	Nelson	Sherwood	
Dean	Kelly, W.	Norton	Sieben, H.	

Those who voted in the negative were:

Adams, S.	Erickson	Johnson, C.	McCauley	Sieben, M.
Albrecht	Esau	Jopp	McCollar	Sieloff
Anderson, G.	Evans	Kaley	Metzen	Spanish
Begich	Ewald	Kalis	Niehaus	Swanson
Biersdorf	Friedrich	Ketola	Osthoff	Wenzel
Birnstihl	Fudro	Kroening	Reding	White
Braun	Fugina	Kvam	Rice	Wieser
Brinkman	Haugerud	Langseth	St. Onge	Wigley
Carlson, A.	Heinitz	Lemke	Sarna	Zubay
Eckstein	Hokanson	Lindstrom	Schulz	
Enebo	Jensen	McCarron	Searle	

The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 33, as amended, offered by Samuelson:

Page 1, line 11, after "beer," insert "whiskey, wine,".

Page 1, line 12, after "malt" insert "or liquor".

The roll being called, there were yeas 40, and nays 87, as follows:

Those who voted in the affirmative were:

Adams, S.	Friedrich	Kalis	Osthoff	Stanton
Begich	Fudro	Kostohryz	Patton	Suss
Birnstihl	George	Kroening	Prahl	Swanson
Clawson	Hokanson	McCarron	Reding	Vento
DeGroat	Jensen	McCollar	St. Onge	Wenzel
Enebo	Johnson, D.	McEachern	Samuelson	Wigley
Erickson	Jopp	Munger	Searle	Zubay
Evans	Kaley	Niehaus	Simoneau	Speaker Sabo

Those who voted in the negative were:

Abeln	Corbid	Jaros	Metzen	Sieben, H.
Adams, L.	Dahl	Johnson, C.	Moe	Sieben, M.
Albrecht	Dean	Jude	Neisen	Sieloff
Anderson, G.	Dieterich	Kahn	Nelsen	Skoglund
Anderson, I.	Doty	Kelly, R.	Nelson	Smogard
Arlandson	Eckstein	Kelly, W.	Norton	Spanish
Beauchamp	Eken	Ketola	Novak	Tomlinson
Berg	Esau	Knickerbocker	Parish	Ulland
Berglin	Ewald	Knoll	Pehler	Vanasek
Biersdorf	Faricy	Kvam	Petrafeso	Volk
Braun	Fjoslien	Laidig	Philbrook	Voss
Brinkman	Forsythe	Langseth	Pleasant	Wenstrom
Byrne	Fugina	Lemke	Rice	White
Carlson, A.	Graba	Luther	Sarna	Wieser
Carlson, L.	Hanson	Mangan	Savelkoul	Williamson
Carlson, R.	Haugerud	Mann	Schumacher	
Casserly	Heinitz	McCauley	Setzepfandt	
Clark	Jacobs	Menning	Sherwood	

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

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 33, as amended, offered by Vento:

Page 2, line 2, strike all of subdivision 1.

Renumber the following subdivisions accordingly.

The roll being called, there were yeas 61, and nays 71, as follows:

Those who voted in the affirmative were:

Adams, S.	Forsythe	Kroening	Patton	Suss
Albrecht	Friedrich	Kvam	Pleasant	Swanson
Begich	Fudro	Lemke	Prahl	Tomlinson
Biersdorf	Fugina	Mann	Reding	Vento
Birnstihl	Hokanson	McCarron	Rice	Wenzel
Brinkman	Jensen	McCauley	St. Onge	White
Carlson, R.	Johnson, C.	McCollar	Samuelson	Wigley
Eckstein	Kaley	McEachern	Sarna	Zubay
Eken	Kelly, R.	Menning	Searle	Speaker Sabo
Enebo	Kempe, A.	Metzen	Sieben, H.	
Erickson	Kempe, R.	Neisen	Sieloff	
Esau	Ketola	Niehaus	Simoneau	
Evans	Kostohryz	Osthoff	Spanish	

Those who voted in the negative were:

Abeln	Corbid	Jaros	Nelsen	Skoglund
Adams, L.	Dahl	Johnson, D.	Nelson	Smith
Anderson, G.	Dean	Jopp	Norton	Smogard
Anderson, I.	DeGroat	Jude	Novak	Stanton
Arlandson	Dieterich	Kahn	Parish	Ulland
Beauchamp	Doty	Kalis	Pehler	Vanasek
Berg	Ewald	Kelly, W.	Peterson	Volk
Berglin	Faricy	Knickerbocker	Petraleso	Voss
Braun	Fjoslien	Laidig	Philbrook	Wenstrom
Byrne	George	Langseth	Savelkoul	Wieser
Carlson, A.	Graba	Lindstrom	Schreiber	Williamson
Carlson, L.	Hanson	Luther	Schumacher	
Casserly	Haugerud	Mangan	Setzpfandt	
Clark	Heinitz	Moe	Sherwood	
Clawson	Jacobs	Munger	Sieben, M.	

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

Pursuant to Rule 1.6, a roll call was taken on the motion of Nelson to recommend passage of H. F. No. 33, as amended.

The roll being called, there were yeas 65, and nays 69, as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jacobs	Mangan	Schumacher
Adams, L.	Dahl	Jaros	McCollar	Setzpfandt
Anderson, G.	Dean	Johnson, D.	Moe	Sherwood
Anderson, I.	Dieterich	Jopp	Munger	Skoglund
Arlandson	Doty	Jude	Nelson	Smith
Beauchamp	Erickson	Kahn	Norton	Smogard
Berg	Esau	Kempe, R.	Novak	Stanton
Berglin	Ewald	Knickerbocker	Parish	Ulland
Braun	Faricy	Knoll	Pehler	Vanasek
Carlson, A.	Fjoslien	Laidig	Petraleso	Volk
Carlson, L.	Graba	Langseth	Philbrook	Voss
Casserly	Hanson	Lindstrom	Schreiber	Wenstrom
Clark	Heinitz	Luther	Schulz	Williamson

Those who voted in the negative were:

Adams, S.	Forsythe	Ketola	Osthoff	Sieloff
Albrecht	Friedrich	Kostohryz	Patton	Simoneau
Begich	Fudro	Kroening	Peterson	Spanish
Biersdorf	Fugina	Kvam	Pleasant	Suss
Birnstihl	George	Lemke	Prahl	Swanson
Brinkman	Haugerud	Mann	Reding	Tomlinson
Byrne	Hokanson	McCarron	Rice	Vento
Carlson, R.	Jensen	McCauley	St. Onge	Wenzel
Clawson	Johnson, C.	McEachern	Samuelson	White
DeGroat	Kaley	Menning	Sarna	Wieser
Eckstein	Kalis	Metzen	Savelkoul	Wigley
Eken	Kelly, R.	Neisen	Searle	Zubay
Enebo	Kelly, W.	Nelsen	Sieben, H.	Speaker Sabo
Evans	Kempe, A.	Niehaus	Sieben, M.	

The motion did not prevail.

Pursuant to Rule 1.6, a roll call was taken on the motion of Sieben, H., to recommend re-referral of H. F. No. 33, as amended, to the Committee on Labor-Management Relations.

The roll being called, there were yeas 62, and nays 67, as follows:

Those who voted in the affirmative were:

Abeln	Enebo	Kempe, A.	Niehaus	Sieloff
Albrecht	Erickson	Ketola	Osthoff	Simoneau
Begich	Fudro	Knoll	Parish	Spanish
Biersdorf	Fugina	Kroening	Pehler	Suss
Birnstihl	George	Kvam	Pleasant	Swanson
Brinkman	Hanson	Lemke	Prahl	Vento
Byrne	Hokanson	Mangan	Reding	Wenzel
Carlson, R.	Jensen	Mann	Rice	White
Clawson	Johnson, C.	McEachern	St. Onge	Wieser
DeGroat	Johnson, D.	Metzen	Samuelson	Speaker Sabo
Doty	Kalis	Munger	Sarna	
Eckstein	Kelly, R.	Neisen	Setzepfandt	
Eken	Kelly, W.	Nelson	Sieben, H.	

Those who voted in the negative were:

Adams, L.	Dean	Jude	Nelsen	Smogard
Adams, S.	Dieterich	Kahn	Norton	Stanton
Anderson, G.	Esau	Kaley	Novak	Tomlinson
Anderson, I.	Evans	Kempe, R.	Peterson	Ulland
Arlandson	Ewald	Knickerbocker	Petraleso	Vanasek
Beauchamp	Faricy	Kostohryz	Philbrook	Volk
Berg	Fjoslien	Laidig	Savelkoul	Voss
Berglin	Forsythe	Langseth	Schreiber	Wenstrom
Braun	Friedrich	Lindstrom	Schulz	Wigley
Carlson, A.	Graba	Luther	Schumacher	Williamson
Carlson, L.	Heinitz	McCarron	Searle	Zubay
Casserly	Jacobs	McCauley	Sherwood	
Clark	Jaros	McCollar	Skoglund	
Corbid	Jopp	Menning	Smith	

The motion did not prevail.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. No. 33 upon which it recommended progress, as amended by the Committee of the Whole on Monday, February 2, 1976, retaining its place on General Orders and with the following amendments:

Offered by McCollar:

Page 2, line 3, delete "1977" and insert "1980".

Page 2, line 13, delete "1977" and insert "1980".

Page 3, line 5, delete "1977" and insert "1980".

Offered by Nelson:

Page 2, line 1, after the period insert:

"Subd. 6. "Handling charge" means the cost of sorting empty containers and shall not exceed one cent per container."

Page 2, line 5, delete the colon and insert "five cents nor more than fifteen cents."

Page 2, delete lines 6 to 11.

Page 2, line 22, after "subdivision 1" insert "plus a handling charge".

Offered by Nelson:

Page 2, after line 28 insert:

"Subd. 4. [COLLECTION.] The distributor, bottler or designee shall collect empty beverage containers from the dealer at least once every 30 days."

Offered by Faricy:

Page 3, after line 12 insert a new section to read:

"Sec. 6. Subdivision 1. There is hereby created a commission to be known as the emergency beverage container employee displacement commission. The commission shall consist of nine members appointed by the governor. Three members shall be representatives of employees in the beverage container industry. Three members shall be representatives of employers in the beverage container industry. Three members, one of whom the governor shall designate as chairman, shall be representatives of the public.

Subd. 2. The commission shall initiate, and sponsor programs to reduce hardship caused to employees because of reductions in employment in the beverage container industry. Among matters for consideration by the commission are the loss of pension benefits, the loss of health and welfare plan coverage, the need for retraining in new skills, the need for relocation near new employment, and the need for temporary subsistence payments to supplement or extend unemployment compensation.

Subd. 3. The commission is authorized to begin its functions upon the day following final enactment of this act regardless of the effective date for the container refund provisions and accompanying provisions of this act. The commission shall continue in existence until two years after the effective date of the con-

tainer refund provisions of this act. Meetings of the commission shall be called by the chairman upon his own motion or upon the written request of any five members of the commission. Commission action shall be by majority vote of all members. The commission may hire staff necessary to aid it in the performance of its functions.

Subd. 4. The commission shall prepare a budget for presentation to the 1977 Legislative session. The sum of \$50,000 is hereby appropriated which is available at the time of enactment.

Renumber the following section.

Further amend the title as follows:

Page 1, line 4, in the title after "penalties" insert "; creating a commission to study employment in the beverage container industry; appropriating money".

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

#### ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Wednesday, February 11, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## SIXTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, FEBRUARY 11, 1976

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kahn	Munger	Sherwood
Adams, L.	Eckstein	Kaley	Neisen	Sieben, H.
Adams, S.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Faricy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Kvam	Petrafeso	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Volk
Carlson, L.	Haugerud	Luther	Rice	Voss
Carlson, R.	Heinitz	Mangan	St. Onge	Wenstrom
Casserly	Hokanson	Mann	Samuelson	Wenzel
Clark	Jacobs	McCarron	Sarna	White
Clawson	Jaros	McCauley	Saveikoul	Wieser
Corbid	Jensen	McCollar	Schreiber	Wigley
Dahl	Johnson, C.	McEachern	Schulz	Williamson
Dean	Johnson, D.	Menning	Schumacher	Zubay
DeGroat	Jopp	Metzen	Searle	Speaker Sabo
Dieterich	Jude	Moe	Setzepfandt	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. On motion of Kalis the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1870, 1881, 1904 and 33 and S. F. Nos. 806 and 932 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 1435, A bill for an act relating to game and fish; taking of animals by falconry; amending Minnesota Statutes 1974, Section 100.27, Subdivision 8.

Reported the same back with the recommendation that the bill do 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. 1897, A bill for an act relating to game and fish; commercial fishing on Rainy Lake and Lake of the Woods; amending Minnesota Statutes 1974, Section 102.26, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 13, delete "*fishing*" and insert "*netting*".

Page 1, line 13, before the period insert "*unless the absence of such is authorized by the commissioner or his agent for reasons of temporary hardship*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

H. F. No. 764, A bill for an act relating to health care; requiring certain insurance policies and health care plans to provide benefits for health care services rendered in free standing ambulatory surgical centers.

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 1326, A bill for an act relating to garnishment; amending Minnesota Statutes 1974, Sections 550.02; 550.37, Subdivision 13; 571.41, Subdivisions 1 and 2; 571.55, Subdivisions 1 and 2; 571.57; 571.67; and Chapter 571, by adding sections; repealing Minnesota Statutes 1974, Sections 571.47; 571.48; and 571.49.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. [CITATION.] Sections 1 to 24 may be cited as the "Minnesota garnishment reform act of 1976."

Sec. 2. Minnesota Statutes 1974, Section 550.041, is amended to read:

550.041 [EXECUTION OF SMALL MONEY JUDGMENTS ON DEBTS.] When a judgment creditor proposes to make execution on a judgment debt of not more than \$2,500 from money owed to the judgment debtor by a third party, the execution may be made by the attorney for the judgment creditor or sheriff through a registered or certified letter to the third party containing (THE INFORMATION PRESCRIBED BY SECTION 550.14) a copy of the execution. Upon receipt, the third party shall remit as much of the amount due under section 550.04 as his own debt equals to the sheriff or attorney who shall proceed in all other respects like the sheriff making a similar execution. The attorney shall be allowed no costs from any party other than the judgment creditor for execution in accordance with this section.

Sec. 3. Minnesota Statutes 1974, Chapter 550, is amended by adding a section to read:

[550.141] [LEVY ON EARNINGS; INDEBTEDNESS.]  
*Subdivision 1. Earnings may be levied upon in conformance with the procedures set forth in either sections 550.041 or 550.14 provided, however, the procedures set out in section 571.41, subdivision 5, are followed. Said levy shall attach all indebtedness owing by a third party to the debtor and all non-exempt disposable*

*earnings earned or to be earned in the pay period within which the levy is served. If said levy attaches less than \$10, the third party shall not retain said sum.*

*Subd. 2. Prior to the first levy on earnings in the possession of an employer under this chapter, or prior to a subsequent levy on an individual's earnings in the possession of an employer if there has been no levy on said wages for one year, the judgment creditor shall comply with the following notice requirements:*

*(1) Serve upon the judgment debtor no less than ten days, prior to the service of the execution, a notice that such execution may be served on the debtor's employer. Said notice may be served in the manner permitted by section 571.41 and shall be substantially in the form set out in section 571.41. Bad faith assertion or disregard of a judgment debtor's claim of exemption shall be subject to the procedures, remedies, and penalties set out in section 571.41.*

*(2) Serve upon the judgment debtor's employer with the execution an execution disclosure form, that shall be substantially in the form set out in section 571.495, subdivision 3.*

*(3) Serve by mail upon the judgment debtor not later than five days after service is made on his employer, a copy of the execution and copies of all other papers served on the debtor's employer.*

*(4) The notice requirement in clause (1) of this subdivision shall not apply to a levy on wages being held by an employer due to a garnishment served pursuant to chapter 571.*

**Sec. 4. Minnesota Statutes 1974, Section 550.142, is amended to read:**

**550.142 [PUBLIC EMPLOYEES; WAGES, EXECUTION LEVY.]** The salary or wages of (AN OFFICER OR EMPLOYEE OF A COUNTY, CITY, TOWN, OR SCHOOL DISTRICT, OR OF A DEPARTMENT OF ANY SUCH SUBDIVISION,) *any public employee or officer* may be levied upon and disposed of on execution. Where the person is an officer, the writ shall be served upon the auditor, treasurer, or clerk of the subdivision or department of which he is an officer. Where the person is an employee other than an officer, the writ shall be served upon the person in charge of the office or department in which the employee works.

When payment has been made pursuant to levy, a copy of the execution with certificate of satisfaction shall be delivered to the treasurer as his voucher for such payment.

Sec. 5. Minnesota Statutes 1974, Section 550.37, Subdivision 13, is amended to read:

Subd. 13. (SEVENTY FIVE PERCENT OF THE DISPOSABLE EARNINGS OF ANY INDIVIDUAL FOR ANY PAY PERIOD WHICH MAY BE SUBJECTED TO ATTACHMENT, GARNISHMENT OR THE LEVY OF ANY EXECUTION FOR ANY SERVICES RENDERED BY HIM FOR ANOTHER, OR AN AMOUNT OF SUCH WAGES EQUAL TO THE FOLLOWING PRODUCT, WHICHEVER IS GREATER: EIGHT TIMES THE NUMBER OF BUSINESS DAYS AND PAID HOLIDAYS, NOT TO EXCEED FIVE PER CALENDAR WEEK, IN THE PAY PERIOD TIMES THE FEDERAL MINIMUM HOURLY WAGE PRESCRIBED BY SECTION 6(A)(1) OF THE FAIR LABOR STANDARDS ACT OF 1938, TITLE 29, UNITED STATES CODE, SECTION 206(A)(1), IN EFFECT AT THE TIME SUCH WAGES ARE PAYABLE. DISPOSABLE EARNINGS MEANS THAT PART OF THE EARNINGS OF AN INDIVIDUAL REMAINING AFTER THE DEDUCTION FROM THOSE EARNINGS OF AMOUNTS REQUIRED BY LAW TO BE WITHHELD.) *All wages not subject to garnishment by the provisions of section 571.55. A subsequent attachment, garnishment or levy of execution shall impound only that pay period's non-exempt disposable earnings not subject to a prior attachment, garnishment or levy of execution, but in no instance shall more than an individual's total non-exempt disposable earnings in that pay period be subject to attachment, garnishment or levy of execution. Garnishments shall impound the non-exempt disposable earnings in the order of their service upon the employer. The disposable earnings exempt from garnishment are exempt as a matter of right, whether claimed or not by the person to whom due. Such exemptions may not be waived. Such exempt disposable earnings are payable by the employer when due. Such exempt disposable earnings shall also be exempt for 60 days after deposit from any contractual set-off or security interest asserted by a financial institution in which said earnings are deposited by the individual. In tracing said funds, the first-in first-out method of accounting shall be used. As used in this section, the term 'financial institution' shall include credit unions. Nothing in this paragraph shall be construed to void or supersede any valid assignment of wages made prior to the attachment, garnishment, or levy of execution.*

Sec. 6. Minnesota Statutes 1974, Section 550.37, Subdivision 14, is amended to read:

Subd. 14. *All relief based on need, and the wages or salary of a person who is a recipient of relief based on need, shall be exempt from all claims of creditors. For the purposes of this chapter, relief based on need shall include AFDC, supplemental security income, medical assistance, Minnesota supplemental assistance, food stamps, and general assistance. The salary or wages*

of any debtor who is or has been a recipient of relief based on need, or an inmate of a (STATE) correctional institution shall, upon his return to private employment after having been a recipient of (PUBLIC) relief *based on need*, or an inmate of a (STATE) correctional institution, be exempt from attachment, garnishment, or levy of execution for a period of six months after his return to employment *and after all public assistance has been terminated*. He may take advantage of such *six month salary or wage* exemption provisions only once in every three years. *The exemption provisions contained in this subdivision shall also apply for 60 days after deposit to any contractual set-off or security interest asserted by a financial institution in which said funds are deposited by the individual. In tracing said funds, the first-in first-out method of accounting shall be used.* Agencies distributing relief and the (COMMISSIONER OF CORRECTIONS) *correctional institutions* shall, at the request of creditors, inform them whether or not any debtor has been a recipient of relief based on need, or an inmate of a (STATE) correctional institution, within such period of six months.

Sec. 7. Minnesota Statutes 1974, Section 550.37, Subdivision 19, is amended to read:

Subd. 19. (THE PROPERTY EXEMPTED BY SUBDIVISIONS 2 TO 11 IS NOT EXEMPT FROM ATTACHMENT, GARNISHMENT, OR EXECUTION IN AN ACTION FOR THE RECOVERY OF THE PURCHASE MONEY OF THE SAME PROPERTY.) *The exemption of the property listed in subdivisions 2, 3 and 5 to 11 may not be waived except by a statement in substantially the following form, in bold face type of a minimum size of twelve points, signed and dated by the debtor at the time of the execution of the contract surrendering the exemption, immediately adjacent to the listing of the property: "I understand that some or all of the above property is normally protected by law from the claims of creditors, and I voluntarily give up my right to that protection for the above listed property with respect to claims arising out of this contract."*

Sec. 8. Minnesota Statutes 1974, Section 550.37, is amended by adding a subdivision to read:

Subd. 20. *The exemption of funds from creditors' claims shall not be affected by the subsequent deposit of said funds in a bank or any other financial institution, whether in a single or joint account, so long as said funds can be traceable to their exempt source. In tracing said funds, the first-in first-out method of accounting shall be used.*

Sec. 9. Minnesota Statutes 1974, Section 571.41, Subdivision 1, is amended to read:

571.41 [GARNISHEE SUMMONS; EXCEPTIONS.] Subdivision 1. In any action in a court of record (OR JUSTICE

COURT) for the recovery of money, at any time (AFTER DEFAULT FOLLOWING SERVICE OF THE PLEADINGS UPON A PARTY TO THE MAIN ACTION, UNLESS AN ANSWER OR REPLY HAS BEEN INTERPOSED OR) after (THE) a judgment therein (AGAINST THE DEFENDANT), a garnishee summons may be issued against any third person as provided in this chapter. The judgment creditor and judgment debtor shall be so designated and the person against whom the summons issues shall be designated garnishee. Any individual, partnership or corporation within the state having property subject to garnishment may be named as garnishee. (NOTWITHSTANDING ANYTHING TO THE CONTRARY HEREIN CONTAINED, A PLAINTIFF IN ANY ACTION IN A COURT OF RECORD OR JUSTICE COURT FOR THE RECOVERY OF MONEY MAY ISSUE A GARNISHEE SUMMONS BEFORE JUDGMENT THEREIN IF, UPON APPLICATION TO THE COURT, IT SHALL APPEAR THAT DEFENDANT IS ABOUT TO TAKE PROPERTY OUT OF THE STATE WHICH MIGHT BE NECESSARY TO SATISFY ANY JUDGMENT AWARDED PLAINTIFF AND IF THE COURT SHALL ORDER THE ISSUANCE OF SUCH SUMMONS. IF SUCH AN ORDER SHALL ISSUE SUCH SUMMONS AND ATTENDANT DOCUMENTS SHALL DESIGNATE THE PARTIES PLAINTIFF AND DEFENDANT, RESPECTIVELY).

Sec. 10. Minnesota Statutes 1974, Section 571.41, Subdivision 2, is amended to read:

Subd. 2. (GARNISHMENT SHALL BE PERMITTED BEFORE JUDGMENT IN THE FOLLOWING INSTANCES ONLY.) *Notwithstanding anything to the contrary herein contained, a plaintiff in any action in a court of record for the recovery of money may issue a garnishee summons before judgment therein in the following instances only: if the court shall order the issuance of such summons; if a summons and complaint is filed with the appropriate court and either served on the defendant or delivered to a sheriff for service on the defendant not more than 30 days after the order is signed; and if, upon application to the court it shall appear that:*

(1) *Defendant is about to take property out of the state which might be necessary to satisfy any judgment awarded plaintiff, or*

((1)) (2) (FOR) *The purpose of (ESTABLISHING) the garnishment is to establish quasi in rem jurisdiction and that*

(a) (WHEN THE) *defendant is a resident individual having departed from the state with intent to defraud his creditors, or to avoid service (, OR KEEPS HIMSELF CONCEALED THEREIN WITH LIKE INTENT); or*

**((B) THE DEFENDANT IS A RESIDENT INDIVIDUAL WHO HAS DEPARTED FROM THE STATE, OR CANNOT BE FOUND THEREIN, OR)**

**((C) THE) (b) defendant is a nonresident individual, or a foreign corporation, partnership or association,**

**((2)) (3) (WHEN) The garnishee and the debtor are parties to a contract of suretyship, guarantee, or insurance, because of which the garnishee may be held to respond to any person for the claim asserted against the debtor in the main action.**

**Sec. 11. Minnesota Statutes 1974, Section 571.41, is amended by adding a subdivision to read:**

*Subd. 4. If the court shall order the issuance of a garnishee summons before entry of judgment, such summons and attendant documents shall designate the parties plaintiff and defendant. To obtain such an order, the creditor shall file an affidavit stating that a cause of action exists, specifying the amount of the claim and the ground thereof, and setting forth in detail the specific facts upon which the creditor bases his claim of entitlement to garnishment before entry of judgment. Such an order shall provide that a hearing shall be held no later than seven days from the date of service of the garnishee summons for the purpose of determining whether probable cause exists for the continuation of the garnishment, unless the debtor knowingly waives in writing said hearing. Notice of said hearing shall be given to the debtor by such method as shall be prescribed by the court. At said hearing the burden of proving probable cause shall rest upon the creditor.*

**Sec. 12. Minnesota Statutes 1974, Section 571.41 is amended by adding a subdivision to read:**

*Subd. 5. If the garnishee summons is to be used to garnish the wages of an individual to enforce a judgment, prior to the first garnishment on any debt or prior to a subsequent garnishment if there has been no garnishment on that debt for one year, the creditor shall serve upon the debtor, no less than ten days prior to the service of the garnishee summons, a notice that such summons may be issued. Said notice shall be substantially in the form set out in this chapter. Said notice shall be served personally, in the manner of a summons and complaint, or by certified mail, return receipt requested to the current address of the debtor. Said notice shall inform the debtor that a garnishee summons may be served on the debtor's employer in ten days, and that the debtor may, within that time, caused to be served on the creditor a signed statement under oath and notarized asserting an entitlement to an exemption from garnishment. Said notice shall further inform the debtor of the wage garnishment exemptions contained in section 550.37, subdivision 14. Said notice*

shall further advise the debtor of the relief set forth in chapter 571 to which he may be entitled if a creditor in bad faith disregards a valid claim and the fee, costs, and penalty which may be assessed against a debtor who in bad faith falsely claims an exemption or in bad faith takes action to frustrate the garnishment process. If no statement of exemption is received by the creditor within ten days from the service of the notice, he may proceed with the garnishment. Failure of the debtor to serve such a statement shall not constitute a waiver of any right he may have to an exemption. If said statement of exemption is received by the creditor, he may still cause a garnishee summons to be issued; however, if the debtor subsequently asserts his claim of exemption successfully to the court having jurisdiction over the action, and the court finds that the creditor disregarded the claim of exemption in bad faith, the debtor shall be entitled to costs, reasonable attorney fees, actual damages, plus \$200. If in subsequent proceedings which may be brought by the debtor or creditor, the claim is not upheld, and the court finds that it was asserted in bad faith, or if the court finds that the debtor has in bad faith taken action to frustrate the garnishment process, the debtor shall be assessed costs and reasonable attorney fees resulting from said additional proceedings and an amount not to exceed \$200.

Sec. 13. Minnesota Statutes 1974, Section 571.41, is amended by adding a subdivision to read:

Subd. 6. The ten day notice informing a judgment debtor that a garnishee summons may be used to garnish the wages of an individual to enforce a judgment, shall be substantially in the following form:

STATE OF MINNESOTA )  
 ) ss  
 County of ..... ) ..... Court  
 ..... (Judgment Creditor)  
 ..... (Judgment Debtor)  
 ..... (Garnishee)

**Pre-Garnishment Notice**

The State of Minnesota  
 To the above named Judgment Debtor:

Please take notice that a Garnishment Summons may be served upon the above-named garnishee, your employer, ten days or more from the date hereof. Your wages may be exempted from garnishment if you are now a recipient of relief based on need, if you have been a recipient of such relief within the last six months, or if you have been an inmate of a correctional institu-

tion in the last six months. Relief based on need includes AFDC, supplemental security income, medical assistance, Minnesota supplemental assistance, food stamps, and general assistance. It does not include Social Security, unemployment compensation, or workman's compensation.

If you wish to claim such an exemption, you should fill out the appropriate form below, sign it, and send it to the judgment creditor and the garnishee.

You may wish to contact the attorney for the Judgment Creditor in order to arrange for a settlement of the debt.

**PENALTIES**

1. Be advised that even if you claim an exemption, a Garnishment Summons may still be served on your employer. If your wages are garnished after you claim an exemption, you may petition the court for a determination of your exemption. If the court finds that the creditor disregarded your claim of exemption in bad faith, you will be entitled to \$200 plus actual damages, reasonable attorney fees, and costs.

2. **HOWEVER, BE WARNED** if you claim an exemption, the creditor can also petition the court for a determination of your exemption, and if the court finds that you claimed an exemption in bad faith, you will be assessed costs and reasonable attorney's fees plus an amount not to exceed \$200.

3. If after receipt of this notice, you in bad faith take action to frustrate the garnishment, thus requiring the creditor to petition the court to resolve the problem, you will be liable to the creditor for costs and reasonable attorney fees plus an amount not to exceed \$200.

Dated: .....

(Attorney for) Judgment Creditor  
Address  
Telephone

I hereby claim under oath that my wages are exempt from garnishment because:

I am presently a recipient of relief based on need. (Specify the program and the county from which relief is being received. There is no limit to the number of times this exemption may be claimed.)

Program

Program

- I am not now receiving relief based on need, but I have received relief based on need within the last six months. (Specify the program and the county from which relief has been received. You may not claim this exemption more than once every three years.)

Program

Program

- I have been an inmate of a correctional institution within the last six months, and I have not claimed this exemption within the last three years. Specify the correctional institution.

Correctional Institution

Judgment Debtor  
Address

Subscribed and sworn to before me  
This . . . day of . . . , 19 . . .

Notary Public  
County, Minnesota.

Sec. 14. Minnesota Statutes 1974, Chapter 571, is amended by adding a section to read:

[571.471.] [COURT OF RECORD.] Subdivision 1. [PROCEDURE.] To enforce a judgment arising from an action in a court of record or, before entry of judgment in those instances permitted, a garnishee summons may be issued by a judgment creditor or his attorney and shall be served upon the garnishee in the same manner as other summons in that court of record except that service must be personal. The judgment creditor shall serve with the garnishee summons a garnishment disclosure form, which shall be substantially in the form set out in this chapter. The judgment creditor may also serve written interrogatories with the garnishee summons. The garnishee summons shall state that the garnishee shall serve upon the judgment creditor or his attorney within 20 days after service of the garnishee summons, a written disclosure, under oath, of his indebtedness to the judgment debtor and answers to all written interrogatories which are served with the garnishee summons. The judgment creditor shall not require disclosure of an indebtedness to him or property of judgment debtor in the garnishee's possession or under the garnishee's control in excess of 110 percent of the amount of the judgment which remains unpaid. The garnishee summons shall include the full name of the judgment debtor and his place of residence, the amount of the

judgment which remains unpaid. The garnishee summons shall also state that the garnishee shall retain property or money in his possession pursuant to this chapter until the judgment creditor causes a writ of execution to be served upon the garnishee or until the judgment debtor authorizes release to the judgment creditor, and shall state that after the expiration of the period of time specified in section 571.69 from the date of service of the garnishee summons, the garnishee shall release all such retained property and money to the judgment debtor and shall be discharged and relieved of all liability thereon. The garnishee summons shall also state that no employer may discharge any employee because the employee's earnings have been subject to garnishment. The garnishee summons shall further state the date of the entry of judgment against the judgment debtor, or in those instances in which there is garnishment before judgment, the garnishee summons shall include for service a copy of the court order permitting said garnishment. A copy of the garnishee summons and copies of all other papers served on the garnishee shall be served by mail upon the judgment debtor not later than five days after service is made upon the garnishee. A single garnishee summons may be addressed to two or more garnishees but shall state whether each is summoned separately or jointly.

Subd. 2. [FORMS, SUMMONS, NOTICE, AND AFFIDAVIT.] The garnishee summons and notice to judgment debtor, together with the affidavit of service, shall be substantially in the following form:

STATE OF MINNESOTA )  
 ) ss  
 County of ..... ) Court  
 ..... (Judgment Creditor)  
 ..... (Judgment Debtor)  
 ..... (Garnishee)

Garnishment Summons

The State of Minnesota  
 To the above named Garnishee:

You are hereby summoned and required to serve upon the judgment creditor or his attorney, within 20 days after service of this summons upon you, written disclosure, under oath, setting forth your indebtedness to the judgment debtor above named, (Give full name and residence of judgment debtor) and any property, money or effects of said judgment debtor which are in your possession. Your disclosure need not exceed 110 percent of the amount of the judgment creditor's judgment which remains unpaid. Judgment was entered against the judgment debtor on ..... in the amount of \$ ....., and the amount of said judgment which remains unpaid is \$ .....

*you are further hereby required to retain in your possession such property, money and effects in an amount not exceeding 110 percent of the amount of the judgment which remains unpaid. You may not, however, pursuant to this summons, withhold from the debtor any earnings due to the debtor that are exempt from garnishment pursuant to Minnesota Statutes, Section 571.55.*

*Failure to disclose and withhold in accordance with this summons may render you liable to the judgment creditor for an amount not exceeding the judgment creditor's judgment against the judgment debtor or 110 percent of the amount claimed in the garnishee summons, whichever is smaller.*

*You shall retain such property, money and effects in your possession until such time as the judgment creditor causes a writ of execution to be served upon you, until the judgment debtor authorizes release to the judgment creditor, or until the expiration of . . . . . days from the date of service of this summons upon you, when you shall return such property, money and effects to the judgment debtor.*

*You are prohibited by law from discharging said judgment debtor because his earnings have been subjected to garnishment.*

.....  
*Attorney for Judgment Creditor*

.....  
*Address*

*Dated:* . . . . ., 19 . . . . .

**NOTICE TO JUDGMENT DEBTOR**

*To:* . . . . . *Judgment Debtor* . . . . . :

*Sir* . . . . . :

*Take notice that a garnishee summons, garnishment disclosure form and written interrogatories (strike out if not applicable), which are herewith served upon you, were personally served upon the garnishee named therein, by delivering copies thereof to . . . . ., the said garnishee, and the said garnishee . . . . . was paid in advance the sum of \$2 fees.*

.....  
*Attorney for Judgment Creditor*

.....  
*Address*

AFFIDAVIT OF SERVICE

STATE OF MINNESOTA )
County of ) ss

being duly sworn upon oath, says that on the day of 19, at of in said county, he served upon the within-named judgment debtor copies of the within garnishee summons, garnishment disclosure form, written interrogatories (strike out if not applicable), and order, together with a notice to said judgment debtor, of which the foregoing is a copy, stating that the above-described documents were personally served upon said garnishee, signed by Said service was made by depositing in the United States mail at said City of, said documents properly enveloped, with postage prepaid, and addressed to:

Subscribed and sworn to before me This day of 19

Notary Public County, Minnesota.

Sec. 15. Minnesota Statutes 1974, Chapter 571, is amended by adding a section to read:

[571.495] [DISCLOSURE.] Subdivision 1. [GARNISHEE TO DISCLOSE.] Within the time herein limited, the garnishee shall serve upon the judgment creditor or his attorney written answers, under oath, to the questions in the garnishment disclosure form and to any written interrogatories which are served upon the garnishee. The amount of the garnishee's disclosure need not exceed 110 percent of the amount of the judgment creditor's judgment which remains unpaid, after subtracting the total of set-offs, defenses, exemptions, ownerships, or other interest. The garnishment disclosure form and all written interrogatories may be served personally or by mail. If such disclosure is by a corporation, it shall be verified by some officer or agent having knowledge of the facts.

Subd. 2. [CONTENTS OF DISCLOSURE.] Such disclosure shall state:

(1) The amount of disposable earnings earned or to be earned within the judgment debtor's pay periods which may be subject to garnishment and all of the garnishee's indebtedness to the judgment debtor.

(2) Whether the judgment creditor held at the time aforesaid the title or possession of or any interest in any personal property or any instruments or papers relating to any such property belonging to the judgment debtor or in which he is interested. If he admits any such interest or any doubt respecting the same, he shall set forth a description of such property and the facts concerning the same, and the title, interest or claim of the judgment debtor in or to the same.

(3) If the garnishee claims any set-off or defense or claim or lien to such disposable earnings, indebtedness or property, he shall disclose the amount and the facts.

(4) Whether the judgment debtor claims any exemption from execution, or any other objection, known to the garnishee or the judgment debtor, against the right of the judgment creditor to apply upon his demand the debt or property disclosed.

(5) If other persons make claim to any disposable earnings, debt or property of the judgment debtor, the garnishee shall disclose the names and addresses of such other claimants and, so far as known, the nature of their claims.

Subd. 3. [FORM OF DISCLOSURE.] A garnishment disclosure form must be served upon the garnishee. The disclosure shall be substantially in the following form:

STATE OF MINNESOTA )  
County of ..... ) ss ..... Court

Judgment Creditor

vs.

Judgment Debtor

and

Garnishee

I am the ..... of the garnishee herein, and duly authorized to disclose for said garnishee.

On the ..... day of ....., 19 .., the time of service of garnishee summons herein on said garnishee, there was

due and owing the judgment debtor above named from said garnishee the following:

(1) *Earnings.* For the purposes of garnishment, "earnings" means compensation paid or payable for personal service whether denominated as wages, salary, commission, bonus or otherwise, and includes periodic payments pursuant to a pension or retirement program. "Disposable earnings" means that part of the earnings of an individual remaining after the deduction from those earnings of amounts required by law to be withheld. If the garnishee summons was served upon you at a time when earnings from a prior completed pay period were owing but not paid, complete the following disclosure for earnings from both that past pay period and the current pay period.

(a) Enter on the line below the amount of disposable earnings earned or to be earned by the judgment debtor within the judgment debtor's pay periods which may be subject to garnishment.

.....

(b) Enter on the line below 40 times the hourly federal minimum wage times the number of work weeks within the judgment debtor's pay periods which may be subject to garnishment. When such pay periods consist of other than a whole number of work weeks, each day of a pay period in excess of the number of completed work weeks shall be counted as a fraction of a work week equal to the number of work days divided by the number of work days in the normal work week.

.....

(c) Enter on the line below the difference obtained (never less than zero) when line (b) is subtracted from line (a).

.....

(d) Enter on the line below 25 percent of line (a).

.....

(e) Enter on the line below the lesser of line (c) and line (d).

.....

(2) *Money.* Enter on the line below any amounts due and owing the judgment debtor, except earnings, from the garnishee.

.....

(3) *Property.* Describe on the line below any personal property, instruments or papers belonging to the judgment debtor and in the possession of the garnishee.

.....

(4) *Set-off.* Enter on the line below the amount of any set-off, defense, lien or claim which the garnishee claims against the amount set forth on lines (1)(e), (2) and (3) above. Allege that facts by which such set-off, defense, lien or claim is claimed.

.....

(5) *Exemption.* Enter on the line below any amounts or property claimed by the judgment debtor to be exempt from execution.

.....

(6) *Adverse Interest.* Enter on the line below any amounts claimed by other persons by reason of ownership or interest in the judgment debtor's property. (State the names and addresses of such persons and the nature of their claim, if known).

.....

(7) Enter on the line below the total of lines (4), (5) and (6).

.....

(8) Enter on the line below the difference obtained (never less than zero) when line (7) is subtracted from the sum of lines (1)(e), (2) and (3).

.....

(9) Enter on the line below 110 percent of the amount of the judgment creditor's judgment which remains unpaid.

.....

(10) Enter on the line below the lesser of line (8) and line (9). As garnishee, you are hereby instructed to retain this amount only if it is \$10 or more.

.....

Authorized Representative of  
Garnishee

Title

Subscribed and sworn to before me  
This . . . . day of . . . . , 19 . . . .

Notary Public  
County, Minnesota.

Sec. 16. Minnesota Statutes 1974, Section 571.55, Subdivision 1, is amended to read:

571.55 [LIMITATION ON GARNISHMENT.] Subdivision 1. For the purposes of this section, "earnings" means compensation paid or payable for personal service, whether denominated as wages, salary, commissions, bonus, or otherwise, and includes periodic payments pursuant to a pension or retirement program. "Disposable earnings" means that part of the earnings of an individual remaining after the deduction from those earnings of amounts required by law to be withheld.

Sec. 17. Minnesota Statutes 1974, Section 571.55, Subdivision 2, is amended to read:

Subd. 2. The maximum part of the aggregate disposable earnings of an individual for any pay period which may be subjected to garnishment may not exceed the lesser of

(a) 25 percent of his disposable earnings (FOR THAT PAY PERIOD,) or

(b) the amount by which his disposable earnings (FOR THAT PAY PERIOD) exceed the following product: (EIGHT) 40 times the (NUMBER OF BUSINESS DAYS AND PAID HOLIDAYS, NOT TO EXCEED FIVE PER CALENDAR WEEK, IN SUCH PAY PERIOD TIMES THE) federal minimum hourly wage prescribed by Section 6(a) (1) of the Fair Labor Standards Act of 1938, Title 29, United States Code, Section 206(a) (1), in effect at the time the earnings are payable times the number of work weeks in such pay period. When a pay period consists of other than a whole number of work weeks, each day of that pay period in excess of the number of completed work weeks shall be counted as a fraction of a work week equal to the number of excess work days divided by the number of days in the normal work week.

Sec. 18. Minnesota Statutes 1974, Section 571.67, is amended to read:

571.67 [PENALTY IN CERTAIN GARNISHMENT PROCEEDINGS.] (SUBDIVISION 1.) A party who serves or

*causes to be served a garnishment summons prior to judgment in the main action, except where garnishment prior to entry of judgment is permitted, is liable to the (DEFENDANT) debtor named in the garnishment proceedings in the amount of (\$50, EXCEPT WHERE THE DEFENDANT IS A NONRESIDENT) \$200 plus reasonable attorney fees and costs.*

(SUBD. 2. THE GARNISHMENT SHALL BE INEFFECTIVE AND THE GARNISHEE SHALL BE DISCHARGED AND RELIEVED OF ANY LIABILITY THEREON IF THE AMOUNT GARNISHED AND ATTACHED IS LESS THAN \$10. ANY GARNISHMENT SHALL LAPSE AND THE GARNISHEE THEREOF SHALL BE DISCHARGED AND RELIEVED OF ANY LIABILITY THEREON AFTER THE EXPIRATION OF THREE YEARS FROM THE DATE OF SERVICE OF THE GARNISHMENT SUMMONS, PROVIDING THE GARNISHEE SHALL HAVE GIVEN A 30 DAY WRITTEN NOTICE FOLLOWING SAID THREE YEAR PERIOD, BY CERTIFIED MAIL TO THE LAST KNOWN ADDRESS OF THE ATTORNEY FOR THE GARNISHING PARTY, OR IF HE HAS NO ATTORNEY, TO THE GARNISHING PARTY, AND WITHIN 30 DAYS THEREAFTER NEITHER THE GARNISHING PARTY NOR HIS ATTORNEY HAS OBJECTED IN WRITING TO SAID DISCHARGE.)

Sec. 19. Minnesota Statutes 1974, Chapter 571, is amended by adding a section to read:

[571.68] [GARNISHMENTS AFFECTING LESS THAN TEN DOLLARS.] *If the amount required to be retained by the garnishee is less than \$10, the garnishee shall not retain said sum but shall make the disclosures otherwise required.*

Sec. 20. Minnesota Statutes 1974, Chapter 571, is amended by adding a section to read:

[571.69] [TERMINATION OF GARNISHMENTS.] *Subdivision 1. A garnishee summons shall lapse and the garnishee thereof shall be discharged and relieved of any liability thereon upon the expiration of the following periods of time after service of the summons, or such longer period of time either agreed to in writing by both the judgment creditor and the judgment debtor or ordered by a court:*

(1) *In the instance of a garnishee summons served before entry of judgment, 270 days;*

(2) *In the instance of a garnishee summons served after entry of judgment, 180 days.*

*Subd. 2. Immediately upon lapse of the garnishee summons, all earnings, money, property, and effects which the garnishee has been retaining pursuant to the garnishment shall be returned to the judgment debtor.*

Sec. 21. Minnesota Statutes 1974, Section 571.61, Subdivision 1, is amended to read:

571.61 [NO DISCHARGE FROM EMPLOYMENT FOR GARNISHMENT OR EXECUTION.] Subdivision 1. [PROHIBITION.] No employer may discharge any employee by reason of the fact that his earnings have been subjected to garnishment (UNLESS THERE HAVE BEEN MORE THAN THREE GARNISHMENTS WITH A 90 DAY PERIOD INVOLVING MORE THAN ONE INDEBTEDNESS) or execution.

Sec. 22. Minnesota Statutes 1974, Section 550.37, Subdivision 4, is amended to read:

Subd. 4. All wearing apparel, one watch, household furniture, utensils, household appliances, phonographs, radio and television receivers, and foodstuffs of the debtor and his family, not exceeding \$3,000 in value. *The exemption provided by this subdivision may not be waived except with regard to purchase money security interests.*

Sec. 23. Minnesota Statutes 1974, Section 550.37, Subdivision 18, is amended to read:

Subd. 18. The exemptions provided for in subdivisions 3 to 15 extend only to debtors who are natural persons (HAVING AN ACTUAL RESIDENCE IN THE STATE).

Sec. 24. [REPEALER.] *Minnesota Statutes 1974, Sections 571.47, 571.48, and 571.49 are repealed.*

Further amend the title as follows:

Page 1, line 2, after "garnishment" insert "and execution".

Page 1, line 3, after "Sections" delete the remainder of the line.

Page 1, delete lines 4 and 5.

Page 1, line 6, delete "Chapter" and insert "550.04; 550.142; 550.37, Subdivisions 4, 13, 14, 18, 19, and by adding a subdivision; 571.41, Subdivisions 1 and 2, and by adding subdivisions; 571.55, Subdivisions 1 and 2; 571.61, Subdivision 1; 571.67; and Chapters 550, by adding a section; and".

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

H. F. No. 1940, A bill for an act relating to the legislature; establishing a legislative commission on the economic status of women; appropriating money.

Reported the same back with the following amendments:

Page 1, line 10, after "shall" insert "be bipartisan and shall".

Page 3, after line 11, insert a new section:

"Sec. 3. [EFFECTIVE DATE.] This act is effective upon final enactment."

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

The report was adopted.

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

H. F. No. 59, A bill for an act relating to towns; authorizing towns to request the taking of a census by the secretary of state; amending Minnesota Statutes 1974, Chapter 365, by adding a section.

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

The report was adopted.

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

H. F. No. 437, A bill for an act relating to local government; providing for the creation and operation of community councils in the city of Minneapolis.

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

The report was adopted.

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

H. F. No. 1337, A bill for an act authorizing the city of Shakopee to issue general obligation revenue bonds for the pur-

pose of financing improvements to, and refunding bonds payable from the revenues of, its light and power system.

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

The report was adopted.

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

H. F. No. 1558, A bill for an act relating to the acquisition of parks and parkways by the Minneapolis park and recreation board; establishing interest limitations.

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

The report was adopted.

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

H. F. No. 1735, A bill for an act relating to the metropolitan council; providing for a levy under certain circumstances; amending Laws 1975, Chapter 13, Section 42, Subdivision 1.

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

The report was adopted.

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

S. F. No. 749, A bill for an act relating to intoxicating liquor; investigation of certain license applicants; amending Minnesota Statutes 1974, Section 340.13, by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 8, after "county" insert "*if the investigation is conducted within the state, or the actual cost not to exceed \$10,000 if the investigation is required outside the state, shall be charged an applicant by the city or county*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

S. F. No. 1510, A bill for an act relating to Ramsey county; allowing the county board to set sheriff's fees within the county; amending Laws 1974, Chapter 435, Section 3.10.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2077, A bill for an act relating to drivers' licenses; classifications thereof; specifying the types of vehicles that may be driven by the holder of the various classes of licenses; defining gross vehicle weight; amending Minnesota Statutes 1974, Section 171.02, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 23, after "truck," insert "*special mobile equipment used primarily in the construction or maintenance of streets and highways, regardless of the number of axles or gross vehicle weight, and driven or operated by highway maintenance or construction workers,*".

Page 2, line 1, strike "24,000" and insert "27,000".

Page 2, line 4, strike "24,000" and insert "27,000".

Page 2, delete lines 9 to 11.

Page 2, after line 15, insert the following:

"Sec. 2. *This act is effective the day following final enactment.*".

Further amend the title as follows:

Line 5, after "licenses;" delete "defining gross vehicle weight" and insert "providing that a class C license is valid for the operation of special mobile equipment used primarily for the construction or maintenance of streets and highways; providing a change in the weight limitation for class C licenses".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2103, A bill for an act relating to motor vehicles; authorizing the issuance of special license plates to physically handicapped persons; amending Minnesota Statutes, 1975 Supplement, Section 168.021, Subdivisions 1 and 2.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

S. F. No. 1551, A bill for an act relating to highways; designating and describing the route of the Viking Trail; amending Minnesota Statutes 1974, Section 161.14, by adding a subdivision.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1435, 1897, 764, 1326, 59, 437, 1337, 1558, 1735, 2077 and 2103 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 749, 1510 and 1551 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Norton, for the Committee on Appropriations, introduced:

H. F. No. 2216, A bill for an act relating to interim claims against the state; appropriating moneys for the payment thereof; repealing Laws 1969, Chapter 886, Section 3, Subdivision 10.

The bill was read for the first time and laid over one day.

Setzepfandt, Eckstein, Lindstrom, Anderson, G., and Searle introduced:

H. F. No. 2217, A bill for an act relating to veterinary medicine; proscribing certain practices by unlicensed persons; authorizing practice by students in certain circumstances; changing the licensing fee; setting licensing standards; defining terms; amending Minnesota Statutes 1974, Sections 156.001, by adding a subdivision; 156.02, Subdivisions 1 and 2; 156.03; 156.04; 156.07; 156.072, Subdivision 1, and by adding subdivisions; and 156.12.

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

McCarron, Samuelson, Petrafeso, Clark and Forsythe introduced:

H. F. No. 2218, A bill for an act relating to the department of public welfare; providing for funding for detoxification programs; amending Minnesota Statutes 1974, Section 254A.08, Subdivision 3.

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

Jaros, McCauley, Stanton, Kahn and Osthoff introduced:

H. F. No. 2219, A bill for an act relating to intoxicating liquor; permits to sell upon military bases or installations.

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

Jaros, Clark, Moe, Kaley and McCarron introduced:

H. F. No. 2220, A bill for an act relating to corrections; amending Minnesota Statutes 1974, Section 241.01, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Jude; Adams, S.; Kempe, R.; White and Jacobs introduced:

H. F. No. 2221, A bill for an act relating to taxation; exempting expenditures for special assessments from levy limits of school districts; amending Minnesota Statutes 1974, Section 275.125, by adding a subdivision.

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

Laidig; Clawson; Adams, S.; Stanton and Dieterich introduced:

H. F. No. 2222, A bill for an act relating to education; smoking by students; allowing certain students to smoke in designated smoking areas.

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

Wigley; Johnson, C.; Eckstein; Evans and Munger introduced:

H. F. No. 2223, A bill for an act relating to Blue Earth county; authorizing the county of Blue Earth to contract for the completion of the improvement of county ditch No. 27; setting limits for the expenditure of money for the improvement thereof; providing for the financing thereof; amending Laws 1975, Chapter 249, Section 1, Subdivision 1; and Section 2.

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

Luther, George, Philbrook, McCauley and Prahl introduced:

H. F. No. 2224, A bill for an act relating to banking; providing for mailed notice of automatic renewal of time deposits and possible penalties or loss of interest or reduction of interest; amending Minnesota Statutes 1974, Chapter 47, by adding a section.

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

Begich, Kostohryz, Patton, Vento and Fjoslien introduced:

H. F. No. 2225, A bill for an act relating to veterans affairs; applications for adjusted compensation; establishing an application time limit; extending the appropriation expiration date; amending Minnesota Statutes, 1975 Supplement, Section 197.973; and Laws 1975, Chapter 3, Section 2.

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

Doty, Jaros, Biersdorf, Sarna and Patton introduced:

H. F. No. 2226, A bill for an act relating to retirement; allowing full retirement benefits to public employees attaining a certain combination of age and service; amending Minnesota Statutes 1974, Section 353.30, by adding a subdivision.

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

Doty, Jaros, Biersdorf, Sarna and Patton introduced:

H. F. No. 2227, A bill for an act relating to retirement; providing cost of living increases to retired public employees and survivors thereof; amending Minnesota Statutes 1974, Chapter 353, by adding a section.

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

Beauchamp; Adams, L.; Sieben, H.; Wenstrom and Zubay introduced:

H. F. No. 2228, A bill for an act relating to the operation of state government; correcting the nomenclature of or restructuring several boards and committees; limiting the use of advisory groups; standardizing the terms, compensation and removal of members of committees; abolishing or transferring the functions of several state agencies including the public relief advisory committee, the Minnesota-South Dakota boundary waters commission, the motor vehicle reciprocity commission, the Big Island veterans camp board of directors, the Minnesota insurance guaranty association board of directors, the publications advisory board, the Indian education committee, the advisory committee for mentally retarded and cerebral palsied community residential facilities, and the state teletype-writer advisory committee; amending Minnesota Statutes 1974, Sections 3.30, by adding a subdivision; 17.52; 17.53, Subdivision 5; 17.54, Subdivisions 2, 4 and 5; 21A.02, Subdivision 5; 21A.03; 21A.10; 29.14, Subdivision 4; 29.15, Subdivisions 1 and 4; 30.463, Subdivision 2; 30.465; 30.466; 32B.03, Subdivision 4; 32B.04, Subdivision 5, and by adding a subdivision; 60C.03, by adding a subdivision; 60C.05; 60C.06, Subdivision 3; 60C.07; 60C.09, Subdivision 2; 60C.10; 60C.11; 60C.12; 60C.14, Subdivision 2; 60C.15; 84.01, Subdivision 5; 114.12; 116E.02, Subdivision 1; 116E.03, Subdivision 7, and by adding a subdivision; 121.83; 136A.02, Subdivision 5; 141.24; 168.187, Subdivisions 7, 8, 9, 11, 12, 15, 18, 24 and 25; 178.02, Subdivision 2; 197.15; 197.16; 252.28, Subdivision 2, and by adding a subdivision; 256.01, Subdivision 6; 326.41; 326.49; 481.01; Chapters 15, 21A, 60C and 114, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections

15.012; 15.059, Subdivision 4; 84B.11, Subdivision 1; 86A.10, Subdivision 1; 115.71, Subdivision 4; 115.74, Subdivision 1; 125.183, Subdivision 1; 148.231, Subdivision 2; 149.02; 151.03; 155.05; 198.055, Subdivision 1; 326.241, Subdivision 1; 326.33 Subdivision 1; Extra Session Laws 1971, Chapter 31, Article 13, Section 1, as amended; repealing Minnesota Statutes 1974, Sections 17.60; 17.601; 21A.04; 32B.04, Subdivision 2; 72B.09; 114.01 to 114.08; 126.023; 168.187, Subdivision 6; 178.02, Subdivision 3; 197.14; 252.29; 299C.47; 362.16; Minnesota Statutes, 1975 Supplement, Section 86A.10, Subdivisions 3, 4 and 5; and Laws 1975, Chapter 380, Section 8.

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

Lindstrom, Setzepfandt, Kalis and Patton introduced:

H. F. No. 2229, A bill for an act relating to unemployment compensation; providing for an eight to 12 week disqualification period for persons discharged for misconduct or voluntarily terminating employment without good cause; disqualifying from benefits persons who are seasonally unemployed; amending Minnesota Statutes, 1975 Supplement, Section 268.09, Subdivision 1.

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

Patton, Sabo, Knoll, Dean and Parish introduced:

H. F. No. 2230, A bill for an act relating to retirement; approval of benefits and contributions of teachers' retirement associations in cities of the first class; benefits and contributions in the city of Minneapolis; amending Minnesota Statutes, 1975 Supplement, Section 354A.12.

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

Spanish introduced:

H. F. No. 2231, A bill for an act relating to retirement; police pensions and survivor benefits in cities of the fourth class; amending Minnesota Statutes 1974, Sections 423.55 and 423.58.

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

Heinitz, Forsythe and Kahn introduced:

H. F. No. 2232, A bill for an act relating to cosmetology; creating and regulating facial experts; amending Minnesota Statutes 1974, Sections 155.02, by adding a subdivision; 155.09, Subdivisions 1 and 5; and 155.11, by adding a subdivision.

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

Wenstrom, Graba, DeGroat, Fjoslien and Langseth introduced:

H. F. No. 2233, A bill for an act relating to Otter Tail county; permitting Otter Tail county to designate a human services board.

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

Berglin; Carlson, L.; Heinitz; Byrne and Kaley introduced:

H. F. No. 2234, A bill for an act relating to health; providing for medical treatment of indigent patients at licensed Minnesota hospitals; amending Minnesota Statutes 1974, Chapter 158, by adding a section.

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

Setzpfandt, Kvam, Heinitz, Schulz and Kalis introduced:

H. F. No. 2235, A bill for an act relating to medicine; standard of care in the medical and allied professions.

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

Volk; Carlson, L.; Rice, Dahl and Heinitz introduced:

H. F. No. 2236, A bill for an act relating to medical assistance for the needy; allowing the cost of certain home care services provided by public health nurses to be paid by medical assistance; authorizing an experimental program for the cost of home care of the elderly; amending Minnesota Statutes 1974, Chapter 256B, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 256B.02, Subdivision 7.

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

Heinitz, Forsythe and Nelsen introduced:

H. F. No. 2237, A bill for an act relating to public welfare; providing an alternative care program for elderly persons; authorizing payments to families with elderly dependents; providing for appeal of denial of application for aid; appropriating money.

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

Stanton; Menning; Anderson, G.; Pehler and DeGroat introduced:

H. F. No. 2238, A bill for an act relating to education; loans to medical students; amending Minnesota Statutes, 1975 Supplement, Section 147.30.

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

Osthoff; Anderson, I.; Sieben, H.; Philbrook and Pleasant introduced:

H. F. No. 2239, A bill for an act relating to unemployment compensation; providing for the use of certain information in fraud investigations; amending Minnesota Statutes 1974, Section 268.12, Subdivision 12.

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

Sherwood, Jensen, Niehaus, Reding and Wieser introduced:

H. F. No. 2240, A bill for an act relating to game and fish; unlawful acts; prohibiting trespass on privately owned lands; requiring posting by absentee owners to prohibit trespass; prescribing penalties; amending Minnesota Statutes 1974, Sections 100.273, by adding a subdivision; 100.29, Subdivision 21; and Chapter 100, by adding a section; repealing Minnesota Statutes 1974, Section 100.273, Subdivisions 1 and 2.

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

Kempe, A., introduced:

H. F. No. 2241, A bill for an act relating to sovereign immunity; prescribing limits of state liability for tort claims; providing for notice and settlement; authorizing a tax levy; amending Minnesota Statutes 1974, Chapter 1, by adding sections.

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

Faricy introduced:

H. F. No. 2242, A bill for an act relating to courts; providing for continuous district court terms in all counties; providing that retired district court judges be reimbursed for expenses incurred while acting as district judges; authorizing additional power to judges of county court; requiring certain distributions of Minnesota Statutes and Session Laws; amending Minnesota Statutes 1974, Sections 484.08; 484.09, as amended; 484.11; 484.13; 484.14; 484.15; 484.16; 484.17; 484.18; 484.62; 648.39, Subdivision 1; and Chapter 487, by adding a section; repealing Minnesota Statutes 1974, Section 490.025, Subdivision 8.

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

Pehler, Jaros, Hanson, Stanton and Enebo introduced:

H. F. No. 2243, A bill for an act relating to migrant labor; providing contract requirements; providing for the recruiting of migrant workers; prescribing penalties.

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

Enebo; Anderson, I.; Sabo; Carlson, A.; and St. Onge introduced:

H. F. No. 2244, A bill for an act relating to public employment labor relations; providing for determination of the fair share fee; providing for appeal of that determination; amending Minnesota Statutes 1974, Sections 179.63, by adding a subdivision; 179.65, Subdivision 2; 179.71, Subdivision 2; and 179.72, Subdivision 3.

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

Clark, Osthoff, Patton, Heinitz and Kahn introduced:

H. F. No. 2245, A bill for an act relating to housing and redevelopment authorities; allowing employees and commissioners to purchase a principal residence in a housing and redevelopment authority project; amending Minnesota Statutes 1974, Section 462.431.

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

Dahl, McEachern, Wenstrom, Niehaus and Brinkman introduced:

H. F. No. 2246, A bill for an act relating to towns; appropriating money for recodification of town laws.

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

Eckstein, Birnstihl, Fudro, Wigley and Biersdorf introduced:

H. F. No. 2247, A bill for an act relating to highways; repealing a proposed amendment to Article XIV of the state constitution; repealing Laws 1975, Chapter 203, Sections 25 and 26.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Savelkoul, Nelsen, Wigley, Fjoslien and Friedrich introduced:

H. F. No. 2248, A bill for an act relating to taxation; inheritance and gift taxes; increasing the amounts of certain exemptions; removing discriminatory sex provisions; amending Minnesota Statutes 1974, Sections 291.03; 291.05; 291.10; 291.14, Subdivision 2; 292.05, Subdivision 1; and 292.07, Subdivisions 3 and 5.

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

Savelkoul, Sieloff, Nelsen, Wigley and Albrecht introduced:

H. F. No. 2249, A bill for an act relating to taxation; providing an average limitation on income tax for individuals; amending Minnesota Statutes 1974, Chapter 290, by adding a section.

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

Pehler, McCarron, Vanasek, Casserly and Volk introduced:

H. F. No. 2250, A bill for an act relating to taxation; imposing a gross earnings tax on electric utilities; amending Minnesota Statutes 1974, Section 295.01, by adding a subdivision, and Chapter 295, by adding sections; and repealing Minnesota Statutes 1974, Sections 273.36; 273.37; 273.38; 273.39; 273.40; 273.42; and Minnesota Statutes, 1975 Supplement, Section 273.41.

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

Savelkoul, Nelsen, Wigley, Albrecht and Fjoslien introduced:

H. F. No. 2251, A bill for an act relating to taxation; inheritance and gift taxes; reducing the taxes imposed thereon; removing discriminatory sex provisions; amending Minnesota Statutes 1974, Sections 291.03; 291.05; 292.05, Subdivision 1; and 292.07, Subdivisions 2, 3, and 5.

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

Jaros; Munger; Johnson, D.; Ulland and Anderson, I., introduced:

H. F. No. 2252, A bill for an act relating to taxation; including cost of water filtration equipment in medical expense deduction; amending Minnesota Statutes 1974, Section 290.09, Subdivision 10.

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

### CONSENT CALENDAR

S. F. No. 234, A bill for an act relating to eminent domain; providing for payments and benefits in negotiated acquisitions under no threat of eminent domain; waiver of benefits; amending Minnesota Statutes 1974, Chapter 117, by adding a section.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, L.	Eckstein	Kelly, R.	Nelsen	Sieloff
Adams, S.	Eken	Kelly, W.	Nelson	Simoneau
Albrecht	Enebo	Kempe, A.	Niehaus	Skoglund
Anderson, G.	Erickson	Kempe, R.	Novak	Smith
Anderson, I.	Esau	Ketola	Osthoff	Smogard
Arlandson	Evans	Knickerbocker	Parish	Spanish
Beauchamp	Ewald	Kostohryz	Patton	Stanton
Begich	Fjoslien	Kroening	Peterson	Suss
Berg	Forsythe	Kvam	Petrafeso	Swanson
Berglin	Friedrich	Laidig	Philbrook	Tomlinson
Biersdorf	Fudro	Langseth	Pleasant	Ulland
Birnstihl	George	Lemke	Prahl	Vanasek
Braun	Hanson	Lindstrom	Reding	Vento
Brinkman	Haugerud	Luther	St. Onge	Volk
Byrne	Heinitz	Mangan	Samuelson	Voss
Carlson, A.	Hokanson	Mann	Sarna	Wenstrom
Carlson, L.	Jacobs	McCarron	Savelkoul	Wenzel
Carlson, R.	Jaros	McCauley	Schreiber	White
Casserly	Jensen	McCollar	Schulz	Wieser
Clark	Johnson, D.	McEachern	Schumacher	Wigley
Corbid	Jopp	Menning	Searle	Williamson
Dahl	Jude	Metzen	Setzepfandt	Zubay
Dean	Kahn	Moe	Sherwood	Speaker Sabo
Dieterich	Kaley	Munger	Sieben, H.	
Doty	Kalis	Neisen	Sieben, M.	

The bill was passed and its title agreed to.

S. F. No. 1405, A bill for an act relating to the city of Edina; establishing terms for certain municipal offices.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 110, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Clark	Jensen	McCollar	Savelkoul
Adams, L.	Clawson	Johnson, D.	McEachern	Schreiber
Adams, S.	Corbid	Jopp	Menning	Schulz
Albrecht	Dieterich	Kaley	Metzen	Schumacher
Anderson, G.	Doty	Kalis	Munger	Searle
Anderson, I.	Eckstein	Kelly, W.	Neisen	Setzepfandt
Arlandson	Eken	Kempe, A.	Nelsen	Sherwood
Beauchamp	Erickson	Kempe, R.	Nelson	Sieben, H.
Begich	Esau	Ketola	Niehaus	Sieben, M.
Berg	Evans	Knickerbocker	Novak	Sieloff
Berglin	Ewald	Kostohryz	Osthoff	Simoneau
Biersdorf	Fjoslien	Kroening	Parish	Skoglund
Birnstihl	Forsythe	Laidig	Patton	Smith
Braun	Friedrich	Langseth	Peterson	Smogard
Brinkman	George	Lemke	Petrafeso	Spanish
Byrne	Hanson	Lindstrom	Philbrook	Stanton
Carlson, A.	Heinitz	Luther	Prahl	Suss
Carlson, L.	Hokanson	Mann	Reding	Swanson
Carlson, R.	Jacobs	McCarron	St. Onge	Ulland
Casserly	Jaros	McCauley	Sarna	Vento

Volk  
VossWenstrom  
WenzelWhite  
WieserWigley  
WilliamsonZubay  
Speaker Sabo

The bill was passed and its title agreed to.

#### MOTION FOR RECONSIDERATION

Anderson, I., moved that the vote whereby S. F. No. 1647 was not passed on the Calendar for Monday, February 9, 1976, be now reconsidered. The motion prevailed.

S. F. No. 1647 was reported to the House.

Anderson, G., moved that S. F. No. 1647 be returned to General Orders and considered first by the Committee of the Whole. The motion prevailed.

Vanasek was excused at 3:00 p.m. Kostohryz was excused at 3:45 p.m.

#### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 833, as amended, offered by George:

Page 3, line 3, after "*beverages*" strike the balance of the line.

Page 3, line 4, strike "*sold or offered for sale at off-sale*".

Page 3, line 5, after "*Minnesota*" strike "*which contain alcoholic beverages*".

Page 3, line 9, strike "*and such beverage containers*".

The roll being called, there were yeas 68, and nays 56, as follows:

Those who voted in the affirmative were:

Abeln  
Adams, L.  
Albrecht  
Anderson, I.  
Arlandson  
Begich  
Berg  
Brinkman  
Casserly

Clark  
Corbid  
Dean  
DeGroat  
Dieterich  
Eken  
Enebo  
Evans  
Fjoslien

Forsythe  
Friedrich  
George  
Graba  
Heinitz  
Jacobs  
Jaros  
Johnson, C.  
Johnson, D.

Jopp  
Kahn  
Kaley  
Kalis  
Kelly, W.  
Kempe, A.  
Knickerbocker  
Lindstrom  
Mangan

Mann  
McCauley  
Metzen  
Moe  
Neisen  
Nelsen  
Norton  
Novak  
Osthoff

Parish	St. Onge	Sieloff	Vento	Wigley
Peterson	Samuelson	Smith	Voss	Zubay
Petrafeso	Setzepfandt	Tomlinson	Wenzel	Speaker Sabo
Prahl	Sieben, H.	Ulland	White	
Reding	Sieben, M.	Vanasek	Wieser	

Those who voted in the negative were:

Adams, S.	Dahl	Jude	Nelson	Simoneau
Anderson, G.	Doty	Kelly, R.	Niehaus	Skoglund
Beauchamp	Eckstein	Ketola	Patton	Smogard
Berglin	Erickson	Knoll	Pehler	Spanish
Biersdorf	Esau	Kroening	Philbrook	Suss
Birnstihl	Ewald	Laidig	Rice	Swanson
Braun	Fariy	Langseth	Sarna	Wenstrom
Byrne	Fudro	Lemke	Savelkoul	Williamson
Carlson, A.	Hanson	Luther	Schreiber	
Carlson, L.	Haugerud	McCarron	Schumacher	
Carlson, R.	Hokanson	McCollar	Searle	
Clawson	Jensen	Menning	Sherwood	

The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the motion of Haugerud to recommend re-referral of H. F. No. 838, as amended, to the Committee on Commerce and Economic Development.

The roll being called, there were yeas 63, and nays 68, as follows:

Those who voted in the affirmative were:

Adams, S.	Esau	Kelly, W.	Niehaus	Skoglund
Albrecht	Evans	Kempe, A.	Patton	Smith
Biersdorf	Fariy	Kempe, R.	Pehler	Spanish
Birnstihl	Forsythe	Kvam	Peterson	Suss
Braun	Fudro	Laidig	Petrafeso	Swanson
Brinkman	Graba	Langseth	Rice	Ulland
Corbid	Hanson	Lemke	Sarna	Wenstrom
Dahl	Haugerud	Lindstrom	Savelkoul	Wenzel
DeGroat	Jensen	Mann	Schreiber	Wieser
Doty	Johnson, C.	McCarron	Schulz	Williamson
Eckstein	Jude	McCauley	Searle	Zubay
Eken	Kaley	McEachern	Setzepfandt	
Erickson	Kalis	Nelsen	Sherwood	

Those who voted in the negative were:

Abeln	Carlson, L.	Fugina	Knickerbocker	Neisen
Adams, L.	Carlson, R.	George	Knoll	Nelson
Anderson, G.	Cassery	Heinitz	Kostohryz	Norton
Anderson, I.	Clark	Hokanson	Kroening	Novak
Arlandson	Clawson	Jacobs	Luther	Osthoff
Beauchamp	Dean	Jaros	Mangan	Parish
Begich	Dieterich	Johnson, D.	McCollar	Philbrook
Berg	Enebo	Jopp	Menning	Pleasant
Berglin	Ewald	Kahn	Metzen	Prahl
Byrne	Fjoslien	Kelly, R.	Moe	Reding
Carlson, A.	Friedrich	Ketola	Munger	St. Onge

Samuelson	Sieben, M.	Smogard	Vento	Speaker Sabo
Schumacher	Sieloff	Stanton	Voss	
Sieben, H.	Simoneau	Tomlinson	Wigley	

The motion did not prevail.

Pursuant to Rule 1.6, a roll call was taken on the following amendment, as amended by the Zubay amendment, to H. F. No. 838 offered by Schumacher and Anderson, G.:

Page 1, line 16, after "shall" delete the remainder of the line and insert "*permit any off-sale licensee to advertise alcoholic beverages other than by signs within the retail outlet*".

Page 1, lines 17 to 22, delete the underscored language.

Page 2, delete lines 1 to 14.

Page 2, line 15, delete "Subd. 1b" and insert "Subd. 1a."

Page 3, line 1, delete "1c" and insert "1b".

The roll being called, there were yeas 56, and nays 72, as follows:

Those who voted in the affirmative were:

Adams, S.	Evans	Kelly, W.	Peterson	Smogard
Albrecht	Faricy	Kempe, R.	Prahl	Spanish
Anderson, G.	Fjoslien	Ketola	Reding	Suss
Biersdorf	Forsythe	Laidig	Rice	Swanson
Braun	Friedrich	Langseth	Sarna	Wenstrom
Brinkman	Fudro	Lindstrom	Savelkoul	White
Carlson, R.	Hanson	McCarron	Schreiber	Wigley
Corbid	Hokanson	McCauley	Schumacher	Zubay
Dahl	Jensen	McEachern	Setzepfandt	
Doty	Jude	Nelsen	Sherwood	
Erickson	Kaley	Niehaus	Skoglund	
Esau	Kalis	Patton	Smith	

Those who voted in the negative were:

Abeln	Dean	Kelly, R.	Neisen	Sieloff
Adams, L.	DeGroat	Knickerbocker	Nelson	Simoneau
Anderson, I.	Dieterich	Knoll	Norton	Stanton
Arlandson	Eckstein	Kostohryz	Novak	Tomlinson
Beauchamp	Eken	Kroening	Osthoff	Ulland
Begich	Enebo	Kvam	Parish	Vento
Berg	Fugina	Lemke	Pehler	Volk
Berglin	George	Luther	Petrafeso	Voss
Birnstihl	Graba	Mangan	Philbrook	Wenzel
Byrne	Heinitz	Mann	Pleasant	Wieser
Carlson, A.	Jacobs	McCollar	St. Onge	Williamson
Carlson, L.	Jaros	Menning	Samuelson	Speaker Sabo
Casserly	Johnson, C.	Metzen	Searle	
Clark	Johnson, D.	Moe	Sieben, H.	
Clawson	Kahn	Munger	Sieben, M.	

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

Pursuant to Rule 1.6, a roll call was taken on the motion of Searle to recommend re-referral of H. F. No. 838, as amended, to the Committee on Health and Welfare.

The roll being called, there were yeas 94, and nays 30, as follows:

Those who voted in the affirmative were:

Adams, L.	Eckstein	Kaley	Neisen	Searle
Adams, S.	Eken	Kalis	Nelsen	Setzepfandt
Albrecht	Erickson	Kelly, W.	Nelson	Sherwood
Anderson, G.	Esau	Kempe, R.	Niehaus	Simoneau
Beauchamp	Evans	Ketola	Parish	Skoglund
Begich	Ewald	Knoll	Patton	Smith
Biersdorf	Faricy	Kroening	Pehler	Smogard
Birnstihl	Fjoslien	Kvam	Peterson	Spanish
Braun	Forsythe	Laidig	Petraieso	Suss
Brinkman	Friedrich	Langseth	Philbrook	Swanson
Carlson, A.	Fudro	Lemke	Pleasant	Ulland
Carlson, L.	Fugina	Lindstrom	Prahl	Vento
Carlson, R.	Graba	Mangan	Reding	Wenstrom
Clawson	Hanson	Mann	Rice	Wenzel
Corbid	Haugerud	McCarron	Sarna	White
Dahl	Hokanson	McCauley	Savelkoul	Wieser
Dean	Jensen	McCollar	Schreiber	Williamson
DeGroat	Johnson, C.	McEachern	Schulz	Zubay
Doty	Jude	Menning	Schumacher	

Those who voted in the negative were:

Abeln	Casserly	Jacobs	Metzen	Sieben, M.
Anderson, I.	Clark	Jaros	Norton	Sieloff
Arlandson	Dieterich	Johnson, D.	Novak	Stanton
Berg	Enebo	Jopp	Osthoff	Tomlinson
Berglin	George	Kahn	St. Onge	Voss
Byrne	Heinitz	Luther	Sieben, H.	Speaker Sabo

The motion prevailed.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. Nos. 510 and 832 upon which it recommended progress.

H. F. No. 402 upon which it recommended progress retaining its place on General Orders.

H. F. No. 33 which it recommended be returned to its author.

H. F. No. 1076 upon which it recommended progress until Tuesday, February 17, 1976 retaining its place on General Orders.

S. F. No. 1355 which it recommended re-referral to the Committee on Local and Urban Affairs.

S. F. No. 1647 upon which it recommended to pass, as amended by the Committee of the Whole on Thursday, February 5, 1976, with the following amendments:

Offered by Anderson, G.:

Page 7, line 8, add "*This subdivision shall not apply to designated hunting stations established on public lands by order of the commissioner to regulate hunting thereon.*"

Offered by Hanson:

As amended by the Hanson amendment to Section 4 of the bill adopted by the committee of the whole on February 5, 1976, as follows:

Restore the stricken "provided, no acquisition".

After the stricken "\$1,000" insert "*by condemnation*".

Restore the stricken "shall be made without first obtaining the approval of the executive council, and".

Restore the stricken "further".

H. F. No. 838 upon which it recommended re-referral to the Committee on Health and Welfare, as amended by the Committee of the Whole on Wednesday, February 4, 1976 and with the following amendment:

Offered by George:

Page 2, line 9, after "*approval.*" strike the balance of the line.

Page 2, strike lines 10 and 11.

Page 2, line 12, strike "*Statutes, Sections 325.02 to 325.075.*" and insert "*All such advertisements submitted to the commissioner for his approval shall be accompanied by a statement, on a form prescribed by him, in which the licensee or licensees submitting the advertisement affirm that all selling prices contained therein do not violate the provisions of Minnesota Statutes, Sections 325.02 to 325.075.*"

Page 3, line 3, after "*beverages*" strike the balance of the line.

Page 3, line 4, strike "*sold or offered for sale at off-sale*".

Page 3, line 5, after "*Minnesota*" strike "*which contain alcoholic beverages*".

Page 3, line 9, strike "*and such beverage containers*".

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

### MOTIONS AND RESOLUTIONS

Johnson, D., moved that the names of Begich and Hanson be stricken and the name of Philbrook be added as second author and the name of Luther be added as third author on H. F. No. 1644. The motion prevailed.

Heinitz moved that the names of Heinitz and Savelkoul be stricken as authors on H. F. No. 1910. The motion prevailed.

Volk moved that her name be stricken as an author on H. F. No. 2250. The motion prevailed.

Sieben, H., moved that the name of Berg be added as an author on H. F. No. 2213. The motion prevailed.

Ketola moved that the name of Carlson, R., be added as an author on H. F. No. 1395. The motion prevailed.

Casserly moved that the name of Berg be added as an author on H. F. No. 1530. The motion prevailed.

Samuelson moved that the name of McCarron be added as an author on H. F. No. 2117. The motion prevailed.

Samuelson moved that the name of McCarron be added as an author on H. F. No. 1827. The motion prevailed.

Spanish moved that H. F. No. 1599, now in the Committee on Governmental Operations, be returned to its author. The motion prevailed.

Jopp introduced:

House Resolution No. 25, A house resolution commending the Waconia High School Marching Band.

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

### ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Thursday, February 12, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## SIXTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 12, 1976

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Dieterich	Kahn	Moe	Setzepfandt
Adams, L.	Doty	Kaley	Munger	Sherwood
Adams, S.	Eckstein	Kalis	Neisen	Sieben, H.
Albrecht	Eken	Kelly, R.	Nelsen	Sieben, M.
Anderson, G.	Enebo	Kelly, W.	Niehaus	Sieloff
Anderson, I.	Erickson	Kempe, A.	Norton	Simoneau
Arlandson	Esau	Kempe, R.	Novak	Skoglund
Beauchamp	Evans	Ketola	Osthoff	Smith
Begich	Ewald	Knickerbocker	Parish	Spanish
Berg	Fariy	Knoll	Patton	Stanton
Berglin	Fjoslien	Kostohryz	Pehler	Suss
Biersdorf	Forsythe	Kroening	Peterson	Swanson
Birnstihl	Friedrich	Kvam	Petrafeso	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Volk
Carlson, L.	Haugerud	Luther	Rice	Voss
Carlson, R.	Hokanson	Mangan	St. Onge	Wenstrom
Casserly	Jacobs	Mann	Samuelson	Wenzel
Clark	Jaros	McCarron	Sarna	White
Clawson	Jensen	McCauley	Savelkoul	Wieser
Corbid	Johnson, C.	McCollar	Schreiber	Wigley
Dahl	Johnson, D.	McEachern	Schulz	Williamson
Dean	Jopp	Menning	Schumacher	Zubay
DeGroat	Jude	Metzen	Searle	Speaker Sabo

A quorum was present.

Fudro, Heinitz and Smogard were excused. Nelson was excused until 2:40 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Kalis the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1435, 764, 59, 437, 1337, 1558, 1735, 2103, 1897, 2077 and 1326 and S. F. Nos. 749 and 1647 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

February 11, 1976

The Honorable Martin Sabo  
Speaker of the House

Sir:

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

H. F. No. 645, An Act relating to health; authorizing a state subsidy to local units of government for providing community health services; prescribing the powers of the state board of health; appropriating money.

Sincerely,

WENDELL R. ANDERSON  
Governor

## REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 903, A bill for an act relating to agriculture; requiring the regulation of the spraying and dusting of crops; requiring the regulation of agricultural pest control; weed seed; regulating economic poisons and devices; amending Minnesota Statutes 1974, Sections 18.033, by adding a subdivision; 18A.07; 21.47, Subdivisions 8 and 9; 21.49, Subdivision 1; and 24.074.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [DEFINITIONS.] Subdivision 1. For the purpose of administering sections 1 to 25, the words and terms defined in this section have the meanings given them.

Subd. 2. "Active ingredient" means any ingredient which will prevent, destroy, repel, control, or mitigate any pests, or which acts as a plant regulator, defoliant, or desiccant.

Subd. 3. "Administrator" means the administrator of the United States environmental protection agency.

Subd. 4. "Adulterated" means any pesticide the strength or purity of which falls below the standard of quality as expressed on the labeling under which it is sold, any pesticide for which any substance has been substituted wholly or in part, or any pesticide from which any valuable constituent has been wholly or in part abstracted.

Subd. 5. "Approved agency" means an agency of a county, municipality or other political subdivision which has inspection personnel capable of carrying out the provisions of sections 1 to 25 and which has signed an agreement pursuant to Minnesota Statutes, Section 471.59.

Subd. 6. "Beneficial insects" means those insects which during their life cycle, are effective pollinators of plants, are parasites or predators of pests, or are otherwise beneficial.

Subd. 7. "Certified applicator" means an individual, including persons defined as commercial applicator, noncommercial applicator, private applicator, and structural pest control applicator, certified under sections 1 to 25 to use or supervise the use of any restricted use pesticide.

Subd. 8. "Commercial applicator" means a certified applicator other than a private applicator or noncommercial applicator who uses or supervises the use of any pesticide for any purpose or on any land.

Subd. 9. "Commissioner" means the commissioner of agriculture or his agent.

Subd. 10. "Device" includes any instrument, contrivance, or equipment other than a firearm, used for the application of pesticides when sold separately therefrom, intended for trapping, destroying or repelling pests.

Subd. 11. "Distribute" means to offer for sale, sell, barter, ship, deliver for shipment, receive and deliver, and offer to deliver pesticides in this state.

Subd. 12. "Environment" includes water, air, land, plants, persons, and animals and their inter-relationships.

Subd. 13. "EPA" means the United States environmental protection agency.

Subd. 14. "FIFRA" means the federal insecticide, fungicide, rodenticide act, as amended.

Subd. 15. "Imminent hazard" means the continued use of a pesticide, during the time required for cancellation proceedings, which will likely result in unreasonable adverse effects on the environment or will involve unreasonable hazard to the survival of a species declared endangered by the United States secretary of the interior under P.L. 91-135.

Subd. 16. "Ingredient statement" means a statement which contains the name and percentage of each active ingredient, the total percentage of all inert ingredients in the pesticide and, if the pesticide contains arsenic in any form, the percentages of total and water soluble arsenic each calculated as elemental arsenic.

Subd. 17. "Label" means the written, printed or graphic matter on, or attached to, the pesticide or device or any of their containers or wrappers.

Subd. 18. "Labeling" means all labels and other written, printed, or graphic matter:

(a) upon any pesticide or device or any of their containers or wrappers;

(b) accompanying the pesticide or device;

(c) to which reference is made on the label or literature accompanying the pesticide or device; or

(d) which relates or refers to the pesticide or device for the purpose of inducing the sale thereof.

Current official publications of the EPA, United States department of agriculture, United States department of interior, United States department of health, education and welfare, state agricultural experiment stations, state agricultural colleges, and other similar federal or state institutions or agencies authorized by law to conduct research in the field of pesticides are not labeling.

Subd. 19. "Land" means all land and water areas including air space and all plants, animals, structures, buildings, contri-

vances and machinery whether fixed or mobile, including anything used for transportation.

Subd. 20. "Licensed pesticide dealer" means any pesticide dealer licensed by the commissioner who sells to the ultimate consumer or any person licensed by the commissioner purchasing from an unlicensed source for his own use any restricted use pesticide.

Subd. 21. "Misbranded" applies to any pesticide or device that is an imitation of or is offered for sale under the name of another pesticide or a pesticide the labeling of which does not comply with the labeling requirements of sections 1 to 25 or rules promulgated thereunder, or the FIFRA and regulations promulgated thereunder.

Subd. 22. "Noncommercial applicator" means a person, including government officials, other than a commercial applicator, structural pest control applicator or private applicator who uses or supervises the use of restricted use pesticides on lands.

Subd. 23. "Person" means any individual, firm, corporation, partnership, association, trust, joint stock company or unincorporated organizations.

Subd. 24. "Pest" means any insect, rodent, nematode, fungus, weed, terrestrial or aquatic plant, animal life, virus, bacteria, or other organism which the commissioner by rule declares to be a pest except virus, bacteria, or other micro-organism on or in living man or other living animals.

Subd. 25. "Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant.

Subd. 26. "Plant regulator" means any substance or mixture of substances intended through physiological action to accelerate or retard the rate of growth or rate of maturation of a plant, or to otherwise alter the behavior of ornamental or crop plants or the produce thereof, but shall not include substances to the extent that they are intended as plant nutrients, trace elements, nutritional chemicals, plant inoculants, or soil amendments.

Subd. 27. "Private applicator" means a person who uses or supervises the use of any restricted use pesticide for the purpose of producing any agricultural commodity on land owned or rented by him or his employer or, if applied without compensation other than trading of personal services between producers of agricultural commodities, on the land of another person.

Subd. 28. "Protect the environment" means to protect against any unreasonable adverse effects on the environment other than on pests.

Subd. 29. "Registrant" means a person who has registered any pesticide under sections 1 to 25.

Subd. 30. "Restricted use pesticide" means any pesticide formulation designated under FIFRA or by the commissioner under sections 1 to 25 which when used in accordance with the directions for use and for the uses for which it is registered requires additional restrictions as to the rates, areas, times and conditions of use to protect the environment.

Subd. 31. "Spraying or dusting operations for hire" means the application for compensation of pesticides or plant growth regulators to land in any manner to regulate plant growth or to control or eradicate pests.

Subd. 32. "Structural pest" means pests in, on, under, or within six feet of any structure.

Subd. 33. "Structural pest control" means to control any pest through the use of any device, procedure, or application of pesticide in any house or in other structures including trucks, boxcars, ships, aircraft, docks, warehouses, and in fumigation vaults, and all business activity related to use of the device, procedure, or application of pesticide.

Subd. 34. "Structural pest control applicator" means any person engaged in structural pest control work for hire on the lands of another.

Subd. 35. "Under the direct supervision of a certified applicator" means, unless otherwise prescribed by its labeling, a pesticide applied by a person acting under the instruction and control of a certified applicator who is available even though such certified applicator is not physically present at the time and place the pesticide is applied.

Subd. 36. "Unreasonable adverse effects on the environment" means any unreasonable risk to the environment, considering the economic, social and environmental costs and benefits of the use of any pesticide.

Subd. 37. "Wildlife" means all living things that are neither human, domesticated, nor pests.

Sec. 2. [REGISTRATION, SALES, FEE.] Subdivision 1. Every pesticide offered for sale, sold or distributed in this state shall be registered with the commissioner. Registration shall be renewed annually prior to January 1. Registration is not re-

quired if a pesticide is shipped from one plant or warehouse to another plant or warehouse operated by the same person and used solely at the plant or warehouse as a constituent part to make a pesticide which is registered under the provisions of sections 1 to 25.

Subd. 2. The applicant for registration shall file with the commissioner a statement which shall include:

(a) The name and address of the applicant and the name and address of the person whose name will appear on the label, if other than the applicant;

(b) The name of the pesticide;

(c) Other necessary information required by the registration form;

(d) A complete copy of the labeling accompanying the pesticide and a statement of all claims to be made for it, including the directions for use and the use classification as provided for in FIFRA.

Subd. 3. The commissioner may require the submission of the complete formula of any pesticide including the active and inert ingredients.

Subd. 4. The commissioner may require the submission of other relevant information.

Subd. 5. Each application for registration and renewal shall be accompanied by a registration fee of \$10 for each pesticide registered. All such registrations shall expire on December 31 of any one year, unless cancelled.

Subd. 6. Any registration in effect on December 31 for which a renewal application has been made and the proper fee paid, shall continue in full force and effect until such time as the commissioner notifies the applicant that the registration has been renewed or until the registration is denied or cancelled.

Subd. 7. If the renewal of a pesticide registration is filed after December 31, or an original application is filed after the first month the pesticide is first manufactured or sold within this state, an additional fee of \$5 shall be paid by the applicant before the registration for that pesticide may be issued or renewed.

Subd. 8. The commissioner shall not make lack of essentiality a criterion for denying registration of any pesticide.

Sec. 3. [SPECIAL LOCAL NEEDS.] If the state is certified by the administrator to register pesticides to meet special

*local needs, the applicant shall supply the information required by section 2 and the commissioner shall, subject to the terms and conditions of certification, register such pesticide if he determines that:*

*(a) Its composition is such as to warrant the proposed claims for it;*

*(b) Its label and other material required to be submitted comply with the requirements of sections 1 to 25;*

*(c) It will perform its intended function without unreasonable adverse effect on the environment;*

*(d) When used in accordance with widespread and commonly recognized practice it will not generally cause unreasonable adverse effects on the environment;*

*(e) The proposed classification for general use or restricted use, or both, is in conformity with FIFRA; and*

*(f) A special local need exists.*

*The commissioner may require a full description of tests and test results upon which claims are based for any pesticide not registered pursuant to section 3 of FIFRA, or for any pesticide on which restrictions are being considered.*

*The commissioner may require other relevant information. The applicant may request confidentiality of information submitted pursuant to section 15 of this act.*

**Sec. 4. [EXPERIMENTAL USE PERMITS.]** *If the state is authorized by the administrator to issue experimental use permits, the commissioner may:*

*(a) Issue an experimental use permit if he determines that the applicant needs the permit in order to accumulate information necessary to register a pesticide under section 2. An application for an experimental use permit may be filed at any time;*

*(b) Refuse to issue an experimental use permit if he determines that issuance of such permit is not warranted or that the use to be made of the pesticide under the proposed terms and conditions may cause unreasonable adverse effects on the environment;*

*(c) Prescribe terms, conditions, and period of time for the experimental use permit; and*

*(d) Revoke or modify an experimental use permit at any time if he finds that its terms or conditions are being violated,*

or that its terms and conditions are inadequate to avoid unreasonable adverse effects on the environment.

Sec. 5. [CERTIFICATION REQUIREMENTS; PROHIBITION.] No person shall use or supervise the use of any restricted use pesticide without first complying with the certification requirements of sections 1 to 25, and with any other conditions determined by the commissioner to be necessary to prevent unreasonable adverse effects on the environment. A person who is not a certified applicator may use a restricted use pesticide only under the direct supervision of a certified applicator.

Sec. 6. [LICENSE, REGISTRATION, DEALER, APPLICATOR, FEE.] Subdivision 1. [RESTRICTED USE PESTICIDE DEALER LICENSE.] (a) Any person offering for sale or having in his possession with intent to distribute to the ultimate user a restricted use pesticide and any private applicator purchasing from an unlicensed source for his own use any restricted use pesticide shall obtain a license from the commissioner. Application for a restricted use pesticide dealer license shall be made upon the forms and in the manner, which may include an examination, as the commissioner requires to determine if the applicant is qualified to sell restricted use pesticides.

(b) Application for a license requires payment of a fee of \$35. Licenses shall be renewed annually prior to January 1, upon receipt of a \$35 fee and the completed application form.

(c) If an application for renewal of a restricted use pesticide dealer license is not filed prior to January 1 of any one year, an additional fee of \$10 shall be paid by the applicant before the renewal license may be issued.

(d) The dealer license shall not be transferable to another person or to another location.

(e) Each licensed restricted use pesticide dealer shall be responsible for the acts of each person employed by him in the solicitation and sale of restricted use pesticides.

(f) Provisions of this subdivision shall not apply to:

(1) A licensed commercial applicator, noncommercial applicator or structural pest control applicator who sells or uses pesticides only as an integral part of his pesticide application service;

(2) A federal, state, county, or municipal agency which provides pesticides only for its own programs; and

(3) A duly licensed pharmacist, physician, dentist, or veterinarian when administering or dispensing a restricted use pesticide for use in man or other animal in his practice.

*Subd. 2. [COMMERCIAL APPLICATOR LICENSE.] (a) No commercial applicator shall use or supervise the use of any pesticide without a commercial applicator's license issued by the commissioner. Application for the license shall be made upon forms and in such manner, which may include an examination, as the commissioner may require. An aerial applicator shall secure an endorsement to his license showing that he has been licensed for commercial spraying or dusting operations, or both, in accordance with Minnesota Statutes, Chapter 360, and that he has passed an examination prepared by the department of aeronautics and administered by the department of agriculture, testing whether he is knowledgeable in the aerial application of pesticides. A person intending to apply pesticides in any public waters shall secure an endorsement to his license showing that he has passed an examination prepared by the department of natural resources and administered by the department of agriculture, testing whether he is knowledgeable in the application of pesticides in water.*

*(b) The commissioner may renew any applicator's license, subject to reexamination or other requirements imposed by the commissioner to ensure that the applicator understands changing technology and to assure a continuing level of competence and ability to use pesticides safely and properly.*

*(c) Each application for a license shall require payment of an annual fee of \$10 and an identification card fee of \$7.50 for the applicant and \$7.50 for each additional identification card desired.*

*(d) If the renewal application is not filed prior to March 1 in any year, an additional fee of \$5 shall be paid by the applicant before the renewal license may be issued.*

*(e) The license issued shall not be transferable to another person.*

*(f) Every licensee or his designated operator shall have an identification card when applying pesticides for hire and shall display it upon demand of an authorized representative of the commissioner or a law enforcement officer. The identification card shall contain such information as the commissioner may by rule require.*

*(g) A person required to be licensed under this subdivision who carries on spraying or dusting operations for hire or who employs or engages an applicator to carry on spraying or dusting operations for hire, shall be responsible for proper application of the material or device. He shall use materials, dosages, formulas, devices and methods of application acceptable to the commissioner based upon registered approved uses of the material or device within limits prescribed by state and federal*

laws and regulations. He shall not be held liable for the actions of a chemical when applied in accordance with the recommendation of the manufacturer or the commissioner.

**Subd. 3. [STRUCTURAL PEST CONTROL APPLICATOR LICENSE, REGISTRATION.]** (a) No person shall engage in structural pest control applications for hire unless registered or licensed by the commissioner. Before any person shall engage in structural pest control application he shall apply on forms supplied by the commissioner for a registration or license to engage in such activities. The commissioner shall determine from the application and the statements contained therein if such applicant is qualified to be registered or to receive a license. The commissioner shall require the applicant to pass a written or an oral examination, or both, and may also require a practical demonstration regarding structural pest control. The examination procedure, including all the phases and contents of the examination, shall be established by the commissioner.

(b) A registration or license is effective until January 1 next following the date of its issuance, and may be renewed annually on or before that date. Registrations or licenses are not transferable to any other person.

(c) An annual fee of \$15 must accompany an application for registration or renewal where the applicant is licensed by a political subdivision or municipality to engage in structural pest control or \$75 if the applicant is not so licensed. Employees of a person who is registered or licensed under this subdivision shall pay a fee of \$10 for an initial license or registration and a fee of \$6 for each renewal thereof. The commissioner may establish other requirements for renewal as are necessary to assure competence of registrants or licensees.

(d) In case a delinquency in the payment of the license or registration renewal fee extends beyond three months the licensee or registrant will be required to obtain a new license or registration subject to all the requirements, procedures and fees required for an initial license or registration.

(e) The commissioner shall establish categories of master, journeyman, and apprentice in structural pest control applications. No person shall engage in structural pest control applications as a sole proprietorship, company, partnership, or corporation unless he is licensed or registered as a master in structural pest control applications or unless he employs a person so licensed or registered.

(f) The commissioner shall notify each licensee or registrant by mail that his fee is due and payable and if not received before the expiration date of the registration or license 50 percent will be added to the required annual renewal fee or fees.

*Subd. 4. [NONCOMMERCIAL APPLICATOR.] (a) No noncommercial applicator may use a restricted use pesticide or supervise the use of a restricted use pesticide without having a valid noncommercial applicator license issued by the commissioner for use categories or subcategories for which the pesticide application is made.*

*(b) License applications shall be made upon forms and in the manner, which may include an examination, as the commissioner may prescribe to determine if the applicant is qualified.*

*(c) The commissioner may renew a license subject to re-examination or other requirements designed to ensure that the applicator continues to understand changing technology and to assure a continuing level of competence and ability to use pesticides safely and properly.*

*(d) Each application for a license shall require payment of an annual fee of \$10 and an identification card fee of \$7.50 for the applicant and \$7.50 for each additional identification card desired. Governmental agencies shall be exempt from the fee. The license shall be renewed annually prior to January upon payment of applicable fees and compliance with any other requirement.*

*(e) If an application for renewal of license is not filed prior to March 1, in any year, an additional fee of \$5 shall be paid by the applicant before the renewal license may be issued.*

**Sec. 7. [CLASSIFICATION OF LICENSES; STANDARDS.]** *The commissioner may classify or subclassify certifications or licenses as necessary for the administration and enforcement of sections 1 to 25. Such classifications may include, but not be limited to, pest control operators, ornamental, agricultural, or right-of-way pesticide applicators. Separate subclassifications may be specified as to ground, aerial, or manual methods to apply pesticides or to the use of pesticides to control insects, plant diseases, rodents, or weeds. Each classification shall be subject to separate testing procedures and requirements. No person shall be required to pay a fee for any classification or subclassification certificate or license if he has paid the fee for the license under which the particular classification or subclassification is placed.*

**Sec. 8. [RECORDS, REPORTS.] Subdivision 1. [LICENSED RESTRICTED USE PESTICIDE DEALER.]** *In addition to other requirements, all persons licensed to sell restricted use pesticides shall maintain records as required by the commissioner. Records shall be submitted periodically and at least once annually but in no case later than 30 days following the end of the license year. Records shall be upon forms supplied by the commissioner. All records required under this section shall be*

kept and made available for inspection upon request by the commissioner, his agents, or officials of an approved agency for a period of two years from the date of sale.

Subd. 2. [LICENSED COMMERCIAL APPLICATOR.] Each licensed commercial applicator, or his authorized agent, shall keep and maintain a record of land treated. Such a record shall include, but not be limited to, the following: date of treatment; material and dosage used; number of units treated; name and address of customer; name of applicator; and signature of operator. Invoices containing the required information may constitute the required record. A copy of his record shall be given to a consumer. Records shall be kept and be available upon request of the commissioner or his agents or officials of an approved agency for a period of two years from the date of treatment.

Subd. 3. [LICENSED OR REGISTERED STRUCTURAL PEST CONTROL APPLICATOR.] Each registered or licensed person engaged in structural pest control applications shall maintain records of all structural pest control applications conducted by him or by his employees. The records shall include but not be limited to: the date of treatment; name of chemical used; temperature and exposure time if fumigating; method of application; name and address of customer; and any other information as may be required by the commissioner. Records shall be retained for two years.

Subd. 4. [INSPECTION OF RECORDS.] The commissioner shall have access to the records required to be kept by this section at any reasonable time and to make copies of the records. Unless required for the enforcement of sections 1 to 25, such information shall be confidential and if summarized shall not identify an individual person.

Subd. 5. [REPORTS.] Licensed commercial applicators, licensed or registered structural pest control applicators, and licensed noncommercial applicators shall report to the commissioner the use of all restricted use pesticides at least once annually but in no case later than 30 days following the end of the licensed year. Such reports shall be upon forms provided by the commissioner.

Subd. 6. [EPA.] The commissioner is authorized to make reports to the EPA as it may require.

Sec. 9. [PRIVATE APPLICATORS.] Subdivision 1. No private applicator shall use or supervise the use of any restricted use pesticide without first complying with the certification requirements determined by the commissioner as necessary to prevent unreasonable adverse effects on the environment by the proposed restricted pesticide.

*Subd. 2. A private applicator shall be deemed competent to use restricted use pesticides when he attests that he: has read and understands the label; will use the pesticide according to the label directions; and is competent to use the pesticide properly.*

*Subd. 3. The commissioner may through cooperation with various government agencies provide training to ensure that certified private applicators continue to understand changing technology and to ensure a continuing level of competency and ability to use pesticides properly and safely.*

**Sec. 10. [CLAIM OF DAMAGE; INSPECTION; REPORT.]** *Subdivision 1. A person claiming damage from the application of a pesticide may file with the commissioner a written statement containing his name and address, the name of the person for whom the application was done, the name of the applicator, the date of the application, the date of the damage, a description of the damage, a request that the commissioner inspect the damage, and such other information as the commissioner may require.*

*Subd. 2. If the statement is filed within 30 days after the pesticide was applied or the damage occurred, or, if the alleged damage is to agricultural crops, prior to the time that 25 percent of the damaged crops have been harvested, whichever is the latest, the commissioner shall inspect the damage to see whether any provisions of sections 1 to 25 have been violated.*

*Subd. 3. The commissioner shall make a report of his findings and take such further action as he deems necessary. A copy of the report shall be available to any claimant or applicator, or their agents, upon written request.*

**Sec. 11. [STORAGE, HANDLING, DISPOSAL OF PESTICIDES AND CONTAINERS.]** *Subdivision 1. No person shall store any pesticide or pesticide container in a manner which is likely to endanger humans, damage agricultural products, damage food and livestock, damage wildlife, damage beneficial insects or pollute the environment.*

*Subd. 2. All pesticides and their containers shall be disposed of in accordance with law except when returned to the original manufacturer or distributor, or their agents for resale, reformulation, or disposal.*

**Sec. 12. [INSPECTION, ENFORCEMENT, JUDICIAL ACTION.]** *Subdivision 1. [INSPECTION.] (a) The commissioner, and his agents, shall have access at reasonable times to all places where a person manufactures, formulates, distributes, uses, disposes of, stores or transports any pesticide or device and to all places affected by the use of any pesticide or device. The*

purposes for which entry to such places may be made shall include, but are not limited to:

(1) *Inspect any equipment for the manufacture, formulation, distribution, disposal or application of pesticides and the premises on which such equipment is stored;*

(2) *Inspect or sample lands actually or reported to be exposed to pesticides;*

(3) *Inspect storage or disposal areas;*

(4) *Inspect or investigate complaints of injury to humans, wildlife, domesticated animals, or land;*

(5) *Sample pesticides being applied or to be applied; or*

(6) *Observe the use and application of a pesticide.*

(b) *Prior to leaving the premises inspected the commissioner shall give the owner, operator, or agent in charge, a receipt describing any samples obtained. If an analysis is made of the samples, a copy of the results of such analysis shall be furnished to the owner, operator, or agent in charge.*

*Subd. 2. [ENFORCEMENT.] (a) When the commissioner has reasonable cause to believe a pesticide or device is being distributed, stored, transported or used in violation of sections 1 to 25, or of any rules thereunder, he may issue and serve a written stop sale, use, or removal order upon the owner or custodian of any such pesticide or device. If the owner or custodian is not available for service of the order, the commissioner may attach the order to the pesticide or device and notify the owner or custodian and the registrant. The pesticide or device shall not be sold, used, or removed until the violation has been corrected and the pesticide or device has been released in writing under conditions specified by the commissioner, or until the violation has been otherwise disposed of by a court.*

(b) *If the commissioner is denied access to any land, he may apply to a court of competent jurisdiction for a search warrant authorizing access to the land. The court may, upon such application, issue the search warrant for the purpose requested upon a showing that probable cause exists that a violation of sections 1 to 25 is occurring or has occurred upon such land.*

*Subd. 3. [JUDICIAL ACTION.] (a) The commissioner is charged with the duty of enforcing sections 1 to 25 and any rules thereunder. In the event a county attorney refuses to act on behalf of the commissioner the attorney general may so act.*

(b) *The commissioner may bring an action to enjoin a violation or threatened violation of sections 1 to 25 or any rule thereunder in a court of competent jurisdiction of the county in which such violation occurs or is about to occur.*

(c) *The commissioner when he believes that the public interest will be served best by so doing may seek to remedy minor violations by a suitable notice of warning in writing.*

(d) *The commissioner, after notice and hearing, may revoke, suspend or refuse to renew a registration, license, or certificate when a person is in violation of sections 1 to 25 or rules thereunder.*

Sec. 13. [SUBPOENAS.] *The commissioner may issue subpoenas to compel the attendance of witnesses or production of books, documents and records in any hearing affecting the authority or privilege granted by a license, registration, certification, or permit issued under sections 1 to 25.*

Sec. 14. [COOPERATIVE AGREEMENTS.] *The commissioner is authorized to enter into cooperative agreements with federal and state agencies for training, certification, and enforcement programs.*

Sec. 15. [PROTECTION OF TRADE SECRETS.] *Subdivision 1. In submitting data required by sections 1 to 25, the applicant may:*

(a) *Clearly mark any portions thereof which in his opinion are trade secrets, commercial, or financial information; and*

(b) *Submit such marked material separately from other material.*

*Subd. 2. The commissioner shall not make any information public which in his judgment contains or relates to trade secrets or to commercial or financial information and obtained from a person who marked it privileged or confidential. When necessary, information relating to formulas of products may be revealed to any state or federal agency consulted and may be revealed at a public hearing or in findings of facts issued by the commissioner.*

*Subd. 3. If the commissioner proposes to release information which the applicant or registrant believes to be protected from disclosure under subdivision 2 he shall notify the applicant or registrant by certified mail. The commissioner shall not make the information available for inspection until 30 days after receipt of the notice by the applicant or registrant. During this period the applicant or registrant may institute an action in an appropriate court for a declaratory judgment as to whether such information is subject to protection under subdivision 2.*

**Sec. 16. [FINANCIAL RESPONSIBILITY.]** *Subdivision 1. Prior to issuance or renewal of a commercial applicator license or structural pest control applicator registration or license, the applicant shall furnish proof of financial responsibility by means of a performance bond or insurance covering the applicant's pest control activities in an amount determined by the commissioner. Such bond or insurance shall cover a period of time at least equal to the term of the applicant's license or registration. The commissioner shall immediately suspend the license of anyone failing to maintain the required bond or insurance. The performance bond or insurance policy shall contain a provision requiring the insurance or bonding company to notify the commissioner ten days prior to the effective date of cancellation, termination or any other change of the bond or insurance. In the event of any recovery against the bond or insurance, additional coverage shall be secured so as to maintain financial responsibility equal to the original amount required.*

*Subd. 2. An employee of a registered or licensed person need not maintain an insurance policy or bond during the time when his employer is maintaining the required insurance or bond.*

*Subd. 3. Applications for reinstatement of a registration or license suspended under the provisions of this section shall be accompanied by proof of satisfaction of judgments previously rendered.*

**Sec. 17. [INCIDENTS.]** *The commissioner is authorized to apply appropriate and efficient procedures to contain and control pesticides involved in an emergency, which is an incident likely to cause adverse effects on the environment. For purposes of this section an incident includes a flood, fire, tornado, or motor vehicle accident, which unintentionally releases pesticides on the environment. Persons involved in or responsible for an incident shall report the incident to the commissioner immediately on discovering the incident. The department of agriculture shall be the lead government agency for decisions involving the emergency.*

**Sec. 18. [AGENT FOR SERVICE OF PURPOSE.]** *All nonresident commercial and structural pest control applicator licensees licensed as individuals shall appoint the commissioner as the agent upon whom all legal process may be served and service upon the commissioner shall be deemed to be service on the licensee.*

**Sec. 19. [DELEGATION OF DUTIES.]** *The functions vested in the commissioner by sections 1 to 25 may be delegated by him to such employees or agents of the department as he may from time to time designate.*

**Sec. 20. [RECIPROCAL AGREEMENT.]** *The commissioner may waive all or part of the examination requirements*

provided for in sections 1 to 25 on a reciprocal basis with any other jurisdiction which has substantially the same requirements. Licenses or certificates issued pursuant to this section may be suspended or revoked upon suspension or revocation of the license or certificate of another jurisdiction supporting the issuance of a Minnesota license or certificate and in the same manner as other licenses and certificates.

Sec. 21. [DISPOSITION OF FUNDS.] All moneys received by the commissioner under the provisions of sections 1 to 25 shall be deposited in the state treasury to the credit of the general fund.

Sec. 22. [UNSATISFIED JUDGMENTS.] No applicant for commercial or structural pest control applicator license nor any commercial or structural pest control applicator licensee shall permit any final judgment against him for damages arising out of his carrying on pesticide application operations for hire to remain unsatisfied for a period of more than 30 days. The commissioner shall suspend the registration or license of any person for failure to satisfy within 30 days a final judgment resulting from pest control activities.

Sec. 23. [ADOPTION OF RULES.] Subdivision 1. The commissioner is authorized to adopt rules necessary for the enforcement of sections 1 to 25 including, but not limited to, the following:

(a) The declaration of any form of plant or animal life which is injurious to health or the environment as a pest, other than man and other than bacteria viruses and other micro-organisms on or in living man or other living animals.

(b) The collection, examination and reporting of samples of pesticides.

(c) The safe handling, transportation, storage, display, distribution, and disposal of pesticides and their containers.

(d) The labeling requirements of all pesticides required to be registered under sections 3 and 4.

(e) The prescription of methods to be used in the application of pesticides, including the designation of a pesticide as a restricted use pesticide where the commissioner finds that it is necessary to protect the environment and to carry out the purpose and intent of sections 1 to 25.

(f) The requirement that any pesticides registered be colored or discolored if it is determined that such requirement is feasible and is necessary for the protection of the environment.

(g) *The establishment of standards for packages and wrappings of pesticides registered for special local needs.*

(h) *The determination of state restricted use pesticides for the state or for designated areas within the state for the purpose of uniformity and in order to enter into cooperative agreements.*

(i) *The amount of performance bond or liability insurance required pursuant to section 16.*

*Subd. 2. Rules adopted pursuant to sections 1 to 25 shall not permit any pesticide use which is prohibited by FIFRA and regulations or orders issued thereunder.*

*Subd. 3. Rules adopted pursuant to sections 1 to 25 and relating to certified applicators of restricted use pesticides, special local needs registrations, and experimental use permits shall not be inconsistent with the requirements of FIFRA and regulations promulgated thereunder.*

**Sec. 24. [PRIOR LIABILITY.]** *Sections 1 to 25 shall not terminate or in any way modify any civil or criminal liability for an act of commission or omission occurring prior to January 1, 1977.*

**Sec. 25. [PENALTIES.]** *Subdivision 1. Any person violating sections 1 to 25 or rules thereunder is guilty of a misdemeanor for the first violation and a gross misdemeanor for any subsequent violation.*

*Subd. 2. If there was no probable cause for an administrative action, including the issuance of a stop sale, use, or removal order, a court may allow recovery for damages caused by the administrative action.*

**Sec. 26.** *Minnesota Statutes 1974, Section 21.47, Subdivision 8, is amended to read:*

**Subd. 8. [PROHIBITED WEED SEEDS.]** *“Prohibited weed seeds” are those weed seeds which are prohibited from being present in any agricultural seed. They are the seeds of perennial weeds such as not only reproduce by seed, but also spread by underground reproductive parts such as roots and rootstocks, and above ground reproductive parts such as runners and stolons. The prohibited weed seeds are seeds of Canada thistle (*Cirsium arvense* Scop.), field bindweed (*Convolvulus arvensis* L.), leafy spurge (*Euphorbia esula* L.), perennial pepper grass (*Lepidium draba* L.), perennial sow thistle (*Sonchus arvensis* L.), and Russian knapweed (*Centaurea repens* L.) (AND QUACK GRASS (*AGROPYRON REPENS* L.)), which are highly destructive and difficult to control in this state by ordinary cultural practices.*

Sec. 27. Minnesota Statutes 1974, Section 21.47, Subdivision 9, is amended to read:

Subd. 9. [RESTRICTED WEED SEEDS.] "Restricted weed seeds" are those weed seeds which, if present in agricultural seed, shall be named on the label together with the number per ounce or pound of seed specified and which shall not exceed the legal limit. They are seeds of such weeds as are objectionable in fields, lawns and gardens of this state, and can be controlled by good cultural practice and use of herbicides. Restricted weed seeds are seeds of buckhorn plantain (*Plantago lanceolata* L.), dodder (*Cuscuta* spp.), Frenchweed (*Thlaspi arvense* L.), hoary alyssum (*Berterea incana* DC.), horse nettle, (*Solanum carolinense* L.), quack grass (*Agropyron repens* L.), and wild mustard (*Brassica arvensis* L.).

Sec. 28. Minnesota Statutes 1974, Section 21.49, Subdivision 1, is amended to read:

21.49 [UNLAWFUL ACTS.] Subdivision 1. [AGRICULTURAL SEED, SALE.] It is unlawful for any person to sell agricultural or tree and shrub seed within this state if

(a) The test to determine the percentage of germination required by section 21.48 shall not have been completed within a nine-month period, immediately prior to such sale, exclusive of the calendar month in which the test was completed;

(b) It is not labeled in accordance with the provisions of sections 21.47 to 21.58, or contains a false or misleading label;

(c) False or misleading advertisement has been used in respect to its sale;

(d) It contains prohibited noxious-weed seeds;

(e) It contains restricted noxious-weed seeds in excess of two seeds per ounce, or 25 seeds per pound in those agricultural seeds as set out in section 21.48, subdivision 3, clause (5);

(f) It contains more than one percent by weight of all weed seeds;

(g) It is represented to be certified seed unless it has been produced, processed and labeled in compliance with the rules and regulations of an official or officially recognized seed certification agency(.);

(h) *The sale violates the provisions of the Plant Variety Protection Act (U.S. Public Law 91-577; December 24, 1970) and rules and regulations issued pursuant thereto.*

Sec. 29. [REPEALER.] *Minnesota Statutes 1974, Sections 18.031; 18.032, Subdivisions 1, 2, 3, 4, 5, 7, and 8; 18.0321; 18.0322; 18.0323; 18.0324; 18.033; 18.034; 18.035; 18.036; 18A.01; 18A.02, Subdivisions 1, 2, 4, and 5; 18A.03; 18A.04; 18A.05; 18A.06; 18A.07; 18A.08; 18A.09; 18A.10; 18A.11; 24.069; 24.071; 24.072, Subdivisions 1, 3, and 5; 24.0721; 24.073; 24.074; 24.075; 24.076; 24.077; and Minnesota Statutes, 1975 Supplement, Sections 18.032, Subdivision 6; 18A.02, Subdivision 3; and 24.072, Subdivisions 2 and 4, are repealed.*

Sec. 30. [EFFECTIVE DATE.] *Section 5, section 6, subdivision 4; and section 9 take effect January 1, 1977."*

Further amend the title:

Page 1, line 2, delete "requiring the regulation".

Page 1, delete lines 3 to 9 and insert "regulating pesticides; providing a penalty; amending Minnesota Statutes 1974, Sections 21.47, Subdivisions 8 and 9; and 21.49, Subdivision 1; repealing Minnesota Statutes 1974, Sections 18.031; 18.032, Subdivisions 1 to 5, 7, and 8; 18.0321 to 18.036; 18A.01; 18A.02, Subdivisions 1, 2, 4, and 5; 18A.03 to 18A.11; 24.069; 24.071; 24.072, Subdivisions 1, 3, and 5; 24.0721 to 24.077; Minnesota Statutes, 1975 Supplement, Sections 18.032, Subdivision 6; 18A.02, Subdivision 3; and 24.072, Subdivisions 2 and 4."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

S. F. No. 1439, A bill for an act relating to agriculture; dividing the state into four regions for purposes of the potato industry promotion act; amending Minnesota Statutes 1974, Section 30.464, Subdivision 1.

Reported the same back with the following amendments:

Page 1, delete line 16, and insert in lieu thereof "*Hubbard, Wadena, and Todd. Area*".

Page 1, line 20, reinstate the stricken language.

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

The report was adopted.

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

H. F. No. 1910, A bill for an act relating to health care; providing for establishment and administration of certain plans of health insurance to make minimum health care benefits available to all persons in the state; creating a comprehensive health care association; requiring review of hospital and insurance premium rates; providing protection against catastrophic health care expenses; appropriating money; amending Minnesota Statutes 1974, Sections 62A.02, Subdivisions 1 and 3; 62C.15, Subdivision 2; 70A.02, Subdivision 2; and 144.653, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 26, delete "*controlled*" and insert "*licensed*".

Page 2, line 22, after "*week*" insert "*by his present employer*".

Page 2, line 25, before "*individual*" insert "*self insurance,*".

Page 2, line 31, after "*policies*" insert "*or contracts*".

Page 3, line 4, after "*hospital*" insert "*, surgical*".

Page 3, line 4, delete "*costs*" and insert "*care*".

Page 3, after line 4, insert "*“Policy” does not include coverage which is limited to disability or income protection coverage.”*."

Page 3, line 22, delete "*Fund*" and insert "*State*".

Page 3, line 26, delete "*carrier*" and insert "*insurer*".

Page 3, line 27, delete "*carriers*" and insert "*insurers*".

Page 4, line 1, after "*provides*" insert "*policies of*".

Page 4, line 4, delete "*plan*" and insert "*state plan*".

Page 4, after line 8, insert a new subdivision to read:

*“Subd. 21. “Self insurer” means an employer who directly provides a plan of health coverage to his employees and administers the plan of health coverage himself or through an insurer. “Self insurance” means a plan of health coverage offered by a self-insurer.”*

Page 4, line 12, after "*meet*" insert "*or exceed*".

Page 4, line 12, delete "of section 6".

Page 4, line 19, after "of" insert "self insurance".

Page 5, line 4, after "applies" insert "and is eligible".

Page 5, line 5, after "insurance" insert "from that insurer or fraternal".

Page 5, line 12, after "each" insert "eligible".

Page 5, line 23, delete "person who applies" and insert "eligible applicant".

Page 5, line 25, after "catastrophic" insert "hospital and".

Page 5, line 29, after "catastrophic" insert "hospital and".

Page 5, line 30, delete "if" and insert "after".

Page 6, after line 9, insert a new subdivision to read:

"Subd. 6. Any insurer or fraternal which issues policies of accident and health insurance on less than 1,500 Minnesota residents may fulfill its obligations under this section by offering the required qualified plans in its own name and reinsuring up to 80 percent of the coverage through the association."

Page 6, line 23, after the period, insert "A health maintenance organization contract which has been approved by the health department shall be deemed to be certified as a high coverage qualified plan."

Page 6, line 27, delete the second "the" and insert "chapter 62A and the other".

Page 6, line 32, delete "covered expenses" and insert "cost of covered services".

Page 7, line 1, delete "\$150" and insert "\$500".

Page 7, line 29, after "Rental" insert ", or purchase as appropriate,".

Page 8, line 3, after the semicolon insert "and".

Page 8, line 4, delete "; and".

Page 8, delete line 5.

Page 8, line 6, delete "Statutes, Chapter 62A".

Page 8, line 19, after "program" insert ", other than medical assistance".

Page 8, line 26, before "charge" insert "average".

Page 8, delete line 27 and insert "for semi-private rooms, unless a private room is prescribed as medically necessary by a physician,".

Page 9, line 7, delete "100" and insert "80".

Page 9, line 9, delete "\$100" and insert "\$150".

Page 9, line 16, delete "The coverage shall".

Page 9, delete lines 17 to 19.

Page 9, line 22, after "62D" insert a comma.

Page 10, line 7, delete the period and insert a semicolon.

Page 10, line 13, after "the" insert "state plan".

Page 10, line 20, before "plan" insert "state".

Page 10, line 30, after "all" insert "self".

Page 11, line 10, delete "net" and insert "member's cost of self-insurance, or".

Page 12, line 25, delete "and".

Page 12, after line 25, insert a new clause to read:

"(g) Provide a method for those insurers and fraternal which qualify under section 4, subdivision 6, to reinsure their qualified policies; and".

Page 12, line 26, delete "(g)" and insert "(h)".

Page 13, line 12, before "premium" insert "state plan".

Page 13, line 14, delete "90" and insert "87-1/2".

Page 13, line 14, before "premium" insert "state plan".

Page 13, line 15, after "pay" insert "the commissions authorized in section 14, subdivision 3, and".

Page 13, line 16, delete "ten" and insert "12-1/2".

Page 13, line 17, delete "administration expenses" and insert "actual direct and indirect expenses, as specified in subdivision 7".

Page 13, line 18, delete "reinsure" and insert "share".

Page 13, line 19, delete "costs" and insert "losses due to claims expenses".

Page 13, line 20, before "pursuant" insert "and the costs of operation of the association".

Page 13, line 23, before "plan" insert "state".

Page 13, line 24, before "premium" insert "state plan".

Page 13, line 27, before "plan" insert "state".

Page 13, line 27, after "total" insert "cost of self insurance, or".

Page 13, line 28, after "premium" insert "or health maintenance organization contract charges".

Page 13, line 29, after "total" insert "cost of self insurance, or".

Page 13, line 30, after "premium" insert "and health maintenance organization contract charges".

Page 14, line 8, before "premiums" insert "state plan".

Page 14, line 11, before "premium" insert "state plan".

Page 14, line 12, before "plan" insert "state".

Page 14, delete line 20 and insert "contracts in those areas of the state where a health maintenance organization has been selected as a writing carrier and has agreed to make the coverage".

Page 15, line 4, delete "guaranteed".

Page 15, line 25, before "plan" insert "state".

Page 15, line 31, before "plan" insert "state".

Page 16, line 1, before "plan" insert "state".

Page 16, line 5, before "*plan*" insert "*state*".

Page 16, line 10, after "*expenses*" delete "*which do not exceed its estimated expenses when it*".

Page 16, line 11, delete "*submitted its proposal to the commission*".

Page 16, line 17, before "*plan*" insert "*state*".

Page 16, after line 31, insert a new subdivision to read:

*"Subd. 10. In performing the duties required of them as members of association, the members of the association shall be exempt from the provisions of Minnesota Statutes, Sections 325.8011 to 325.8028."*

Page 17, line 10, delete "*level*" and insert "*type*".

Page 17, line 13, before "*plan*" insert "*state*".

Page 17, line 25, after the period insert "*No person shall purchase more than one qualified plan from the state plan.*".

Page 17, line 28, before "*plan*" insert "*state*".

Page 17, line 29, after "*for*" insert "*state plan*".

Page 17, line 31, before the period insert "*in relation to the benefits provided and the risks assumed. The premium level established shall be designed to make the state plan self-supporting*".

Page 17, line 32, delete "*apply for individual risks and group risks*" and insert "*be established*".

Page 18, line 12, delete "*shall*" and insert "*may*".

Page 18, line 19, before "*plan*" insert "*state*".

Page 18, line 22, before "*plans*" insert "*state*".

Page 18, line 22, after "*of qualified*" insert "*state*".

Page 18, line 25, before "*plan*" insert "*state*".

Page 18, line 26, after "*Every*" insert "*program of self insurance,*".

Page 19, line 3, delete "*Policies*" and insert "*Plans of health coverage*".

Page 19, line 11, after "shall" insert "also".

Page 19, line 19, delete "for employees, shall include in the".

Page 19, delete lines 20 to 32.

Page 20, delete lines 1 to 32.

Page 21, delete lines 1 to 32.

Page 22, delete lines 1 to 32.

Page 23, delete lines 1 to 32.

Page 24, delete line 1, and insert:

*"to employees, whether (i) purchased from an insurer or a health maintenance organization, or (ii) provided on a self-insured basis, shall, upon the next renewal of the health benefits plan contract, offer his employees a dual option to obtain health benefits through either an accident and health insurance policy or a health maintenance organization contract if one is available.*

*Subd. 2. An employer may make the dual offers through an insurer, a health maintenance organization or on a self-insured basis. If an offer is made on a self-insured basis, the accident and health insurance type of coverage or health maintenance organization type of coverage shall meet the requirements of the laws of this state but need not be approved by the commissioner or the board of health.*

*Subd. 3. No insurer which is also certified as a health maintenance organization shall submit a bid to an employer for providing the dual option required by this section which combines the bids for the accident and health insurance policy and the health maintenance organization contract in one bid or a single price package.*

*Subd. 4. The board of health, in consultation with the commissioner, shall adopt rules to implement the provisions of this section.*

Sec. 17. Minnesota Statutes 1974, Section 60A.15, Subdivision 1, is amended to read:

60A.15 [TAXATION OF INSURANCE COMPANIES.]  
Subdivision 1. [DOMESTIC AND FOREIGN COMPANIES  
OTHER THAN TOWN AND FARMERS' MUTUAL AND  
DOMESTIC MUTUALS OTHER THAN LIFE.] On or before

April 15, June 15, September 15 and December 15 of each year following December 31, 1971, every domestic and foreign company, except town and farmers' mutual insurance companies and domestic mutual insurance companies other than life, shall pay to the state treasurer through the commissioner of insurance quarterly installments of the insurer's total estimated tax for the current year based on a sum equal to two percent of the gross premiums less return premiums on all direct business received by it in this state, or by its agents for it, in cash or otherwise, during such year, excepting premiums written for marine insurance as specified in subdivision 6. If unpaid by such dates penalties of ten percent shall accrue thereon, and thereafter such sum and penalties shall draw interest at the rate of one percent per month until paid. Failure of a company to make quarterly payments of at least one fourth of either (a) the total tax paid during the previous calendar year or (b) 80 percent of the actual tax for the current calendar year shall subject the company to the penalty and interest provided in this subdivision. *The provisions of this subdivision shall also apply to every service plan corporation as defined in Minnesota Statutes, Section 62C.02, Subdivision 6, and to every self insurer as defined in subdivision 21 of section 2 of this article. For a self insurer the tax shall be based on the total cost of benefits provided and administrative expenses of the program of self insurance.*

Page 24, delete lines 16 to 21 and renumber subsequent subdivisions in sequence.

Page 24, line 22, delete "health" and insert "acute".

Page 25, delete lines 27 to 32.

Page 26, delete lines 1 to 27.

Page 27, line 1, delete "and".

Page 27, after line 1, insert a new clause to read: "(c) A copy of the annual cost report and all exhibits and schedules related to it which are required to be filed pursuant to Title XVIII of the United States Social Security Act; and".

Page 27, line 2, delete "(c)" and insert "(d)".

Page 28, line 19, before "In" insert "Subd. 2.".

Page 28, line 22, delete "rates" and insert "schedule of expenses and revenues".

Page 28, line 23, before "In" insert "Subd. 3.".

Page 28, delete lines 29 to 32.

Page 29, delete lines 1 and 2.

Page 29, line 3, delete "depreciation expenses." and insert "Subd. 4."

Page 29, line 9, delete "feels" and insert "determines".

Page 31, line 7, delete "feels" and insert "determines".

Page 32, line 7, strike "after December 31, 1970,".

Page 32, line 13, strike "Laws 1971, Chapter 568" and insert "Minnesota Statutes, Chapter 62C".

Page 32, line 23, delete "feels" and insert "determines".

Page 34, line 6, delete "or" and insert "and".

Page 35, line 9, before "If" insert "To the extent feasible, the commissioner shall contract with a review organization as defined in Minnesota Statutes, Section 145.61, or the department of public welfare in making any determinations as to whether or not a charge is excessive. To the extent feasible, the commissioner shall contract with a review organization as defined in Minnesota Statutes, Section 145.61, in making any determination as to whether or not a service was medically necessary."

Renumber the sections accordingly.

Further amend the title as follows: Line 10, after "Sections" insert "60A.15, Subdivision 1,".

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

The report was adopted.

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

H. F. No. 2005, A bill for an act relating to veterans affairs; changing the membership of the board of governors of the Big Island Veterans Camp; specifying persons eligible for benefits; providing duties of the board of governors; amending Minnesota Statutes 1974, Sections 197.14, 197.15 and 197.17.

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

S. F. No. 370, A bill for an act relating to solemnization of marriage; authorizing solemnization of marriage among Native Americans by Indian holy men; amending Minnesota Statutes 1974, Section 517.18.

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

S. F. No. 840, A bill for an act relating to the department of human rights; creating a private right of action to enforce the provisions of the human rights act in certain cases; amending Minnesota Statutes 1974, Section 363.06, Subdivision 1; and Chapter 363, by adding a section.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. Minnesota Statutes 1974, Section 363.06, Subdivision 1, is amended to read:

363.06 [GRIEVANCES.] Subdivision 1. [CHARGE FILING.] Any person aggrieved by a violation of this chapter may *elect one of two procedures. He may file a verified charge with the commissioner or his designated agent, stating the name and address of the person alleged to have committed an unfair discriminatory practice, setting out the details of the practice complained of and any other information required by the commissioner. The commissioner within five days of such filing shall serve a copy of the charge upon the respondent personally or by registered or certified mail. In the alternative, the aggrieved person may follow the procedure established by section 4 of this act for a private action. Periodically after the filing of a charge but at intervals of no more than 60 days, until the charge is no longer in the jurisdiction of the department the commissioner shall in writing inform the charging party of the status of his charge. A copy of the periodic notice shall be mailed to the respondent.*

Sec. 2. Minnesota Statutes 1974, Section 363.06, Subdivision 4, is amended to read:

Subd. 4. [INQUIRY INTO CHARGE.] When a charge has been filed, the commissioner shall promptly inquire into the truth of the allegations of the charge (AND). *The commissioner shall make an immediate inquiry when necessary to prevent a charging party from suffering irreparable loss in the absence of immediate action. On each charge the commissioner shall make a determination as to whether or not there is probable cause to credit the allegation of unfair discriminatory practices, and*

(1) If the commissioner shall determine after investigation that no probable cause exists to credit the allegations of the unfair discriminatory practice, the commissioner shall, within ten days of such determination, serve upon the charging party and respondent written notice of such determination. (THIS SHALL BE A FINAL DECISION OF THE DEPARTMENT UNLESS AN APPEAL IS TAKEN AS HEREINAFTER PROVIDED IN SUBDIVISION 7.) *Within ten days after receipt of this notice, the charging party may request in writing on forms prepared by the department that the commissioner reconsider his determination. The request shall contain a brief statement of the reasons for and any new evidence in support of the request for reconsideration. At the time of submission of the request to the commissioner, the charging party shall deliver or mail to the respondent a copy of the request for reconsideration. The commissioner shall either reaffirm or reverse his determination of no probable cause within 20 days after receipt of the request for reconsideration, and he shall within ten days thereafter notify in writing the charging party and respondent of his decision to reaffirm or reverse. A decision by the commissioner that no probable cause exists to credit the allegations of an unfair discriminatory practice shall not be appealed to district court pursuant to section 363.072 or section 15.0424.*

(2) If the commissioner shall determine after investigation that probable cause exists to credit the allegations of unfair discriminatory practices, the commissioner shall issue a complaint and serve on the respondent, by registered or certified mail, a written notice of hearing together with a copy of the complaint, requiring the respondent to answer the allegations of the complaint at a hearing before a hearing examiner (OR PANEL) at a time and place specified in the notice, not less than ten days after service of said complaint. A copy of the notice shall be furnished to the charging party, the attorney general, and the chairman of the board.

(3) At any time after the commissioner has determined that there is probable cause to believe that a respondent has engaged in an unfair discriminatory practice the commissioner may file a petition in the district court in a county in which the subject of the complaint occurs, or in a county in which a respondent resides or transacts business, seeking appropriate temporary relief against the respondent, pending final determination of proceedings under this chapter, including an order or decree restraining

him from doing or procuring any act tending to render ineffectual any order the commissioner may enter with respect to the complaint. The court shall have power to grant such temporary relief or restraining order as it deems just and proper, but no such relief or order extending beyond ten days shall be granted except by consent of the respondent or after hearing upon notice to the respondent and a finding by the court that there is reasonable cause to believe that the respondent has engaged in a discriminatory practice. The Minnesota rules of civil procedure shall apply to such application, and the district court shall have authority to grant or deny such relief sought on such conditions as it deems just and equitable. All hearings under this section shall be given precedence as nearly as practicable over all other pending civil actions.

(4) If any lessor, after he has engaged in a discriminatory practice defined in section 363.03, subdivision 2, clause (1), (a), shall lease or rent such dwelling unit to a person who has no knowledge of such practice or of the existence of any charge with respect thereto, such lessor shall be liable for actual damages sustained by such person by reason of any final order hereunder requiring such person to be evicted from such dwelling unit.

Sec. 3. Minnesota Statutes 1974, Section 363.071, is amended to read:

363.071 [HEARINGS.] Subdivision 1. [CONDUCT OF HEARINGS.] The commissioner shall appoint (FROM THE BOARD A THREE MAN HEARING PANEL, AT LEAST ONE OF WHOM SHALL BE A LAWYER, OR) an examiner to hear the complaint. The hearing shall be conducted at a place designated by the commissioner, within the county where the unfair discriminatory practice occurred or where the respondent resides or has his principal place of business. The hearing shall be conducted in accordance with Minnesota Statutes 1965, Sections 15.0418, 15.0419, 15.0421, 15.0422, and is subject to appeal in accordance with section 15.0424.

Subd. 2. [DETERMINATION OF DISCRIMINATORY PRACTICE.] If the (PANEL OR) examiner finds that the respondent has engaged in an unfair discriminatory practice, the (PANEL OR) examiner shall make findings of fact and conclusions of law, and shall issue an order directing the respondent to cease and desist from the unfair discriminatory practice found to exist and to take such affirmative action as in the judgment of the (PANEL OR) examiner will effectuate the purposes of this chapter. Such order shall be a final decision of the department. In all cases the (PANEL OR) examiner may order the respondent to pay an aggrieved party, who has suffered discrimination, compensatory damages, except damages for mental anguish or suffering, and, in all cases, may also order the respondent to pay an aggrieved party, who has suffered discrimi-

nation, punitive damages in an amount not less than \$25 nor more than \$500. *The prevailing party may be awarded, in addition to damages and other remedies as provided, his reasonable costs and disbursements, including reasonable attorney's fees.* In addition to the aforesaid remedies, in a case involving discrimination in

(a) employment, the (PANEL OR) examiner may order the hiring, reinstatement or upgrading of an aggrieved party, who has suffered discrimination, with or without back pay, admission or restoration to membership in a labor organization, or his admission to or participation in an apprenticeship training program, on-the-job-training program, or other retraining program or any other relief the (PANEL OR) examiner deems just and equitable.

(b) housing, the (PANEL OR) examiner may order the sale, lease or rental of the housing accommodation or other real property to an aggrieved party, who has suffered discrimination, or the sale, lease or rental of a like accommodation or other real property owned by or under the control of the person against whom the complaint was filed, according to terms as listed with a real estate broker, or if no such listing has been made, as otherwise advertised or offered by the vendor or lessor, or any other relief the (PANEL OR) examiner deems just and equitable.

The (PANEL OR) examiner shall cause the findings of fact, conclusions of law, and order to be served on the respondent personally, the charging party by registered or certified mail, and shall furnish copies to the attorney general and the commissioner.

Subd. 3. [DISMISSAL OF HEARING.] If the (PANEL OR) examiner makes findings of fact, conclusions of law, and an order in favor of the respondent, such order shall be a final decision of the department.

Subd. 4. [RESPONDENTS SUBJECT TO STATE LICENSING OR REGULATORY POWER.] In the case of a respondent which is subject to the licensing or regulatory power of the state or any political subdivision or agency thereof, if the (PANEL OR) hearing examiner determines that the respondent has engaged in a discriminatory practice, and if the respondent does not cease to engage in such discriminatory practice, the commissioner may so certify to the licensing or regulatory agency. Unless such determination of discriminatory practice is reversed in the course of judicial review, a final determination is binding on the licensing or regulatory agency. Such agency may take appropriate administrative action, including suspension or revocation of the respondent's license or certificate of public convenience and necessity, if such agency is otherwise authorized to take such action.

Subd. 5. [PUBLIC CONTRACTS.] In the case of a respondent which is a party to a public contract, if the (PANEL OR) hearing examiner determines that the respondent has engaged in a discriminatory practice, the commissioner may so certify to the contract letting agency. Unless such finding of a discriminatory practice is reversed in the course of judicial review, a final determination is binding on the contract letting agency and such agency may take appropriate administrative action, including the imposition of financial penalties or termination of the contract, in whole or in part, if such agency is otherwise authorized to take such action.

Subd. 6. [SUBPOENAS.] *After the issuance of a complaint pursuant to section 363.06, subdivision 4, a charging party or a respondent may request that the hearing examiner issue subpoenas requiring the presence of witnesses or the production for examination of books or papers not privileged and relevant to any matter in question at the hearing.*

Sec. 4. Minnesota Statutes 1974, Section 363.14, Subdivision 1, is amended to read:

363.14 [COURT ACTIONS, SUITS BY PRIVATE PARTIES, INTERVENTION, DISTRICT COURT JURISDICTION, ATTORNEY'S FEES, AND COSTS.] Subdivision 1. [COURT ACTIONS, SUITS BY PRIVATE PARTIES, INTERVENTION.] (IF, AFTER A CHARGE HAS BEEN FILED WITH THE DEPARTMENT, THE COMMISSIONER FINDS PURSUANT TO SECTION 363.06, SUBDIVISION 4, NO PROBABLE CAUSE TO CREDIT THE ALLEGATIONS CONTAINED THEREIN OR IF WITHIN 90 DAYS FROM THE FILING OF A CHARGE, THE COMMISSIONER HAS NOT ISSUED A COMPLAINT PURSUANT TO SECTION 363.06 OR THE DEPARTMENT HAS NOT ENTERED INTO A CONCILIATION AGREEMENT TO WHICH THE CHARGING PARTY IS A PARTY, HE SHALL SO NOTIFY THE CHARGING PARTY AND WITHIN 90 DAYS AFTER THE GIVING OF SUCH NOTICE A CIVIL ACTION MAY BE BROUGHT BY THE CHARGING PARTY AGAINST THE RESPONDENT NAMED IN THE CHARGE.) *A person may bring a civil action seeking redress for an unfair discriminatory practice at the following times:*

(a) *Within one year of the unfair discriminatory practice when the aggrieved person commences a private action in lieu of filing a charge with the commissioner, or after withdrawal of the complaint from the department of human rights. No person shall withdraw a complaint filed with the department of human rights after a finding of probable cause except as herein-after provided in this subdivision;*

(b) *Within 90 days after the commissioner has determined that there is no probable cause to credit the allegations contained*

*in a charge filed with the commissioner, or, if the charging party requested a reconsideration, within 90 days after the commissioner has reaffirmed his determination of no probable cause;*

*(c) Within 180 days after the filing of a charge with the commissioner if within 90 days after the filing of a charge the commissioner had not issued a complaint pursuant to section 363.06 or the department had not entered into a conciliation agreement to which the charging party was a party; or*

*(d) After the commissioner has determined that probable cause exists if the commissioner has not scheduled a hearing to occur within 90 days after the determination of probable cause.*

*A charging party bringing a civil action shall mail by registered or certified mail a copy of the summons and complaint to the commissioner, and upon his receipt thereof the commissioner shall cause all proceedings in the department relating to the charge to terminate. No charge shall be filed or reinstated with the commissioner after a civil action relating to the same unfair discriminatory practice has been brought unless the civil action has been dismissed without prejudice.*

Upon application by the complaining party to the district court at a special term thereof and in such circumstances as the court may deem just, the court may appoint an attorney for such person and may authorize the commencement of the action without payment of fees, costs, or security.

Upon timely application, the court may, in its discretion, permit the department to intervene in a civil action brought pursuant to this section upon certification that the case is of general public importance.

Upon request, the court may, in its discretion, stay further proceedings for not more than 60 days pending further efforts of the department to obtain voluntary compliance.”.

Further amend the title as follows:

Line 5, after “cases;” insert “changing certain other enforcement procedures;”.

Line 5, delete “Section” and insert “Sections”.

Line 6, delete “Subdivision” and insert “Subdivisions”.

Line 6, after “1” insert “and 4”.

Line 6, after the semicolon insert “363.071; and 363.14, Subdivision 1”.

Line 6, delete "and Chapter 363, by adding".

Line 7, delete "a section".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

S. F. No. 1501, A bill for an act relating to game and fish; regulating entry on agricultural lands for taking big game; providing a penalty; amending Minnesota Statutes 1974, Section 100.273.

Reported the same back with the following amendments:

Page 1, line 11, after "taking" strike the remainder of the line.

Page 1, line 12, strike "grouse, woodcocks," and "snowshoe rabbits".

Page 1, line 12, delete the new comma and insert "*small game*".

Further amend the title:

Line 3, after "taking" insert "small or".

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 2216, 903 and 2005 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 1439, 370, 840 and 1501 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Searle and Savelkoul introduced:

H. F. No. 2253, A bill for an act relating to Freeborn county; appropriating money for lake restoration and improvements.

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

Johnson, D.; Prahl; Begich; Fugina and Smith introduced:

H. F. No. 2254, A bill for an act appropriating money to the commissioner of natural resources for mineland reclamation purposes.

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

Nelson, Ketola, Byrne, Ulland and Moe introduced:

H. F. No. 2255, bill for an act relating to juveniles; providing limitations on procedures for juvenile detention; providing definitions; setting standards; amending Minnesota Statutes 1974, Sections 260.015, by adding subdivisions; 260.101; 260.171, Subdivisions 1, 2, and by adding subdivisions; 641.14; and Chapter 260, by adding sections; repealing Minnesota Statutes 1974, Sections 260.171, Subdivision 3; and 260.175.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Nelson, Clark, Novak, Esau and Johnson C., introduced:

H. F. No. 2256, A bill for an act relating to the juvenile court; requiring the prosecution of adults charged with contributing to the delinquency of a child; amending Minnesota Statutes 1974, Section 260.255, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Nelson, Moe, Kaley, Skoglund and Dieterich introduced:

H. F. No. 2257, A bill for an act relating to juvenile courts; requiring written findings of fact for all dispositions of delinquent, dependent, and neglected children; amending Minnesota Statutes 1974, Sections 260.185, Subdivision 1; and 260.191, Subdivision 1.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Nelson, Kaley, Doty, Haugerud and Ketola introduced:

H. F. No. 2258, A bill for an act relating to the juvenile court; authorizing the court to order a child's family to receive appropriate social services under certain circumstances; amending Minnesota Statutes 1974, Section 260.185, Subdivision 1.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Adams, S.; Knoll; Laidig; Johnson, C.; and Jaros introduced:

H. F. No. 2259, A bill for an act relating to crimes; defining certain crimes; providing for sentences; providing conditions for parole and diminution of sentences; amending Minnesota Statutes 1974, Sections 242.27; 243.05; 243.18; 609.02, Subdivisions 2 and 3; 609.03; 609.055; 609.08; 609.10; 609.12, Subdivisions 1 and 3; 609.125; 609.15, Subdivision 2; 609.155; 609.165, Subdivision 2; 609.17, Subdivision 4; 609.175, Subdivision 2; 609.19; 609.195; 609.20; 609.205; 609.21; 609.215; 609.225; 609.23; 609.231; 609.235; 609.24; 609.245; 609.25; 609.255; 609.26; 609.265; 609.27; 609.275; 609.293, Subdivisions 2 and 5; 609.294; 609.32; 609.33; 609.355, Subdivision 2; 609.36, Subdivision 1; 609.375, Subdivision 1; 609.39; 609.395; 609.405, Subdivision 3; 609.43; 609.485, Subdivisions 2 and 4; 609.49; 609.495, Subdivision 1; 609.50; 609.53; 609.55, Subdivision 2; 609.56; 609.565; 609.58, Subdivision 2; 609.59; 609.60; 609.62, Subdivision 2; 609.625, Subdivision 1; 609.63, Subdivision 2; 609.64; 609.645; 609.65; 609.66, Subdivision 1; 609.665; 609.67, Subdivision 2; 609.685; 609.71; 609.713; 609.76; 609.765, Subdivision 2; 609.785; 609.82; 609.825; 609.83; Chapter 243, by adding a section; Chapter 609, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 609.11, Subdivision 1; 609.342; 609.52, Subdivision 2; repealing Minnesota Statutes 1974, Sections 609.11, Subdivision 2; 609.12, Subdivision 2; 609.13; 609.135; 609.14; 609.16; 609.34; 609.362; and Minnesota Statutes, 1975 Supplement, Section 609.346.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Johnson, D.; Wenzel; Anderson, I.; Samuelson and Lindstrom introduced:

H. F. No. 2260, A bill for an act relating to public safety; defining peace officers; providing for a certificate of oath; amending Minnesota Statutes 1974, Sections 37.20; 38.01; 176.011, Subdivision 9; 203.12; 203.42; 242.46, Subdivision 1; 260.311, Subdivision 3; 352E.01, Subdivisions 2 and 4; 352E.02; 352E.04; 352E.05; 382.27; 398.35, Subdivision 2; 412.101; 471.44; 493.01, Subdivision 2; 629.40; repealing Minnesota Statutes 1974, Sections 169.123, Subdivisions 1, 2, 3, 4, 5, 6, 7 and 8; 200.02, Subdivision 13; 253A.02, Subdivision 15; 315.43; 340.91; 360.0751, Subdivision 1; 626.05, Subdivision 2; and 626.76, Subdivision 3.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Prahl, Sherwood, McCollar, Volk and Biersdorf introduced:

H. F. No. 2261, A bill for an act relating to education; requiring properly licensed personnel to be in charge of steam boilers in schools at all times that such steam boilers are in operation.

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

Sieben, M.; Corbid; Searle and Fugina introduced:

H. F. No. 2262, A bill for an act relating to education; right to read program; appropriating money.

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

Sherwood, Skoglund, Fjoslien, Braun and Jensen introduced:

H. F. No. 2263, A bill for an act relating to game and fish; clothing required during certain seasons; amending Minnesota Statutes 1974, Section 100.29, Subdivision 8; repealing Minnesota Statutes 1974, Section 98.52, Subdivision 5.

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

Voss, Munger, Hanson, McCauley and Anderson, I., introduced:

H. F. No. 2264, A bill for an act relating to natural resources; providing for investigation of peat resources; appropriating money.

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

Sieben, M., introduced:

H. F. No. 2265, A bill for an act relating to banks; amending the charter application appeals provisions; amending Minnesota Statutes 1974, Section 45.07.

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

Simoneau, Eken, Norton, Abeln and Skoglund introduced:

H. F. No. 2266, A bill for an act relating to credit unions; authority of state chartered credit unions; amending Minnesota Statutes, 1975 Supplement, Section 52.04.

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

Jacobs, Brinkman, Vento, Birnstihl and Osthoff introduced:

H. F. No. 2267, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIII, Section 5; permitting the legislature to establish a state-owned lottery in support of education.

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

Parish; Anderson, I.; Beauchamp; Patton and Biersdorf introduced:

H. F. No. 2268, A bill for an act relating to the public employees retirement association; authorizing the acquisition of real estate and the construction of necessary building and structures thereon; and appropriating moneys therefor.

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

Adams, L.; Patton; Haugerud; Beauchamp and Pleasant introduced:

H. F. No. 2269, A bill for an act relating to employment services; unemployment compensation; defining wages; determining employer contribution rates; amending Minnesota Statutes, 1975 Supplement, Sections 268.04, Subdivision 25; and 268.06, Subdivision 8.

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

Parish; Moe; Anderson, I.; Beauchamp and Patton introduced:

H. F. No. 2270, A bill for an act relating to certain retirement associations; provided that certain data collected by such associations is private data; amending Minnesota Statutes 1974, Chapter 356, by adding a section.

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

Wenstrom; Carlson, A.; Beauchamp; Smogard and Sieben, H., introduced:

H. F. No. 2271, A bill for an act relating to state agencies; providing for an open appointment process; requiring reports from appointing authorities and the secretary of state.

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

Begich; Prah!; Johnson, D.; Fugina and Spanish introduced:

H. F. No. 2272, A bill for an act relating to cable communications; providing for issuance and renewals of franchises; amending Minnesota Statutes 1974, Section 238.09, Subdivisions 1 and 3, and by adding subdivisions; repealing Minnesota Statutes 1974, Section 238.09, Subdivisions 2, 4, 5, 6, 7 and 9.

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

Enebo, Moe, Skoglund, Sarna and Osthoff introduced:

H. F. No. 2273, A bill for an act relating to unemployment compensation; eliminating the requirement that employees who are not participating or involved in a labor dispute be disqualified from benefits for a week; amending Minnesota Statutes, 1975 Supplement, Section 268.09, Subdivision 1.

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

Hanson; Samuelson; Sieben, H.; Kostohryz and Laidig introduced:

H. F. No. 2274, A bill for an act relating to public welfare; establishing pilot programs for community mental health treatment; naming a nonprofit corporation to administer programs; appropriating money; amending Minnesota Statutes 1974, Chapter 245, by adding a section.

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

Fugina, Mann and Smith introduced:

H. F. No. 2275, A bill for an act relating to education; loans to medical students; amending Minnesota Statutes, 1975 Supplement, Section 147.30.

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

Carlson, A.; Dieterich; Clark; Peterson and Wenstrom introduced:

H. F. No. 2276, A bill for an act relating to adoption; authorizing release of birth information to adopted persons; requiring waiting period for objections from parents; amending Minnesota Statutes 1974, Sections 144.151, by adding a subdivision; 144.176, Subdivision 1, and by adding subdivisions.

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

Jude; Carlson, L.; Rice; Adams, S.; and Knoll introduced:

H. F. No. 2277, A bill for an act relating to courts; authorizing the appointment of judicial officers in Hennepin county municipal court; establishing salary limitations; amending Minnesota Statutes 1974, Chapter 488A, by adding a section.

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

Sieben, M.; Knoll and Jaros introduced:

H. F. No. 2278, A bill for an act relating to real estate; mortgage foreclosures; providing for additional service of notice of sale; amending Minnesota Statutes 1974, Sections 580.03; 580.15; and 581.01.

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

Dieterich, Wenstrom, Arlandson, George and Adams, L., introduced:

H. F. No. 2279, A bill for an act relating to crimes; accusation; increasing the limitation on time in which an indictment for offering of bribes to or acceptance of bribes by public officers or employees may be found; amending Minnesota Statutes 1974, Section 628.26.

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

Kostohryz, Tomlinson, Neisen, Kelly, R., and Hanson introduced:

H. F. No. 2280, A bill for an act relating to the city of Maplewood; paramedic service; authorizing the collection of taxes in excess of the levy limits for purposes of the paramedic program.

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

Tomlinson, Sabo, Casserly, Dean and Savelkoul introduced:

H. F. No. 2281, A bill for an act relating to metropolitan government; changing the metropolitan parks and open space commission to the metropolitan parks, arts and recreation commission and prescribing its powers and duties; authorizing the metropolitan council to issue bonds and levy taxes therefor; authorizing the commission to impose an admissions tax; imposing a transient lodging tax in the metropolitan area; requiring the completion of an environmental impact statement prior to construction of a new sports facility; requiring a certificate of need for regional recreational facilities; amending Minnesota Statutes 1974, Chapter 473, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 473.121, Subdivisions 7 and 14; 473.146, by adding a subdivision; 473.147; 473.301; 473.302; and 473.303, Subdivision 1; repealing Minnesota Statutes 1974, Section 340.11, Subdivision 11a.

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

Pehler, Patton and Brinkman introduced:

H. F. No. 2282, A bill for an act relating to intoxicating liquor; authorizing temporary short term on-sale licenses for a certain charitable festival.

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

Menning, Eken, Kahn, Stanton and Nelsen introduced:

H. F. No. 2283, A bill for an act relating to estates; inheritance tax; joint tenancy property; providing certain benefits to joint tenants who are spouses; amending Minnesota Statutes 1974, Section 291.01, Subdivision 4.

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

Fjoslien, Graba, Wenstrom, Adams, S., and DeGroat introduced:

H. F. No. 2284, A bill for an act relating to taxation; real estate tax payment escrow accounts; imposition of penalties for delinquent real estate taxes on mortgagees under certain circumstances; amending Minnesota Statutes 1974, Section 279.01.

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

Carlson, A., and Dean introduced:

H. F. No. 2285, A bill for an act relating to highways; adding a new route to the trunk highway system in substitution of an existing route.

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

Enebo, Petrafeso, Osthoff and Sarna introduced:

H. F. No. 2286, A bill for an act relating to driver licenses; permitting limited licenses for violators of no-fault law; amending Minnesota Statutes 1974, Section 171.30, Subdivision 1.

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

Lindstrom introduced:

H. F. No. 2287, A bill for an act relating to highway traffic regulations; weight limitations; increasing the allowable gross weights on a wheel and on a single axle; amending Minnesota Statutes 1974, Section 169.83, Subdivision 1.

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

Lindstrom introduced:

H. F. No. 2288, A bill for an act relating to highway traffic regulations; increasing length of mobile home combinations which can be transported on public highways; amending Minnesota Statutes 1974, Section 169.81, Subdivision 3.

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

Erickson, Stanton, Lemke, Esau and Begich introduced:

H. F. No. 2289, A bill for an act relating to highway traffic regulations; authorizing certain juveniles to drive motor vehicles on the public highways between certain hours; amending Minnesota Statutes 1974, Section 169.131.

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

### 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. 1145, A bill for an act relating to landlords and tenants; retaliatory evictions; amending Minnesota Statutes 1974, Section 566.03.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1519, A bill for an act relating to the city of St. Paul; providing for and authorizing issuance of general obligation bonds for capital improvement budget purposes; amending Laws 1971, Chapter 773, Section 1, as amended.

The Senate has appointed as such committee Messrs. Chenoweth, Stumpf and North.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 53, 687, 1736, 1805 and 1852.

PATRICK E. FLAHAVEN, Secretary of the Senate

## FIRST READING OF SENATE BILLS

S. F. No. 53, A bill for an act relating to peace officer training courses; eligibility; amending Minnesota Statutes 1974, Section 626.851, Subdivision 2.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

S. F. No. 687, A bill for an act relating to credit unions; allowing credit union members to vote by mail for officers and amendments; allowing credit unions certain powers with respect to dividends; amending Minnesota Statutes 1974, Sections 52.02; 52.07 and 52.18.

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

S. F. No. 1736, A bill for an act relating to counties; authorizing the establishment of subordinate service districts in order to provide and finance governmental services.

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

S. F. No. 1805, A bill for an act relating to motor vehicle carriers; reinstating the rights of certain permit carriers upon filing proof of insurance or other security; amending Minnesota Statutes, 1975 Supplement, Section 221.141, Subdivision 2.

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

S. F. No. 1852, A bill for an act relating to the city of Fulda; validating election proceedings and authorizing the issuance of bonds of the city approved by the electors.

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

## PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Osthoff reported on the progress of S. F. No. 570, now in Conference Committee.

Pursuant to Joint Rule 13, Patton reported on the progress of S. F. No. 919, now in Conference Committee.

Pursuant to Joint Rule 13, Sherwood reported on the progress of S. F. No. 1308, now in Conference Committee.

## CONSENT CALENDAR

H. F. No. 1904 was reported to the House. Upon objection of ten members H. F. No. 1904 was stricken from the Consent Calendar and returned to General Orders.

## CALENDAR

S. F. No. 1647, A bill for an act relating to natural resources; transferring forest pest control jurisdiction from the commissioner of agriculture to commissioner of natural resources; expanding volunteer programs; eliminating certain restrictions on acquisition of public access; changing license fees for commercial fishing on Lake Superior; prohibiting decoys and erection of blinds on public lands; prescribing penalties for certain violations; amending Minnesota Statutes 1974, Sections 18.341, Subdivision 3; 18.391, Subdivision 1; 85.041, Subdivision 1; 97.48, Subdivision 15; 97.55, Subdivisions 1, 2, 3 and 4; 98.46, Subdivision 12; 98.47, Subdivision 9; 100.29, Subdivision 18; and 102.28, Subdivisions 2, 3 and 4; repealing Laws 1963, Chapter 70, Section 1.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 111, and nays 17, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kelly, R.	Moe	Sieloff
Adams, L.	Doty	Kelly, W.	Munger	Simoneau
Adams, S.	Enebo	Kempe, A.	Neisen	Skoglund
Anderson, G.	Erickson	Kempe, R.	Norton	Smith
Arlandson	Esau	Ketola	Novak	Spanish
Beauchamp	Evans	Knickerbocker	Osthoff	Stanton
Berg	Ewald	Knoll	Parish	Suss
Berglin	Faricy	Kostohryz	Pehler	Tomlinson
Biersdorf	Forsythe	Kroening	Petraleso	Ulland
Birnstihl	Friedrich	Kvam	Philbrook	Vanasek
Braun	Fugina	Laidig	Pleasant	Vento
Brinkman	George	Langseth	Prahl	Volk
Byrne	Graba	Lemke	Reding	Voss
Carlson, A.	Hanson	Lindstrom	Rice	Wenstrom
Carlson, L.	Haugerud	Luther	St. Onge	Wenzel
Carlson, R.	Hokanson	Mangan	Sarna	White
Casserly	Jacobs	Mann	Savelkoul	Williamson
Clark	Jaros	McCarron	Schulz	Zubay
Clawson	Jensen	McCauley	Schumacher	Speaker Sabo
Corbid	Johnson, C.	McCollar	Searle	
Dahl	Jude	McEachern	Sherwood	
Dean	Kahn	Menning	Sieben, H.	
DeGroat	Kaley	Metzen	Sieben, M.	

Those who voted in the negative were:

Albrecht	Begich	Eken	Johnson, D.	Kalis
Anderson, I.	Eckstein	Fjoslien	Jopp	Nelsen

Niehaus  
PetersonSamuelson  
Schreiber

Setzepfandt

Swanson

Wieser

The bill was passed and its title agreed to.

Doty was excused at 2:25. Kelly, W., was excused at 3:15 p.m.  
Ewald was excused at 3:40 p.m.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 920, as amended, offered by Vanasek and Stanton:

Page 10, after line 15, add a new section as follows:

Sec. 16. [PROGRAM OF BICYCLE EDUCATION.] The state department of education in cooperation with the department of public safety shall develop a proposal by January 1, 1977, for teaching bicycle safety in kindergarten through secondary school. Elements of this proposal shall include instruction in actual on the road operation and a timetable for implementation of a bicycle safety program in school districts throughout the state. No later than January 15, 1977, the commissioner of education shall present this proposal to the legislative committees having jurisdiction over the subject along with his recommendation for necessary action.

Renumber the remaining sections in sequence.

The roll being called, there were yeas 20, and nays 90, as follows:

Those who voted in the affirmative were:

Anderson, G.	Dieterich	Kahn	McCarron	Vanasek
Birnstihl	Fugina	Kempe, A.	Reding	Vento
Carlson, R.	George	Kempe, R.	Sherwood	Voss
Cassery	Jacobs	Ketola	Stanton	Williamson

Those who voted in the negative were:

Abeln	Berglin	Dahl	Ewald	Jensen
Adams, L.	Biersdorf	Dean	Faricy	Johnson, C.
Adams, S.	Braun	DeGroat	Fjoslien	Jopp
Albrecht	Brinkman	Eckstein	Forsythe	Jude
Arlandson	Carlson, A.	Eken	Friedrich	Kaley
Beauchamp	Carlson, L.	Enebo	Graba	Kelly, R.
Begich	Clawson	Esau	Hanson	Kelly, W.
Berg	Corbid	Evans	Hokanson	Knickerbocker

Knoll	Mann	Norton	Prahl	Spanish
Kostohryz	McCauley	Novak	Sarna	Suss
Kroening	McEachern	Osthoff	Savelkoul	Tomlinson
Kvam	Menning	Parish	Schulz	Volk
Laidig	Metzen	Patton	Schumacher	Wenstrom
Langseth	Moe	Pehler	Searle	Wenzel
Lemke	Munger	Peterson	Sieben, H.	White
Lindstrom	Neisen	Petrafeso	Sieben, M.	Wieser
Luther	Nelsen	Philbrook	Sieloff	Wigley
Mangan	Niehaus	Pleasant	Simoneau	Zubay

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

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 920, as amended, offered by Anderson, G.:

Page 1, line 30, strike "must be reduced" and insert "should be discouraged".

Page 2, line 4, strike "However, the growth in".

Page 2, strike lines 5 to 32.

Strike all of page 3.

Page 4, strike lines 1 to 23.

Re-number remaining section accordingly.

Page 4, strike lines 31 and 32.

Page 5, strike lines 1 to 12.

Page 5, line 13, strike "Subd. 3." and insert "Sec. 3. [THEFT.]".

Page 5, line 14, strike "registered under this act".

Page 5, strike lines 24 to 32.

Strike all of pages 6, 7, 8, and 9.

Page 10, strike lines 1 to 15.

Re-number remaining sections accordingly.

Page 12, strike lines 20 to 32.

Strike all of pages 13, 14, and 15.

Page 16, strike lines 1 to 28.

Renumber remaining sections accordingly.

Page 18, line 6, strike "Except as otherwise".

Page 18, line 7, strike "specifically provided,".

Further amend the title as follows:

Page 1, line 6, strike "providing for a".

Page 1, strike all of lines 7 to 16.

Page 1, line 17, strike "trails;".

Page 1, line 18, strike "prescribing".

Page 1, line 19, strike "penalties;".

The roll being called, there were yeas 59, and nays 61, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kelly, R.	Nelsen	Setzepfandt
Adams, S.	Eken	Kempe, R.	Niehau	Sieloff
Albrecht	Erickson	Ketola	Osthoff	Simoneau
Anderson, G.	Esau	Kvam	Patton	Smith
Anderson, I.	Evans	Langseth	Peterson	Spanish
Begich	Ewald	Lenke	Prahl	Wenstrom
Biersdorf	Fjoslien	McCauley	St. Onge	Wenzel
Birnstihl	Friedrich	McCollar	Samuelson	White
Braun	Johnson, C.	McEachern	Savelkoul	Wieser
Brinkman	Jopp	Menning	Schulz	Wigley
Carlson, R.	Kaley	Metzen	Schumacher	Zubay
DeGroat	Kalis	Neisen	Searle	

Those who voted in the negative were:

Arlandson	Dieterich	Kempe, A.	Parish	Stanton
Beauchamp	Faricy	Knickerbocker	Pehler	Suss
Berg	Forsythe	Knoll	Petrafeso	Tomlinson
Berglin	Fugina	Kostohryz	Philbrook	Vanasek
Byrne	George	Kroening	Pleasant	Vento
Carlson, A.	Hanson	Luther	Reding	Volk
Carlson, L.	Hokanson	Mangan	Rice	Voss
Casserly	Jacobs	McCarron	Sarna	Williamson
Clark	Jaros	Moe	Schreiber	Speaker Sabo
Clawson	Jensen	Munger	Sherwood	
Corbid	Johnson, D.	Nelson	Sieben, H.	
Dahl	Jude	Norton	Sieben, M.	
Dean	Kahn	Novak	Skoglund	

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

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. Nos. 1271 and 1333 which it recommended to pass.

S. F. Nos. 806, 1541, and 1584 which it recommended to pass.

H. F. Nos. 571, 1702, 1828, 1829, 1767, 1891, 1892 and 2041 upon which it recommended progress.

H. F. No. 402 which it recommended to pass as amended by the Committee of the Whole on Thursday, January 29, 1976.

H. F. Nos. 116 and 910 upon which it recommended progress until Tuesday, February 17, 1976.

H. F. Nos. 96 and 1295 which it recommended be returned to their authors.

H. F. No. 921 which it recommended re-referral to the Committee on Governmental Operations.

H. F. No. 832 upon which it recommended to pass with the following amendment offered by Faricy:

Page 3, after line 10, add sections to read:

“Sec. 3. Minnesota Statutes 1974, Section 325.54, is amended by adding a subdivision to read:

*Subd. 3. [EXCEPTION.] The provisions of sections 325.53 to 325.62 shall not apply to any corporation formed for a purpose not involving pecuniary gain to its shareholders or members and paying no dividends or other pecuniary remuneration directly or indirectly to its shareholders or members as such.*

Sec. 4. Minnesota Statutes 1974, Section 325.54, is amended by adding a subdivision to read:

*Subd. 4. [NOTICE.] Any corporation qualifying for exception under the provisions of subdivision 3 shall cause to be presented to the issuing authority at least ten days prior thereto a notice of its intention to keep, possess or operate any gambling device as defined in section 325.53, stating the time, place and circumstances thereof.”*

Amend the title as follows:

Page 1, line 2, strike “crimes” and insert “gambling”.

Page 1, line 5, after “;” insert “provides exemptions from the prohibition on possession of gambling devices;”.

Page 1, line 6, after the comma delete "Section".

Page 1, line 6, after "," insert "Sections 325.54, by adding subdivisions;"

H. F. No. 920 upon which it recommended to pass with the following amendments:

Offered by Kahn:

Page 2, line 32, delete "1976" and insert "1977".

Page 5, delete lines 24 to 32.

Page 6, delete lines 1 to 32.

Page 7, delete lines 1 to 25.

Re-number subsequent sections.

Page 9, line 3, delete "1976" and insert "1977".

Page 9, line 5, delete "1976" and insert "1977".

Page 9, line 7, delete "1976" and insert "1977".

Page 9, line 10, delete "1976" and insert "1977".

Page 9, line 19, delete "1976" and insert "1977".

Page 9, line 23, delete "1976" and insert "1977".

Page 10, line 12, delete "1976" and insert "1977".

Page 16, line 19, delete "\$564,000" and insert "\$243,000".

Page 18, line 5, delete "21" and insert "20".

Remove all underlining.

Further, amend the title as follows:

Line 19, delete "; amending" and insert a period.

Delete lines 20 and 21.

Offered by Kempe, A.:

Page 14, line 23, strike "15" and insert in lieu thereof "30".

Page 15, line 5, strike the words "the police" and insert in lieu thereof, "local government".

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

### MOTIONS AND RESOLUTIONS

Sieben, M., moved that the name of Jaros be added as an author on H. F. No. 1954. The motion prevailed.

Fugina moved that the name of Johnson, D., be added as an author on H. F. No. 2275. The motion prevailed.

Anderson, I., moved that the following bills be unofficially engrossed and printed for the House:

S. F. No. 749 (to include committee amendments).

S. F. No. 1647 (to include floor amendments).

S. F. No. 1501 (to include committee amendments).

S. F. No. 1439 (to include committee amendments).

S. F. No. 840 (to include committee amendments).

The motion prevailed.

Setzepfandt moved that H. F. No. 2217, be recalled from the Committee on Agriculture and be re-referred to the Committee on Governmental Operations. The motion prevailed.

Moe moved that H. F. No. 1926, now in the Committee on Crime Prevention and Corrections, be re-referred to the Committee on Health and Welfare. The motion prevailed.

McCarron moved that H. F. No. 943, which was laid on the table pursuant to Joint Rule 23A, be taken from the table, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

## ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 12:30 p.m., Monday, February 16, 1976.

Savelkoul moved to amend the motion by striking "12:30 p.m., Monday, February 16, 1976" and inserting "10:00 a.m., Friday, February 13, 1976". The motion did not prevail and the amendment was not adopted.

The question recurred on the Anderson, I., motion. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 12:30 p.m., Monday, February 16, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1976

---

SIXTY-NINTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, FEBRUARY 13, 1976

The Senate met on Friday, February 13, 1976, which was the Sixty-ninth Legislative Day of the Sixty-Ninth Session of the Minnesota State Legislature. The House of Representatives did not meet on this date.



## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## SEVENTIETH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 16, 1976

The House convened at 12:30 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kahn	Munger	Sherwood
Adams, L.	Eckstein	Kaley	Neisen	Sieben, H.
Adams, S.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Faricy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Laidig	Petrafaso	Tomlinson
Braun	Fugina	Langseth	Philbrook	Ulland
Brinkman	George	Lemke	Pleasant	Vanasek
Byrne	Graba	Lindstrom	Prahl	Vento
Carlson, A.	Hanson	Luther	Reding	Voss
Carlson, L.	Heinitz	Mangan	Rice	Wenstrom
Carlson, R.	Hokanson	Mann	Samuelson	Wenzel
Casserly	Jacobs	McCarron	Sarna	White
Clark	Jaros	McCauley	Savelkoul	Wieser
Corbid	Jensen	McCollar	Schreiber	Wigley
Dahl	Johnson, C.	McEachern	Schulz	Williamson
Dean	Johnson, D.	Menning	Schumacher	Zubay
DeGroat	Jopp	Metzen	Searle	Speaker Sabo
Dieterich	Jude	Moe	Setzepfandt	

A quorum was present.

Clawson, Haugerud, Kvam, St. Ongé and Volk were excused.

The Chief Clerk proceeded to read the Journals of the preceding days. On the motion of Vanasek the further readings were dispensed with and the Journals were approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2216, 2005, 832, 903 and 920 and S. F. Nos. 840, 1439, 1501, 53, 687, 1736, 1805 and 1852 have been placed in the members' files.

## PETITIONS AND COMMUNICATIONS

The following communication was received:

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

February 12, 1976

The Honorable Martin O. Sabo  
Speaker of the House of Representatives  
The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1976 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1976</i>	<i>Date Filed 1976</i>
22		8	February 11	February 11
	645	9	February 11	February 11

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

## REPORTS OF STANDING COMMITTEES

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1170, A bill for an act relating to health; licensing and regulation of plumbers and water conditioning contractors and installers; amending Minnesota Statutes 1974, Sections 326.38; 326.40; 326.58; 326.60, Subdivision 1; and 326.65; repealing Minnesota Statutes 1974, Section 326.45.

Reported the same back with the following amendments:

Page 1, lines 20, 21, 22, reinstate the stricken language.

Page 2, line 28, strike “, unless”.

Page 2, line 29, strike “otherwise forbidden to do so by a local ordinance”.

Page 3, after line 7, insert:

*“Sec. 3. Any person now engaged in the occupation of a master plumber or journeyman plumber on the effective date of this act in any city or town which has not heretofore been subject to the provisions of sections 326.37 to 326.45, who shall furnish to the board within 120 days, satisfactory evidence that he was actually engaged in the business of a master plumber or journeyman plumber for a period of at least four years prior to the effective date of this act is entitled to receive a license as a master plumber or journeyman plumber, respectively, without examination, upon payment of the prescribed fees.”.*

Renumber the sections accordingly.

Page 4, lines 7 and 8, strike “, unless otherwise forbidden to do so by a local ordinance”.

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

The report was adopted.

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

H. F. No. 502, A bill for an act relating to game and fish; requiring a migratory waterfowl stamp; providing for disposition of proceeds of sale.

Reported the same back with the following amendments:

Page 1, line 15, after “barriers,” insert “acquisition for sites of development”.

Page 1, line 18, after “person” insert “required to possess a Minnesota small game license”.

Page 2, delete lines 22 to 32, and insert:

“Subd. 5. This act shall expire on March 1, 1982, unless renewed by the legislature.”.

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

The report was adopted.

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

H. F. No. 1751, A bill for an act relating to game and fish; firearms permissible for taking wild animals; amending Minnesota Statutes 1974, Section 100.29, Subdivision 9.

Reported the same back with the recommendation that the bill do 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. 1814, A bill for an act relating to weights and measures; standard measurement of wood; providing standards for measurement of cords of aspen or spruce wood; amending Minnesota Statutes 1974, Section 239.33.

Reported the same back with the following amendments:

Page 1, line 20, after "*mean*" insert "*a solid wood content of*".

Page 1, line 20, after "*feet*" delete "*of*".

Page 1, line 21, delete "*wood when ranked in eight foot lengths*".

Page 1, line 22, after "*follows*" insert "*for freshly cut wood*".

Page 2, line 1, delete "*4,900 pounds;*" and insert "*4,800 pounds.*".

Page 2, delete line 2 and insert a new subdivision to read:

"Subd. 3. "*Summer cut wood*" shall mean wood freshly cut and measured during the months of May through October inclusive. "*Winter cut wood*" shall mean wood freshly cut and measured during the months of November through April inclusive."

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

H. F. No. 1957, A bill for an act relating to natural resources; providing general condemnation power upon obtaining consent of landowners; amending Minnesota Statutes 1974, Section 84.027, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 10, delete "*determines*".

Page 1, line 11, delete "*that it is necessary*" and insert "*is authorized*".

Page 1, line 14, delete "*Any owner or owners consenting*".

Page 1, delete lines 15 and 16.

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

H. F. No. 1999, A bill for an act relating to game and fish; providing temporary permits for handicapped hunters; amending Minnesota Statutes, 1975 Supplement, Section 98.48, Subdivision 12.

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

The report was adopted.

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

H. F. No. 1898, A bill for an act relating to insurance; providing for interest on unpaid benefits; amending Minnesota Statutes 1974, Section 61A.03.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Chapter 61A, is amended by adding a section to read:

(61A.011) [INTEREST ON UNPAID BENEFITS.] *Subdivision 1. Notwithstanding any other provision of law when any insurer admitted to transact life insurance in this state pays the proceeds of or payments under any policy of life insurance, individual or group, such insurer shall pay interest at a rate not less than the then current rate of interest on death proceeds left on deposit with the insurer, computed from not later than 60 days after the insured's death until the date of payment, on any such proceeds or payments payable to a beneficiary residing in this state.*

*Subd. 2. Notwithstanding the provisions of subdivision 1, if an insurer admitted to transact life insurance in this state does not pay within 60 days after receipt of due proof of death of the insured, the proceeds or payments under any policy of life insurance, individual or group, such insurer shall pay interest at an annual rate not less than six percent, computed from the date of the insured's death until the date of payment, on any such proceeds or payments payable to a beneficiary residing in this state. Interest payments under this subdivision shall be in lieu of interest payments required under subdivision 1.*

*Subd. 3. In any case in which interest on the proceeds of, or payments under, any policy of life insurance becomes payable pursuant to this section, the insurer shall notify the named beneficiaries or beneficiary at the time of payment of such proceeds or payments at his last known address, that interest is being paid on the proceeds of, or payments under, such policy. Such notice shall specify the rate of interest and the amount paid.*

*Subd. 4. This section shall not require the payment of interest in any case in which the beneficiary elects in writing delivered to the insurer to receive the proceeds of, or payments under, the policy by any means other than a lump sum payment thereof, provided that the effective date of the policy settlement option shall not be later than 60 days after the date of the insured's death.*

*Subd. 5. This section shall apply only to deaths of insureds which occur on or after August 1, 1976."*

Further amend the title as follows:

Line 4, delete "Section 61A.03" and insert "Chapter 61A, by adding a section".

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

The report was adopted.

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

S. F. No. 886, A bill for an act relating to commerce; providing for recovery of an amount equal to twice the amount of interest paid on an usurious contract held by financial institutions; amending Minnesota Statutes 1974, Chapter 334, by adding a section.

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

The report was adopted.

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

H. F. No. 2039, A bill for an act relating to health care; clarifying and expanding the patients' bill of rights; requiring certain notices; providing penalties; amending Minnesota Statutes 1974, Sections 144.651 and 144.652.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Section 144.651, is amended to read:

144.651 [PATIENTS OF HEALTH CARE FACILITIES; BILL OF RIGHTS; PUBLIC POLICY.] It is the intent of the legislature and the purpose of (LAWS 1973, CHAPTER 688) *this section* to promote the interests and well being of the patients and residents of health care facilities. *No health care facility may require a patient or resident to waive these rights as a condition of admission to the facility. If the patient or resident (i) is determined by his or her attending physician to be medically incapable of understanding and exercising the rights protected under this section, (ii) lacks the ability to communicate due to physical or medical handicaps, or (iii) has had a guardian or conservator appointed, the rights and responsibilities set forth in this section shall devolve to the patient or resident's guardian or conservator, if one has been appointed, next of kin, sponsoring agency or representative payee. It is the intent of this section that every patient's civil and religious liberties, including the right to independent personal decisions and knowledge of available choices, shall not be infringed and that the facility shall encourage and assist in the fullest possible exercise of these rights.*

It is declared to be the public policy of this state that the interests of the patient or resident be protected by a declaration

of a patients' bill of rights which shall include but not be limited to the following:

(1) Every patient and resident shall have the right to considerate and respectful care;

(2) Every patient can reasonably expect to obtain from his physician or the resident physician of the facility complete and current information concerning his diagnosis, treatment and prognosis in terms and language the patient can reasonably be expected to understand. In such cases that it is not medically advisable to give such information to the patient the information may be made available to the appropriate person in his behalf;

(3) Every patient and resident shall have the right to know by name and specialty, if any, the physician responsible for coordination of his care;

(4) Every patient and resident shall have the right to every consideration of his privacy and individuality as it relates to his social, religious, and psychological well being;

(5) Every patient and resident shall have the right to respectfulness and privacy as it relates to his medical care program. Case discussion, consultation, examination, and treatment are confidential and should be conducted discreetly;

(6) Every patient and resident shall have the right to expect the facility to make a reasonable response to the requests of the patient or resident;

(7) Every patient and resident shall have the right to obtain information as to any relationship of the facility to other health care and related institutions insofar as his care is concerned (AND);

(8) (THE) *Every* patient and resident shall have the right to expect reasonable continuity of care which shall include but not be limited to what appointment times and physicians are available;

(9) *Every patient or resident shall be fully informed, prior to or at the time of admission and during stay, of services available in the facility, and of related charges including any charges for services not covered under medicare or medicaid or not covered by the facility's basic per diem rate;*

(10) *Every patient or resident shall be afforded the opportunity to participate in the planning of his medical treatment and to refuse to participate in experimental research;*

(11) No patient or resident shall be arbitrarily transferred or discharged but may be transferred or discharged only for medical reasons, for his or other patients' or residents' welfare, or for nonpayment for stay unless prohibited by the welfare programs paying for the care of the patient or resident, as documented in the medical record. Reasonable advance notice of any transfer or discharge must be given to a patient or resident;

(12) Every patient or resident may manage his personal financial affairs, or shall be given at least a quarterly accounting of financial transactions on his behalf if he delegates this responsibility in accordance with the laws of Minnesota to the facility for any period of time;

(13) Every patient or resident shall be encouraged and assisted, throughout his period of stay, to understand and exercise his rights as a patient and as a citizen, and to this end may voice grievances and recommend changes in policies and services to facility staff and outside representatives of his choice, free from restraint, interference, coercion, discrimination or reprisal;

(14) Every patient or resident shall be free from mental and physical abuse, and free from chemical and physical restraints, except in emergencies, or as authorized in writing by a physician for a specified and limited period of time, and when necessary to protect the patient or resident from injury to himself or to others. A violation of this clause is a violation of section 609.231;

(15) Every patient or resident shall be assured confidential treatment of his personal and medical records, and may approve or refuse their release to any individual outside the facility, except as otherwise provided by law or a third party payment contract;

(16) No patient or resident shall be required to perform services for the facility that are not included for therapeutic purposes in his plan of care;

(17) Every patient or resident may associate and communicate privately with persons of his choice, and send and receive his personal mail unopened, unless medically contraindicated and documented by his physician in the medical record;

(18) Every patient or resident may meet with representatives and participate in activities of commercial, religious, and community groups at his discretion;

(19) Every patient or resident may retain and use his personal clothing and possessions as space permits, unless to do so would infringe upon rights of other patients or residents, and unless medically contraindicated and documented by his physician in the medical record;

(20) *Every patient or resident, if married, shall be assured privacy for visits by his or her spouse and if both spouses are patients or residents of the facility, they shall be permitted to share a room, unless medically contraindicated and documented by their physicians in the medical record; and*

(21) *Every patient or resident shall be fully informed, prior to or at the time of admission and during stay, of the rights and responsibilities set forth in this section and of all rules governing patient conduct and responsibilities.*

Sec. 2. Minnesota Statutes 1974, Section 144.652, is amended to read:

144.652 [NOTICE TO PATIENT; VIOLATIONS.] *Subdivision 1. The policy statement contained in section 144.651 shall be posted conspicuously in a public place in all facilities licensed under the provisions of sections 144.50 to 144.58. Copies of the policy statement shall be furnished the patient (AND) or resident and the patient or resident's guardian or conservator upon admittance to the facility. The notice shall include a brief statement describing how to file a complaint with the legislative audit commission concerning a violation of section 144.651 or any other state statute or rule.*

*Subd. 2. A substantial violation of the rights of any patient or resident as defined in section 144.651, shall be grounds for issuance of a correction order pursuant to section 144.653. The issuance of a correction order shall not preclude private action by or on behalf of a patient or resident to enforce his rights.*

Sec. 3. *This act is effective on the day following its final enactment."*

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 790, A bill for an act relating to adoption; providing that courts may allow certain rights to natural grandparents of adopted children; amending Minnesota Statutes 1974, Section 259.29.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. [RIGHTS OF VISITATION TO UNMARRIED MINORS.] Subdivision 1. [WHEN PARENT IS DECEASED.] If a parent of an unmarried minor child is deceased, the parents and grandparents of the deceased parent may be granted reasonable visitation rights to the unmarried minor child during his minority by the district or county court upon finding that visitation rights would be in the best interests of the child and would not interfere with the parent child relationship. The court shall consider the amount of personal contact between the parents or grandparents of the deceased parent and the child prior to the application.

Subd. 2. [WHEN PARENTS' MARRIAGE IS DISSOLVED.] In all proceedings for dissolution, subsequent to the commencement of the proceeding and continuing thereafter during the minority of the child, the court may, upon the request of the parent or grandparent of a noncustodial party, grant reasonable visitation rights to the unmarried minor child, after dissolution of marriage, during his minority if it finds that visitation rights would be in the best interests of the child and would not interfere with the parent child relationship. The court shall consider the amount of personal contact between the parents or grandparents of the party and the child prior to the application.

Subd. 3. [EXCEPTION FOR ADOPTED CHILDREN.] This section shall not apply if the child has been adopted by a person other than a stepparent or grandparent. Any visitation rights granted pursuant to this section prior to the adoption of the child shall be automatically terminated upon such adoption.

Subd. 4. [EXCEPTION FROM NOTICE.] Neither the notice provision contained in section 259.26 nor the service provision of section 518.11 shall apply to any person who may be entitled to visitation rights pursuant to this section."

Further delete the title in its entirety and insert the following:

"A bill for an act relating to public welfare; providing visitation rights to unmarried minor children for grandparents in certain cases."

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

S. F. No. 375, A bill for an act relating to city and town government; excluding statutory cities from the application of certain city laws; modifying the application of other laws to con-

form to the present classification of cities; amending various statutes to reflect the conversion of villages and boroughs to statutory cities; repealing various obsolete provisions of municipal laws; amending Minnesota Statutes 1974, Sections 144.154; 145.01; 205.07, Subdivision 1; 205.10; 205.11; 205.13; 205.14, Subdivision 3; 205.15; 205.16; 205.17, Subdivisions 1 and 3; 205.20, Subdivisions 1 and 4; 329.09; 366.10; 410.05, Subdivision 1; 412.02, Subdivision 5; 412.022, Subdivision 1; 412.023, Subdivision 5; 412.131; 412.171; 412.191, Subdivision 1; 412.311; 412.571, Subdivisions 1, 4 and 5; 413.02, Subdivisions 1 and 2; 415.11, Subdivision 1; 427.09; 427.10; 427.11; 427.12; 429.111; 437.02; 440.11; 440.135, Subdivision 1; 446.04, Subdivision 1; 447.05; 451.06; 451.09; 452.01, Subdivision 1; 455.01; 455.05; 455.13; 455.23; 455.26; 455.27; 455.28; 455.29; 455.30; 455.32; 456.32; 457.13; 458.09, Subdivision 1; 458.20; 458.25; 458.46; 463.04; 465.26; 465.70; 465.71; 471.38, Subdivision 1; Chapters 205, by adding a section; 410, by adding a section; and repealing Minnesota Statutes 1974, Sections 118.05; 145.02; 197.64; 205.05; 205.06; 206.07, Subdivision 2; 205.08; 205.09; 205.091; 205.12; 274.013; 275.24; 275.36; 368.12; 368.50 to 368.84; 412.017; 412.022, Subdivisions 2 and 3; 412.191, Subdivision 5; 412.841; 415.031 to 415.07; 416.03; 416.04; 416.08 to 416.15; 418.13 to 418.15; 423.21; 426.09; 426.10; 426.15 to 426.18; 435.05; 435.41; 435.46; 436.02; 436.04; 437.01; 438.03; 438.04; 438.07; 440.12; 440.16 to 440.32; 440.39; 441.10 to 441.20; 441.265 to 441.46; 443.14 to 443.17; 443.20 to 443.25; 444.15; 446.03; 447.08; 447.09; 447.23; 448.04 to 448.16; 448.26 to 448.49; 449.04; 449.05; 449.07; 450.06 to 450.08; 452.01, Subdivision 2; 452.02 to 452.07; 452.18 to 452.20; 453.01 to 453.14; 454.01 to 454.045; 455.02 to 455.04; 455.06 to 455.11; 455.15 to 455.22; 456.01 to 456.15; 456.23; 457.02; 457.12; 458.26 to 458.31; 458.47 to 458.49; 459.08 to 459.13; 461.01; 461.07 to 461.11; 463.05; 465.06 to 465.08; 465.51; 465.52; 465.57; 465.59 to 465.63; 471.01 to 471.04; 471.05 to 471.14; 471.48; 645.44, Subdivision 3a; Chapter 460, as it appears in Minnesota Statutes 1945; Laws 1895, Chapter 239; Laws 1897, Chapter 85; Laws 1901, Chapter 379; Laws 1907, Chapter 22; Laws 1911, Chapter 53; Laws 1913, Chapters 7 and 47; Laws 1915, Chapters 125 and 230, Sections 2 and 3; Laws 1917, Chapter 190; Laws 1919, Chapter 424; Laws 1921, Chapter 30; Extra Session Laws 1935, Chapter 8; Laws 1937, Chapter 198; Laws 1941, Chapter 266; as amended; Laws 1947, Chapter 470 and Laws 1953, Chapter 697.

Reported the same back with the following amendments:

Page 13, after line 21, insert:

“Sec. 17. Minnesota Statutes 1974, Section 340.20, is amended to read:

340.20 [LOCAL OPTION ELECTIONS, PETITION.] The recorder or clerk of any statutory city or any home rule charter city of the fourth class shall, upon the petition of a number of

legal voters of the (STATUTORY) city (OF THE FOURTH CLASS) equal to 30 percent of the persons voting at the last election in such (STATUTORY) city (OF THE FOURTH CLASS) or 200 legal voters of the (STATUTORY) city (OF THE FOURTH CLASS) whichever is the lesser number, filed with him at least 15 days before the regular election thereof, give notice at the same time and in the same manner as the notice of such election that the question of granting license in such (STATUTORY) city (OR CITY OF THE FOURTH CLASS) for the sale of intoxicating liquor will be submitted for determination at such election. At such election, when so petitioned for, the question shall be voted upon by a separate ballot, the terms of which shall be either "for license" or "against license," which ballot shall be deposited in a separate ballot box to be provided in each voting precinct and the result of such voting shall be duly canvassed, certified and returned in the same manner and at the same time as the other facts and returns of the election."

Page 16, line 23, delete the period and insert "*, except that in a standard plan city which establishes a four year term for mayor, the first mayor to serve a four year term shall be elected at the first election when the clerk is not to be elected. In any case*".

Page 21, after line 10, insert:

"Sec. 31. Minnesota Statutes 1974, Section 414.09, Subdivision 3, is amended to read:

Subd. 3. [ELECTIONS OF MUNICIPAL OFFICERS.] An order approving an incorporation or consolidation pursuant to sections 414.02, 414.021, or 414.041 shall set a date for this election of new municipal officers not less than 45 days nor more than 60 days after the issuance of such order. The commission shall appoint an acting clerk for election purposes, at least three election judges who shall be residents of the new municipality, and shall designate polling places within the new municipality.

The acting clerk shall prepare the official election ballot. Affidavits of candidacy may be filed by any person eligible to hold municipal office not more than four weeks nor less than two weeks before the date designated by the commission for the election. At least one week before the first day to file such affidavits the acting clerk shall publish a notice in a newspaper qualified as a medium of official publication and of general circulation within the new municipality stating the first and last dates on which such affidavits may be filed, the location of the clerk's office, the clerk's office hours, and the amount of the filing fee.

The acting clerk shall publish a notice of election in a newspaper qualified as a medium of official publication and of general circulation within the new municipality for two successive weeks immediately prior to the date designated by the commission for

the election. The election notice shall state the purpose, date, and polling places for the election, and shall state the time the polls shall be open, which time shall be at least five hours.

If the new municipality is a statutory city, the election shall be conducted in conformity with the requirements of the laws for conducting a statutory city election in so far as applicable. If the new municipality is a *home rule charter* city, the election shall be conducted in conformity with the charter and the laws for conducting city elections in so far as applicable. Any person eligible to vote at a township or municipal election within the area of the new municipality, is eligible to vote at such election.

Any excess in the expense of conducting the election over receipts from filing fees shall be a charge against the new municipality; any excess of receipts shall be deposited in the treasury of the new municipality.”.

Page 28, line 11, after “city” strike “of”.

Page 28, line 11, delete “*the fourth class*”.

Page 41, after line 14, insert:

“Sec. 69. Minnesota Statutes 1974, Section 471.69, is amended to read:

471.69 [LIMITATION OF TAX LEVIES; STATEMENT.] No school district, county, *statutory city*, or town shall contract any debt or issue any warrant or order in any calendar year in anticipation of the collection of taxes levied or to be levied for that year in excess of the average amount actually received in tax collections on the levy for the three previous calendar years plus ten percent thereof, and an average of other income excluding gifts received by the school district for the past three years. This section shall not apply to any school district, county, *statutory city*, or town, wherein the mineral valuation, as assessed, exceeds 25 percent of the assessed valuation of real property in such taxing district. This section shall not apply to any school district in a city of the first class which constitutes one single school district.

As soon as practicable after the beginning of each calendar year, the clerk or other recording officer of any municipality described in this section shall present to the governing body of his municipality a statement of tax collections and other income excluding gifts credited to each fund of his municipality during each of the three previous fiscal years and the yearly average thereof. The auditor of the county shall be required to furnish information as appears in the records in his office to the clerk upon request.”.

Page 41, line 16, after "118.05;" insert "129.13;"

Renumber sections in sequence.

Further amend the title:

Line 13, after "329.09;" insert "340.20;"

Line 18, before "415.11" insert "414.09, Subdivision 3;"

Line 26, after "Subdivision 1;" insert "471.69;"

Line 28, after "118.05;" insert "129.13;"

With the recommendation that when so amended the bill do pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1751, 1814, 1957, 1999, 1898, 2039 and 790 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 886 and 375 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Beauchamp, Patton, Stanton, St. Onge and Adams, S., introduced:

H. F. No. 2290, A bill for an act relating to the state university system; requiring a recommendation from certain legislative committees concerning an increase in wages for unclassified employees of the state university system.

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

Biersdorf introduced:

H. F. No. 2291, A bill for an act relating to Independent School District No. 761; school aids; providing a formula for increased aid for the district.

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

George, Laidig and Sieben, M., introduced:

H. F. No. 2292, A bill for an act relating to Independent School Districts No. 834, No. 832 and No. 833; instruction to pupils from other districts; authorizing the districts to enter into agreements for the furnishing of instruction to non-resident pupils.

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

Vento; Sieben, H.; Dieterich and Kostohryz introduced:

H. F. No. 2293, A bill for an act relating to sound pollution; authorizing the pollution control agency to establish rules, standards and permits for the control of sound emanating from ground vibration; appropriating money; amending Minnesota Statutes 1974, Section 116.07, Subdivision 4a.

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

Skoglund, Enebo and Petrafeso introduced:

H. F. No. 2294, A bill for an act relating to insurance; eliminating minimum benefit requirement from certain government purchased group insurance plans; changing when certain government insurance contracts be resubmitted to bidding; amending Minnesota Statutes 1974, Section 471.616, Subdivision 1.

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

St. Onge; Sieben, H.; Carlson, L.; Johnson, D.; and Wigley introduced:

H. F. No. 2295, A bill for an act relating to optometric services; providing for inclusion of optometric services in benefits for expenses incurred for medical treatment or services; amending Minnesota Statutes 1974, Section 62A.15, Subdivision 1, and by adding a subdivision.

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

George, Vento, Eken and Pehler introduced:

H. F. No. 2296, A bill for an act relating to credit unions; allowing credit unions to permit draft withdrawals by their members; amending Minnesota Statutes 1974, Section 52.04.

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

St. Onge introduced:

H. F. No. 2297, A bill for an act authorizing the conveyance of lands and structures comprising Count Beltrami state monument to the town of Turtle Lake in Beltrami county; specifying the terms and conditions of such conveyance.

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

Enebo and Fudro introduced:

H. F. No. 2298, A bill for an act relating to eminent domain; time of title and possession; providing that certain payments deposited with the court shall not draw interest; amending Minnesota Statutes, 1975 Supplement, Section 117.042.

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

Dahl, Patton, Pehler, McEachern and Parish introduced:

H. F. No. 2299, A bill for an act relating to retirement; judges' survivors' benefits; option to continue.

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

Hokanson; Sieben, H.; Lemke; Kroening and Forsythe introduced:

H. F. No. 2300, A bill for an act relating to administrative procedure; requiring agency estimates of the cost of proposed rules to local public bodies; delaying the effective date of rules involving costs to local public bodies; amending Minnesota Statutes 1974, Section 15.0412, by adding subdivisions.

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

Parish; Anderson, I.; Beauchamp; Biersdorf and Patton introduced:

H. F. No. 2301, A bill for an act relating to retirement; election of trustees to the public employees retirement association board of trustees; amending Minnesota Statutes 1974, Section 353.03, Subdivision 1.

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

Menning, Lemke, Vanasek, Esau and Kalis introduced:

H. F. No. 2302, A bill for an act relating to retirement; imposing a tax upon certain insurance or health care premiums and establishing a service pension program for volunteer ambulance drivers and attendants.

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

Faricy, Enebo and Byrne introduced:

H. F. No. 2303, A bill for an act relating to unemployment compensation; prohibiting the denial of benefits to persons in training programs who were employed in a job involving recurring seasonal unemployment; amending Minnesota Statutes, 1975 Supplement, Section 268.08, Subdivision 1.

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

McCollar, Neisen, Begich, Volk and Clawson introduced:

H. F. No. 2304, A bill for an act relating to health care; removing nursing homes and boarding care homes from the Minnesota certificate of need act; amending Minnesota Statutes 1974, Section 145.75; and Minnesota Statutes, 1975 Supplement, Sections 145.72, Subdivision 2; and 145.74.

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

White introduced:

H. F. No. 2305, A bill for an act relating to anatomical gifts; eye enucleation; authorizing eye enucleation upon pronouncement of death by a physician; amending Minnesota Statutes, 1975 Supplement, Section 525.924, Subdivision 6.

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

Carlson, L.; Swanson; Luther; Schumacher and McCauley introduced:

H. F. No. 2306, A bill for an act relating to the board of medical examiners; adding four public members; requiring sanctions after determination of board; providing procedures for reporting and investigating malpractice complaints; requiring malpractice information from physicians from other states; prescribing reports to the complaining parties; authorizing the attorney general to investigate; amending Minnesota Statutes 1974, Sections 144.651; 147.021, Subdivision 1; 147.031, Subdivision 1; and Chapter 147 by adding sections; amending Minnesota Statutes, 1975 Supplement, Sections 147.01; 147.021, Subdivision 2; and 147.03.

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

Wenzel, Jude, Neisen, Biersdorf and Niehaus introduced:

H. F. No. 2307, A bill for an act relating to trusts; administration of express trusts by cities; amending Minnesota Statutes 1974, Section 501.11.

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

St. Onge, Jensen, McEachern, Metzen and Knickerbocker introduced:

H. F. No. 2308, A bill for an act relating to public employment labor relations; reconciling negotiated contract provisions with existing law; designating the number of arbitrators; modifying the fees chargeable by arbitrators; amending Minnesota Statutes 1974, Sections 179.66, Subdivision 5; and 179.72, Subdivision 6.

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

Clark, Sarna, Skoglund, Nelson and Enebo introduced:

H. F. No. 2309, A bill for an act relating to courts; providing for the election of Hennepin county municipal judges at the uniform municipal election; amending Minnesota Statutes 1974, Section 488A.021, Subdivision 3.

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

Fugina; Kelly, W.; Mann; Zubay and Searle introduced:

H. F. No. 2310, A bill for an act relating to cities; authorizing cities engaged in electric power distribution to secure electric power by individual or joint action; authorizing the creation of municipal power agencies; defining their powers and responsibilities; authorizing the issuance of bonds.

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

Tomlinson; Casserly; Adams, S.; Sieben, M.; and White introduced:

H. F. No. 2311, A bill for an act relating to metropolitan revenue distribution; providing that the preceding year's contribution and distribution assessed values be used in the determination of current year taxable values and area-wide tax base and that the governmental units' preceding year's mill rate be used to determine the area-wide portion of the levy and the area-wide mill rate; amending Minnesota Statutes 1974, Sections 473F.06; and 473F.08, Subdivisions 2 and 3.

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

Reding; Anderson, I.; Begich; Schreiber and St. Onge introduced:

H. F. No. 2312, A bill for an act relating to counties; providing for the filling of vacancies in county offices; amending Minnesota Statutes 1974, Section 375.08.

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

Nelsen and Sherwood introduced:

H. F. No. 2313, A bill for an act relating to United Hospital District, Staples, Minnesota; authorizing the issuance of general obligation bonds of the district without the consent of the governing bodies of the municipalities included in the district; excluding the bonds from the net debt of the district; and excluding taxes levied for the payment of the bonds from certain levy limitations.

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

Heinitz, Kvam, Osthoff, Birnstihl and Pleasant introduced:

H. F. No. 2314, A bill for an act relating to special assessments for public improvements in cities and certain towns; removing the provision prohibiting the levying of special assessments against highway rights of way; amending Minnesota Statutes 1974, Section 435.19, Subdivision 1.

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

Jude introduced:

H. F. No. 2315, A bill for an act relating to the city of Maple Grove; authorizing the city of Maple Grove to refund certain temporary improvement bonds.

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

Knickerbocker, Casserly, Jacobs, Johnson, D., and Kvam introduced:

H. F. No. 2316, A bill for an act relating to taxation; extending property tax relief benefits to certain residents of nursing homes; amending Minnesota Statutes, 1975 Supplement, Sections 290A.03, Subdivisions 6, 8 and 12; and 290A.19.

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

Johnson, D.; Fugina; Begich; Prah! and Anderson, I., introduced:

H. F. No. 2317, A bill for an act relating to taxation; providing for payments from the taconite municipal aid account to certain cities and towns; amending Minnesota Statutes 1974, Section 298.282, Subdivision 2, and by adding subdivisions.

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

Savelkoul; Carlson, A.; Nelsen; Laidig and Biersdorf introduced:

H. F. No. 2318, A bill for an act relating to taxation; providing an inflation adjustment for the income tax rate schedule; amending Minnesota Statutes 1974, Section 290.06, by adding a subdivision; and Minnesota Statutes, 1975 Supplement, Section 290.06, Subdivision 2c.

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

Savelkoul and Knickerbocker introduced:

H. F. No. 2319, A bill for an act relating to taxation; altering the presumption of ownership on property jointly owned by husband and wife; amending Minnesota Statutes 1974, Section 291.01, Subdivision 4.

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

#### HOUSE ADVISORY BILLS

Pursuant to Rule 5.3, the following House Advisory Bills were introduced:

Setzepfandt introduced:

H. A. B. No. 59, A bill for an act relating to appropriations from the highway trust fund, requesting an investigation of highway construction costs.

The bill was referred to the Committee on Appropriations.

Skoglund introduced:

H. A. B. No. 60, A bill to provide local coordination of construction of public buildings.

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

#### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Kahn reported on the progress of S. F. No. 1206, now in Conference Committee.

There being no objection the Consent Calendar, Calendar and General Orders for today were continued until Tuesday, February 17, 1976.

## MOTIONS AND RESOLUTIONS

Kelly, R., moved that the name of Vento be stricken and the name of Vanasek be added as an author on H. F. No. 1965. The motion prevailed.

Reding moved that the name of Sarna be stricken and the name of Enebo be added as second author on H. F. No. 2139. The motion prevailed.

Anderson, I., moved that the following bill be unofficially engrossed and printed for the House:

S. F. No. 375, to include committee amendments.

The motion prevailed.

Anderson, I., for the Committee on Rules and Legislative Administration, introduced:

House Concurrent Resolution No. 19, A house concurrent resolution providing that either house may adjourn from February 19 until February 25, 1976.

## SUSPENSION OF RULES

Anderson, I., moved that the Rules be so far suspended that House Concurrent Resolution No. 19 be now considered and be placed upon its adoption. The motion prevailed.

## HOUSE CONCURRENT RESOLUTION NO. 19

A house concurrent resolution providing that either house may adjourn from February 19 until February 25, 1976.

*Be it Resolved*, by the house of representatives, the senate concurring, that either house may adjourn on February 19, 1976 until a day not later than February 25, 1976.

Anderson, I., moved that House Concurrent Resolution No. 19 be now adopted. The motion prevailed and House Concurrent Resolution No. 19 was adopted.

**ADJOURNMENT**

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Tuesday, February 17, 1976.

**EDWARD A. BURDICK, Chief Clerk, House of Representatives**

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## SEVENTY-FIRST DAY

SAINT PAUL, MINNESOTA, TUESDAY, FEBRUARY 17, 1976

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Eken	Kalis	Nelson	Sieloff
Adams, L.	Enebo	Kelly, R.	Niehaus	Simoneau
Adams, S.	Erickson	Kelly, W.	Norton	Skoglund
Albrecht	Evans	Kempe, A.	Novak	Smith
Anderson, G.	Ewald	Kempe, R.	Osthoff	Smogard
Anderson, I.	Faricy	Ketola	Parish	Spanish
Arlandson	Fjoslien	Knickerbocker	Patton	Stanton
Beauchamp	Forsythe	Knoll	Pehler	Suss
Begich	Friedrich	Kostohryz	Peterson	Swanson
Berg	Fudro	Kroening	Petrafeso	Tomlinson
Berglin	Fugina	Kvam	Philbrook	Ulland
Biersdorf	George	Laidig	Pleasant	Vanasek
Braun	Graba	Langseth	Plaus	Vento
Brinkman	Hanson	Lindstrom	Reding	Volk
Byrne	Haugerud	Luther	Rice	Voss
Carlson, A.	Heinitz	Mann	St. Onge	Wenstrom
Carlson, L.	Hokanson	McCarron	Samuelson	Wenzel
Carlson, R.	Jacobs	McCauley	Savelkoul	White
Casserly	Jaros	McCollar	Schreiber	Wieser
Clark	Jensen	McEachern	Schulz	Williamson
Clawson	Johnson, C.	Menning	Schumacher	Zubay
Dahl	Johnson, D.	Metzen	Searle	Speaker Sabo
Dean	Jopp	Moe	Setzepfandt	
DeGroat	Jude	Munger	Sherwood	
Dieterich	Kahn	Neisen	Sieben, H.	
Doty	Kaley	Nelsen	Sieben, M.	

A quorum was present.

Birnstihl, Corbid, Eckstein, Esau, Lemke, Mangan and Wigley were excused. Sarna was excused until 3:15 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Laidig the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1751, 1999, 790, 1814, 1898, 1957 and 2039 and S. F. No. 375 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

Moe from the Committee on Crime Prevention and Corrections to which was referred:

H. F. No. 2220, A bill for an act relating to corrections; amending Minnesota Statutes 1974, Section 241.01, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 18, delete "*keep*" and insert "*clothing and maintenance*".

Page 2, line 4, after the word "*prescribe*" insert "*, provided however, that no inmate convicted of an offense involving death, great bodily harm, criminal sexual conduct in the first, second or third degree, or who had a firearm in his possession at the time of the offense may be granted a furlough*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

H. F. No. 2071, A bill for an act relating to towns; adoption of optional form of government; amending Minnesota Statutes, 1975 Supplement, Section 367.31, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 13, delete "*If approved by the*".

Page 1, line 14, delete "*electors at the town meeting,*".

Page 1, line 17, strike "*qualifying under*" and insert "*exercising powers of a statutory city pursuant to*".

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

The report was adopted.

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

H. F. No. 2170, A bill for an act relating to towns; election of officers; submittal of optional plans of town government to electors; amending Minnesota Statutes, 1975 Supplement, Sections 367.03, Subdivision 1; and 367.31, Subdivision 1.

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

The report was adopted.

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

S. F. No. 43, A bill for an act relating to the city of Minneapolis; amending Minnesota Statutes 1974, Section 462.364; repealing Laws 1963, Chapter 405.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 2220, 2071 and 2170 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. No. 43 was read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Sieben, M.; Fugina; Johnson, D.; and Jensen introduced:

H. F. No. 2320, A bill for an act relating to education; school boards; providing for the appointment of student members of school boards; amending Minnesota Statutes, 1975 Supplement, Section 123.34, Subdivision 1.

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

Patton introduced:

H. F. No. 2321, A bill for an act relating to the city of Sauk Rapids; fireman's lump sum service pensions; amending Laws 1973, Chapter 481, Section 1.

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

Begich introduced:

H. F. No. 2322, A bill for an act directing the sale of a certain parcel of tax forfeited land in St. Louis county.

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

Setzepfandt, Ketola, Dieterich, Lindstrom and Anderson, G., introduced:

H. F. No. 2323, A bill for an act relating to crime victims reparations; authorizing a claim to be filed within one year of the time when it could have been reasonably made; amending Minnesota Statutes 1974, Section 299B.03, Subdivision 2.

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

Fudro, Simoneau, Sarna and Voss introduced:

H. F. No. 2324, A bill for an act relating to labor; public employees; authorizing leaves of absence for certain employees participating in world athletic competition.

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

Brinkman, Eckstein, Sieloff, Adams, S., and Sarna introduced:

H. F. No. 2325, A bill for an act relating to taxation; credits on tax on fermented malt beverages; amending Minnesota Statutes 1974, Section 340.47, Subdivisions 2 and 2a.

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

Fudro introduced:

H. F. No. 2326, A bill for an act relating to highway traffic regulations; driving restrictions on certain juveniles; repealing Minnesota Statutes 1974, Section 169.131.

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

#### HOUSE ADVISORY BILLS

Pursuant to Rule 5.3, the following House Advisory Bill was introduced:

Faricy introduced:

H. A. B. No. 61, A bill to study salaries/fringe benefits of administrators of metropolitan council and subordinate agencies.

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

#### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Dieterich reported on the progress of H. F. No. 1519, now in Conference Committee.

#### MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has moved that H. F. No. 1199 and the Conference Committee Report be returned to the House of Representatives, that the Conference Committee be discharged, and that a new Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like new Conference Committee appointed on the part of the House:

H. F. No. 1199, A bill for an act relating to treatment for alcohol and drug abuse; providing for programs of intervention and treatment for employees and underserved groups; appropriating money; amending Minnesota Statutes 1974, Section 254A.02, by adding subdivisions; and Chapter 254A, by adding sections.

The Senate has appointed as such committee Messrs. Moe; Tennesen; Perpich, G.; Knutson and Kirchner.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Clawson moved that the House accede to the request of the Senate regarding H. F. No. 1199; that the vote whereby the bill was repassed as amended by the Conference Committee be reconsidered; that the vote whereby the Conference Committee report was adopted be reconsidered; that the present House Conference Committee be discharged; and that the Speaker appoint a new Conference Committee consisting of five members on the part of the House. The motion prevailed.

The question was taken on the Clawson motion to reconsider the vote whereby H. F. No. 1199 was repassed, as amended by the Conference Committee. The motion prevailed.

The question was taken on the Clawson motion to reconsider the vote whereby the Conference Committee Report on H. F. No. 1199 was adopted. The motion prevailed.

A message from the Senate relating to S. F. No. 733, and an accompanying Conference Committee report, was reported to the House.

There being no objection the message from the Senate relating to S. F. No. 733 was laid over until Wednesday, February 18, 1976.

### CONSENT CALENDAR

H. F. No. 1435, A bill for an act relating to game and fish; taking of animals by falconry; amending Minnesota Statutes 1974, Section 100.27, Subdivision 8.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 113, and nays 3, as follows:

Those who voted in the affirmative were:

Abeln	Berglin	Dahl	Fjoslien	Jacobs
Adams, L.	Biersdorf	Dean	Forsythe	Jaros
Adams, S.	Brinkman	Dieterich	Friedrich	Johnson, C.
Albrecht	Byrne	Doty	Fudro	Jopp
Anderson, G.	Carlson, A.	Eken	Fugina	Jude
Anderson, I.	Carlson, L.	Enebo	George	Kahn
Arlandson	Carlson, R.	Erickson	Graba	Kaley
Beauchamp	Casslerly	Evans	Hanson	Kalis
Begich	Clark	Ewald	Heinitz	Kelly, R.
Berg	Clawson	Faricy	Hokanson	Kelly, W.

Kempe, A.	McCauley	Parish	Schumacher	Ulland
Kempe, R.	McCollar	Patton	Setzepfandt	Vanasek
Ketola	McEachern	Pehler	Sieben, H.	Vento
Knickerbocker	Menning	Peterson	Sieben, M.	Volk
Knoll	Metzen	Petrafeso	Sieloff	Voss
Kostohryz	Moe	Philbrook	Simoneau	Wenstrom
Kroening	Munger	Pleasant	Skoglund	Wenzel
Kvam	Neisen	Reding	Smith	White
Laidig	Nelsen	Rice	Smogard	Wieser
Langseth	Nelson	St. Onge	Stanton	Zubay
Lindstrom	Niehaus	Samuelson	Suss	Speaker Sabo
Luther	Novak	Savelkoul	Swanson	
Mann	Osthoff	Schulz	Tomlinson	

Those who voted in the negative were:

Haugerud      Johnson, D.      Prah

The bill was passed and its title agreed to.

S. F. No. 1510, A bill for an act relating to Ramsey county; allowing the county board to set sheriff's fees within the county; amending Laws 1974, Chapter 435, Section 3.10.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 118, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kaley	Neisen	Sieben, H.
Adams, L.	Doty	Kalis	Nelsen	Sieben, M.
Adams, S.	Eken	Kelly, R.	Nelson	Sieloff
Albrecht	Enebo	Kelly, W.	Niehaus	Simoneau
Anderson, G.	Erickson	Kempe, A.	Norton	Skoglund
Anderson, I.	Evans	Kempe, R.	Novak	Smith
Arlandson	Ewald	Ketola	Osthoff	Smogard
Beauchamp	Faricy	Knickerbocker	Parish	Stanton
Begich	Fjoslien	Knoll	Patton	Suss
Berg	Forsythe	Kostohryz	Pehler	Swanson
Berglin	Friedrich	Kroening	Peterson	Tomlinson
Biersdorf	Fudro	Kvam	Petrafeso	Ulland
Braun	Fugina	Laidig	Philbrook	Vanasek
Brinkman	George	Langseth	Pleasant	Vento
Byrne	Graba	Lindstrom	Prah	Volk
Carlson, A.	Hanson	Luther	Reding	Voss
Carlson, L.	Heinitz	Mann	Rice	Wenstrom
Carlson, R.	Hokanson	McCarron	St. Onge	Wenzel
Casserly	Jacobs	McCauley	Samuelson	White
Clark	Jaros	McCollar	Savelkoul	Wieser
Clawson	Johnson, C.	McEachern	Schreiber	Zubay
Dahl	Johnson, D.	Menning	Schulz	Speaker Sabo
Dean	Jude	Metzen	Schumacher	
DeGroat	Kahn	Moe	Setzepfandt	

Those who voted in the negative were:

Haugerud

The bill was passed and its title agreed to.

H. F. No. 2005, A bill for an act relating to veterans affairs; changing the membership of the board of governors of the Big Island Veterans Camp; specifying persons eligible for benefits; providing duties of the board of governors; amending Minnesota Statutes 1974, Sections 197.14, 197.15 and 197.17.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Neisen	Sieben, H.
Adams, L.	Eken	Kaley	Nelsen	Sieben, M.
Adams, S.	Enebo	Kalis	Nelson	Sieloff
Albrecht	Erickson	Kelly, R.	Niehaus	Simoneau
Anderson, G.	Evans	Kelly, W.	Norton	Skoglund
Anderson, I.	Ewald	Kempe, A.	Novak	Smith
Arlandson	Faricy	Kempe, R.	Osthoff	Smogard
Beauchamp	Fjoslien	Ketola	Parish	Spanish
Begich	Forsythe	Knickerbocker	Patton	Suss
Berg	Friedrich	Knoll	Pehler	Swanson
Berglin	Fudro	Kostohryz	Peterson	Ulland
Biersdorf	Fugina	Kroening	Petrafaso	Vanasek
Braun	George	Kvam	Philbrook	Vento
Brinkman	Graba	Laidig	Pleasant	Volk
Byrne	Hanson	Langseth	Prahl	Voss
Carlson, A.	Haugerud	Lindstrom	Reding	Wenstrom
Carlson, L.	Heinitz	Luther	Rice	Wenzel
Carlson, R.	Hokanson	Mann	St. Onge	White
Casserly	Jacobs	McCarron	Samuelson	Wieser
Clark	Jaros	McCauley	Savelkoul	Zubay
Clawson	Jensen	McCollar	Schreiber	Speaker Sabo
Dahl	Johnson, C.	McEachern	Schulz	
Dean	Johnson, D.	Menning	Schumacher	
DeGroat	Jopp	Metzen	Searle	
Dieterich	Jude	Moe	Setzepfandt	

The bill was passed and its title agreed to.

S. F. No. 1439, A bill for an act relating to agriculture; dividing the state into four regions for purposes of the potato industry promotion act; amending Minnesota Statutes 1974, Section 30.464, Subdivision 1.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Setzepfandt
Adams, L.	Eken	Kaley	Neisen	Sherwood
Adams, S.	Enebo	Kalis	Nelsen	Sieben, H.
Albrecht	Erickson	Kelly, R.	Nelson	Sieben, M.
Anderson, G.	Evans	Kelly, W.	Niehaus	Sieloff
Anderson, I.	Ewald	Kempe, A.	Norton	Simoneau
Arlandson	Faricy	Kempe, R.	Novak	Skoglund
Beauchamp	Fjoslien	Ketola	Osthoff	Smith
Begich	Forsythe	Knickerbocker	Parish	Smogard
Berg	Friedrich	Knoll	Patton	Spanish
Berglin	Fudro	Kostohryz	Pehler	Stanton
Biersdorf	Fugina	Kroening	Peterson	Suss
Braun	George	Kvam	Petrafeso	Swanson
Brinkman	Graba	Laidig	Philbrook	Ulland
Byrne	Hanson	Langseth	Pleasant	Vanasek
Carlson, A.	Haugerud	Lindstrom	Prahl	Vento
Carlson, L.	Heinitz	Luther	Reding	Voik
Carlson, R.	Hokanson	Mann	Rice	Voss
Cassery	Jacobs	McCarron	St. Onge	Wenstrom
Clark	Jaros	McCauley	Samuelson	Wenzel
Clawson	Jensen	McCollar	Savelkoul	White
Dahl	Johnson, C.	McEachern	Schreiber	Wieser
Dean	Johnson, D.	Menning	Schulz	Zubay
DeGroat	Jopp	Metzen	Schumacher	Speaker Sabo
Dieterich	Jude	Moe	Searle	

The bill was passed and its title agreed to.

S. F. No. 370, A bill for an act relating to solemnization of marriage; authorizing solemnization of marriage among Native Americans by Indian holy men; amending Minnesota Statutes 1974, Section 517.18.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Cassery	Fugina	Kelly, W.	Menning
Adams, L.	Clark	George	Kempe, A.	Metzen
Adams, S.	Clawson	Graba	Kempe, R.	Moe
Albrecht	Dahl	Hanson	Ketola	Neisen
Anderson, G.	Dean	Haugerud	Knickerbocker	Nelsen
Anderson, I.	DeGroat	Heinitz	Knoll	Nelson
Arlandson	Dieterich	Hokanson	Kostohryz	Niehaus
Beauchamp	Doty	Jacobs	Kroening	Norton
Begich	Eken	Jaros	Kvam	Novak
Berg	Enebo	Jensen	Laidig	Osthoff
Berglin	Erickson	Johnson, C.	Langseth	Parish
Biersdorf	Evans	Johnson, D.	Lindstrom	Patton
Braun	Ewald	Jopp	Luther	Pehler
Brinkman	Faricy	Jude	Mann	Peterson
Byrne	Fjoslien	Kahn	McCarron	Petrafeso
Carlson, A.	Forsythe	Kaley	McCauley	Philbrook
Carlson, L.	Friedrich	Kalis	McCollar	Pleasant
Carlson, R.	Fudro	Kelly, R.	McEachern	Prahl

Reding	Schumacher	Simoneau	Swanson	Wenstrom
Rice	Searle	Skoglund	Tomlinson	Wenzel
St. Onge	Setzepfandt	Smith	Ulland	White
Samuelson	Sherwood	Smogard	Vanasek	Wieser
Savelkoul	Sieben, H.	Spanish	Vento	Zubay
Schreiber	Sieben, M.	Stanton	Volk	Speaker Sabo
Schulz	Sieloff	Suss	Voss	

The bill was passed and its title agreed to.

S. F. No. 1501, A bill for an act relating to game and fish; regulating entry on agricultural lands for taking big game; providing a penalty; amending Minnesota Statutes 1974, Section 100.273.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Sherwood
Adams, L.	Eken	Kaley	Neisen	Sieben, H.
Adams, S.	Enebo	Kalis	Nelsen	Sieben, M.
Albrecht	Erickson	Kelly, R.	Nelson	Sieloff
Anderson, G.	Evans	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Ewald	Kempe, A.	Norton	Skoglund
Arlandson	Faricy	Kempe, R.	Novak	Smith
Beauchamp	Fjoslien	Ketola	Osthoff	Smogard
Begich	Forsythe	Knickerbocker	Parish	Spanish
Berg	Friedrich	Knoll	Patton	Stanton
Berglin	Fudro	Kostohryz	Pehler	Suss
Biersdorf	Fugina	Kroening	Peterson	Swanson
Braun	George	Kvam	Petrafeso	Tomlinson
Brinkman	Graba	Laidig	Philbrook	Ulland
Byrne	Hanson	Langseth	Pleasant	Vanasek
Carlson, A.	Haugerud	Lindstrom	Reding	Vento
Carlson, L.	Heinitz	Luther	Rice	Volk
Carlson, R.	Hokanson	Mann	St. Onge	Voss
Cassery	Jacobs	McCarron	Samuelson	Wenstrom
Clark	Jaros	McCauley	Savelkoul	Wenzel
Clawson	Jensen	McCollar	Schreiber	White
Dahl	Johnson, C.	McEachern	Schulz	Wieser
Dean	Johnson, D.	Menning	Schumacher	Zubay
DeGroat	Jopp	Metzen	Searle	Speaker Sabo
Dieterich	Jude	Moe	Setzepfandt	

Those who voted in the negative were:

Prahl

The bill was passed and its title agreed to.

## CALENDAR

H. F. No. 402, A bill for an act relating to natural resources; defining the term conviction for the purposes of game and fish laws; amending Minnesota Statutes 1974, Section 97.40, by adding a subdivision.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 2, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Neisen	Sherwood
Adams, L.	Eken	Kaley	Nelsen	Sieben, H.
Adams, S.	Enebo	Kalis	Nelson	Sieben, M.
Albrecht	Erickson	Kelly, R.	Niehaus	Simoneau
Anderson, G.	Evans	Kelly, W.	Norton	Skoglund
Anderson, I.	Ewald	Kempe, A.	Novak	Smith
Arlandson	Faricy	Kempe, R.	Osthoff	Smogard
Beauchamp	Fjoslien	Ketola	Parish	Spanish
Begich	Forsythe	Knickerbocker	Patton	Stanton
Berg	Friedrich	Knoll	Pehler	Suss
Berglin	Fudro	Kostohryz	Peterson	Swanson
Biersdorf	Fugina	Kroening	Petrafeso	Tomlinson
Braun	George	Kvam	Philbrook	Ulland
Brinkman	Graba	Laidig	Pleasant	Vanasek
Byrne	Hanson	Langseth	Prahl	Vento
Carlson, A.	Hangerud	Lindstrom	Reding	Volk
Carlson, L.	Heinitz	Luther	Rice	Voss
Carlson, R.	Hokanson	Mann	St. Onge	Wenstrom
Casserly	Jacobs	McCarron	Samuelson	Wenzel
Clark	Jaros	McCollar	Savelkoul	White
Clawson	Jensen	McEachern	Schreiber	Wieser
Dahl	Johnson, C.	Menning	Schulz	Zubay
Dean	Johnson, D.	Metzen	Schumacher	Speaker Sabo
DeGroat	Jopp	Moe	Searle	
Dieterich	Jude	Munger	Setzpfandt	

Those who voted in the negative were:

McCauley      Sieloff

The bill was passed and its title agreed to.

H. F. No. 832, A bill for an act relating to gambling; prohibiting the keeping of gambling records or devices; increasing the penalty for certain gambling violations; providing for confiscation of gambling devices; provides exemptions from the prohibition on possession of gambling devices; amending Minnesota Statutes 1974, Sections 325.54, by adding subdivisions; 609.76; and Chapter 609, by adding a section.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 4, as follows:

Those who voted in the affirmative were:

Abeln	Eken	Kahn	Munger	Setzepfandt
Adams, L.	Enebo	Kaley	Neisen	Sherwood
Adams, S.	Erickson	Kalis	Nelsen	Sieben, H.
Albrecht	Evans	Kelly, R.	Nelson	Sieben, M.
Anderson, G.	Ewald	Kelly, W.	Niehaus	Sieloff
Anderson, I.	Faricy	Kempe, A.	Norton	Simoneau
Arlandson	Fjoslien	Kempe, R.	Novak	Skoglund
Beauchamp	Forsythe	Ketola	Osthoff	Smith
Begich	Friedrich	Knickerbocker	Parish	Smogard
Berg	Fudro	Knoll	Patton	Spanish
Biersdorf	Fugina	Kostohryz	Pehler	Stanton
Braun	George	Kroening	Peterson	Suss
Brinkman	Graba	Kvam	Petrafeso	Swanson
Byrne	Hanson	Laidig	Philbrook	Tomlinson
Carlson, A.	Haugerud	Langseth	Pleasant	Ulland
Carlson, L.	Heinitz	Lindstrom	Prahl	Vento
Carlson, R.	Hokanson	Luther	Reding	Volk
Casserly	Jacobs	Mann	Rice	Voss
Clawson	Jaros	McCarron	St. Onge	Wenstrom
Dahl	Jensen	McCauley	Savelkoul	Wenzel
Dean	Johnson, C.	McCollar	Schreiber	White
DeGroat	Johnson, D.	McEachern	Schulz	Wieser
Dieterich	Jopp	Menning	Schumacher	Zubay
Doty	Jude	Metzen	Searle	Speaker Sabo

Those who voted in the negative were:

Clark	Moe	Samuelson	Vanasek
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The bill was passed and its title agreed to.

H. F. No. 920 was reported to the House and read for the third time.

Kahn moved to amend H. F. No. 920, as follows:

In the title, Page 1, line 12, delete "providing for bicycle safety".

Further in the title, page 1, line 13, delete "education in schools".

The motion prevailed and the amendment was adopted.

H. F. No. 920, A bill for an act relating to recreation; environmental preservation and energy conservation; conserving human and natural resources by promoting health and recreation and abating environmental pollution by encouraging the use of bicycles; providing for a bicycle registration system, and prescribing the powers and duties of the commissioner of public safety in relation thereto; directing the commissioner of public safety to study the use of bicycles on streets, highways, bicycle ways and

bicycle lanes; prescribing a model bicycle ordinance for political subdivisions; directing the commissioner of natural resources to develop a plan for an interconnecting system of bicycle trails; providing for the construction of bicycle lanes or ways using federal funds; prescribing penalties; and appropriating money.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 74, and nays 51, as follows:

Those who voted in the affirmative were:

Abeln	Dean	Jaros	Moe	Sieben, M.
Adams, L.	Dieterich	Jensen	Munger	Simoneau
Adams, S.	Doty	Jude	Nelson	Skoglund
Arlandson	Enebo	Kahn	Norton	Stanton
Beauchamp	Ewald	Kelly, R.	Novak	Suss
Berg	Faricy	Kempe, A.	Osthoff	Swanson
Berglin	Forsythe	Kempe, R.	Parish	Tomlinson
Byrne	Fudro	Knickerbocker	Patton	Ulland
Carlson, A.	Fugina	Knoll	Pehler	Vento
Carlson, L.	George	Kostohryz	Petraleso	Volk
Carlson, R.	Hanson	Kroening	Philbrook	Voss
Casserly	Haugerud	Laidig	Rice	Wenstrom
Clark	Heinitz	Luther	Schreiber	Williamson
Clawson	Hokanson	McCarron	Sherwood	Speaker Sabo
Dahl	Jacobs	Metzen	Sieben, H.	

Those who voted in the negative were:

Albrecht	Fjoslien	Langseth	Prahl	Smogard
Anderson, G.	Friedrich	Lindstrom	Reding	Spanish
Anderson, I.	Graba	Mann	St. Onge	Vanasek
Begich	Johnson, C.	McCauley	Samuelson	Wenzel
Biersdorf	Johnson, D.	McCollar	Savelkoul	White
Braun	Jopp	Menning	Schulz	Wieser
Brinkman	Kaley	Neisen	Schumacher	Zubay
DeGroat	Kalis	Nelsen	Searle	
Eken	Kelly, W.	Niehaus	Setzepfandt	
Erickson	Ketola	Peterson	Sieloff	
Evans	Kvam	Pleasant	Smith	

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

H. F. No. 1271, A bill for an act relating to labor and employment; providing for transfer of pension or retirement fund contributions; amending Minnesota Statutes 1974, Section 179.254, Subdivision 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eken	Kalis	Nelson	Sieben, M.
Adams, L.	Enebo	Kelly, R.	Niehaus	Sieloff
Adams, S.	Erickson	Kelly, W.	Norton	Simoneau
Albrecht	Evans	Kempe, A.	Novak	Skoglund
Anderson, G.	Ewald	Kempe, R.	Osthoff	Smith
Anderson, I.	Faricy	Ketola	Parish	Smogard
Arlandson	Fjoslien	Knickerbocker	Patton	Spanish
Beauchamp	Forsythe	Knoll	Pehler	Stanton
Begich	Friedrich	Kostohryz	Peterson	Suss
Berg	Fudro	Kroening	Petrafeso	Swanson
Berglin	Fugina	Kvam	Philbrook	Tomlinson
Biersdorf	George	Laidig	Pleasant	Ulland
Braun	Graba	Langseth	Prahl	Vanasek
Brinkman	Hanson	Lindstrom	Reding	Vento
Byrne	Haugerud	Luther	Rice	Voss
Carlson, A.	Heinitz	Mann	St. Onge	Wenstrom
Carlson, L.	Hokanson	McCarron	Samuelson	Wenzel
Carlson, R.	Jacobs	McCauley	Sarna	White
Casserly	Jaros	McCollar	Savelkoul	Wieser
Clark	Jensen	McEachern	Schreiber	Williamson
Clawson	Johnson, C.	Menning	Schulz	Zubay
Dahl	Johnson, D.	Metzen	Schumacher	Speaker Sabo
Dean	Jopp	Moe	Searle	
DeGroat	Jude	Munger	Setzepfandt	
Dieterich	Kahn	Neisen	Sherwood	
Doty	Kaley	Nelsen	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 1333, A bill for an act relating to coroners; providing for fees and traveling expenses; prohibiting interference with a dead body or the scene of death; prescribing penalties; amending Minnesota Statutes 1974, Sections 357.11; and 390.11, Subdivision 8.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, L.	Carlson, L.	Faricy	Johnson, C.	Kroening
Adams, S.	Carlson, R.	Fjoslien	Johnson, D.	Kvam
Albrecht	Casserly	Forsythe	Jopp	Laidig
Anderson, G.	Clark	Friedrich	Jude	Langseth
Anderson, I.	Clawson	Fudro	Kahn	Lindstrom
Arlandson	Dahl	Fugina	Kaley	Luther
Beauchamp	Dean	George	Kalis	Mann
Begich	DeGroat	Graba	Kelly, R.	McCarron
Berg	Dieterich	Hanson	Kelly, W.	McCauley
Berglin	Doty	Haugerud	Kempe, A.	McCollar
Biersdorf	Eken	Heinitz	Kempe, R.	McEachern
Braun	Enebo	Hokanson	Ketola	Menning
Brinkman	Erickson	Jacobs	Knickerbocker	Metzen
Byrne	Evans	Jaros	Knoll	Moe
Carlson, A.	Ewald	Jensen	Kostohryz	Munger

Neisen	Peterson	Schreiber	Skoglund	Vento
Nelsen	Petrafeso	Schulz	Smith	Volk
Nelson	Philbrook	Schumacher	Smogard	Voss
Niehaus	Pleasant	Searle	Spanish	Wenstrom
Norton	Prahl	Setzepfandt	Stanton	Wenzel
Novak	Rice	Sherwood	Suss	White
Osthoff	St. Onge	Sieben, H.	Swanson	Wieser
Parish	Samuelson	Sieben, M.	Tomlinson	Williamson
Patton	Sarna	Sieloff	Ulland	Zubay
Pehler	Savelkoul	Simoneau	Vanasek	Speaker Sabo

The bill was passed and its title agreed to.

S. F. No. 806 was reported to the House and read for the third time.

There being no objection, S. F. No. 806 was continued on the Calendar until Wednesday, February 18, 1976.

S. F. No. 1541, A bill for an act relating to counties and the government thereof and, in particular, to Ramsey county; deleting welfare budget deadline as it applies to Ramsey county.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kaley	Neisen	Setzepfandt
Adams, L.	Eken	Kalis	Nelsen	Sherwood
Adams, S.	Enebo	Kelly, R.	Nelson	Sieben, H.
Albrecht	Erickson	Kelly, W.	Niehaus	Sieben, M.
Anderson, G.	Evans	Kempe, A.	Norton	Sieloff
Anderson, I.	Ewald	Kempe, R.	Novak	Simoneau
Arlandson	Faricy	Ketola	Osthoff	Skoglund
Beauchamp	Fjoslien	Knickerbocker	Parish	Smogard
Begich	Forsythe	Knoll	Patton	Spanish
Berg	Friedrich	Kostohryz	Pehler	Stanton
Berglin	Fudro	Kroening	Peterson	Suss
Biersdorf	Fugina	Kvam	Petrafeso	Swanson
Braun	George	Laidig	Philbrook	Tomlinson
Brinkman	Graba	Langseth	Pleasant	Ulland
Byrne	Hanson	Lindstrom	Prahl	Vanasek
Carlson, A.	Haugerud	Luther	Reding	Vento
Carlson, L.	Heinitz	Mann	Rice	Volk
Carlson, R.	Hokanson	McCarron	St. Onge	Voss
Casserly	Jacobs	McCauley	Samuelson	Wenstrom
Clark	Jaros	McCollar	Sarna	Wenzel
Clawson	Jensen	McEachern	Savelkoul	White
Dahl	Johnson, C.	Menning	Schreiber	Wieser
Dean	Johnson, D.	Metzen	Schulz	Williamson
DeGroat	Jude	Moe	Schumacher	Zubay
Dieterich	Kahn	Munger	Searle	Speaker Sabo

The bill was passed and its title agreed to.

S. F. No. 1584, A bill for an act relating to public safety; providing for the reporting of malicious false fire alarms and establishing procedures for deactivations of fire alarm systems in educational facilities.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Enebo	Kelly, R.	Niehaus	Sieloff
Adams, L.	Erickson	Kelly, W.	Norton	Simoneau
Adams, S.	Evans	Kempe, A.	Novak	Skoglund
Albrecht	Ewald	Kempe, R.	Osthoff	Smith
Anderson, G.	Faricy	Ketola	Parish	Smogard
Anderson, I.	Fjoslien	Knickerbocker	Patton	Spanish
Arlandson	Forsythe	Knoll	Pehler	Stanton
Beauchamp	Friedrich	Kostohryz	Peterson	Suss
Begich	Fudro	Kroening	Petrafeso	Swanson
Berg	Fugina	Kvam	Philbrook	Tomlinson
Berglin	George	Laidig	Pleasant	Ulland
Biersdorf	Graba	Langseth	Prahl	Vanasek
Braun	Hanson	Lindstrom	Reding	Vento
Brinkman	Haugerud	Luther	Rice	Volk
Byrne	Heinitz	Mann	St. Onge	Voss
Carlson, A.	Hokanson	McCarron	Samuelson	Wenstrom
Carlson, L.	Jacobs	McCauley	Sarna	Wenzel
Carlson, R.	Jaros	McCollar	Savelkoul	White
Casserly	Jensen	McEachern	Schreiber	Wieser
Clark	Johnson, C.	Menning	Schulz	Williamson
Clawson	Johnson, D.	Metzen	Schumacher	Zubay
Dahl	Jopp	Moe	Searle	Speaker Sabo
Dean	Jude	Munger	Setzpfandt	
DeGroat	Kahn	Neisen	Sherwood	
Doty	Kaley	Nelsen	Sieben, H.	
Eken	Kalis	Nelson	Sieben, M.	

Those who voted in the negative were:

Dieterich

The bill was passed and its title agreed to.

Enebo, Hanson and Johnson, C., were excused at 4:00 p.m.  
Adams, L., was excused at 5:00 p.m.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 2043 offered by Adams, S.:

Page 3, delete lines 20 to 27.

Page 12, delete lines 30 to 32.

Page 13, delete lines 1 to 23.

Renumber the sections accordingly.

The roll being called, there were yeas 40, and nays 71, as follows:

Those who voted in the affirmative were:

Adams, S.	Forsythe	Kalis	Peterson	Sieloff
Albrecht	Friedrich	Kvam	Pleasant	Smith
Anderson, G.	Graba	Lindstrom	Savelkoul	Smogard
DeGroat	Haugerud	Mann	Schreiber	Spanish
Eken	Heinitz	McCauley	Schulz	Ulland
Erickson	Jensen	Metzen	Searle	Wenstrom
Evans	Jopp	Nelsen	Setzepfandt	Wieser
Fjoslien	Kaley	Niehaus	Sherwood	Zubay

Those who voted in the negative were:

Abeln	Dean	Kelly, W.	Norton	Simoneau
Anderson, I.	Dieterich	Kempe, A.	Novak	Skoglund
Arlandson	Doty	Kempe, R.	Osthoff	Swanson
Beauchamp	Ewald	Ketola	Patton	Tomlinson
Begich	Faricy	Knickerbocker	Pehler	Vanasek
Berg	Fudro	Knoll	Petrafeso	Vento
Berglin	Fugina	Kroening	Philbrook	Volk
Braun	George	Laidig	Prahl	Voss
Byrne	Hokanson	Luther	Reding	Wenzel
Carlson, A.	Jacobs	McCarron	St. Onge	Williamson
Carlson, L.	Jaros	Menning	Samuelson	Speaker Sabo
Carlson, R.	Johnson, D.	Moe	Sarna	
Casserly	Jude	Munger	Schumacher	
Clark	Kahn	Neisen	Sieben, H.	
Clawson	Kelly, R.	Nelson	Sieben, M.	

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

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 2043 offered by White:

Page 13, line 1, after "candidate" insert "for elected county office or for elected office in a city or school district with a population of 20,000 or more".

The roll being called, there were yeas 54, and nays 60, as follows:

Those who voted in the affirmative were:

Albrecht	Forsythe	Laidig	Peterson	Smogard
Anderson, G.	Friedrich	Langseth	Prahl	Spanish
Braun	Graba	Lindstrom	Savelkoul	Stanton
Carlson, A.	Hangerud	Mann	Schreiber	Suss
Dahl	Heinitz	McCauley	Schulz	Ulland
Dean	Jopp	McEachern	Schumacher	Volk
DeGroat	Kaley	Menning	Searle	Wenstrom
Eken	Kalis	Metzen	Setzepfandt	White
Erickson	Kelly, W.	Nelsen	Sherwood	Wieser
Evans	Ketola	Niehaus	Sieloff	Zubay
Fjoslien	Kvam	Norton	Smith	

Those who voted in the negative were:

Abeln	Dieterich	Jude	Nelson	Sieben, H.
Anderson, I.	Doty	Kahn	Novak	Sieben, M.
Arlandson	Ewald	Kelly, R.	Osthoff	Simoneau
Begich	Faricy	Kempe, A.	Patton	Skoglund
Berg	Fudro	Kempe, R.	Pehler	Swanson
Berglin	Fugina	Knoll	Petraleso	Tomlinson
Byrne	George	Kostohryz	Philbrook	Vanasek
Carlson, L.	Hokanson	Kroening	Pleasant	Vento
Carlson, R.	Jacobs	Luther	Reding	Voss
Casserly	Jaros	McCarron	St. Onge	Wenzel
Clark	Jensen	Moe	Samuelson	Williamson
Clawson	Johnson, D.	Neisen	Sarna	Speaker Sabo

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

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 2043 offered by Niehaus:

Page 16, line 22, delete "town,".

The roll being called, there were yeas 110, and nays 5, as follows:

Those who voted in the affirmative were:

Abeln	Dean	Jensen	Luther	Petraleso
Adams, S.	DeGroat	Johnson, D.	Mann	Philbrook
Albrecht	Doty	Jopp	McCauley	Prahl
Anderson, G.	Eken	Jude	McEachern	Reding
Anderson, I.	Erickson	Kahn	Menning	St. Onge
Arlandson	Evans	Kaley	Metzen	Samuelson
Begich	Ewald	Kalis	Moe	Sarna
Berg	Fjoslien	Kelly, R.	Munger	Savelkoul
Berglin	Forsythe	Kelly, W.	Neisen	Schreiber
Braun	Friedrich	Kempe, R.	Nelsen	Schulz
Byrne	Fudro	Ketola	Nelson	Schumacher
Carlson, A.	Fugina	Knickerbocker	Niehaus	Searle
Carlson, L.	George	Knoll	Norton	Setzepfandt
Carlson, R.	Graba	Kostohryz	Novak	Sherwood
Casserly	Hangerud	Kvam	Osthoff	Sieben, H.
Clark	Heinitz	Laidig	Patton	Sieben, M.
Clawson	Hokanson	Langseth	Pehler	Sieloff
Dahl	Jacobs	Lindstrom	Peterson	Simoneau

Skoglund	Stanton	Ulland	Voss	Wieser
Smith	Suss	Vanasek	Wenstrom	Williamson
Smogard	Swanson	Vento	Wenzel	Zubay
Spanish	Tomlinson	Volk	White	Speaker Sabo

Those who voted in the negative were:

Dieterich	Faricy	Jaros	Kempe, A.	McCarron
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The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the motion of Vento to recommend passage of H. F. No. 2043, as amended.

The roll being called, there were yeas 65, and nays 51, as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Jude	Munger	Sarna
Anderson, I.	Dean	Kahn	Neisen	Sieben, H.
Arlandson	Dieterich	Kelly, R.	Nelson	Sieben, M.
Begich	Doty	Kempe, A.	Norton	Sieloff
Berg	Ewald	Kempe, R.	Novak	Simoneau
Berglin	Faricy	Knickerbocker	Osthoff	Skoglund
Byrne	Fudro	Knoll	Patton	Stanton
Carlson, A.	Fugina	Kostohryz	Pehler	Tomlinson
Carlson, L.	George	Kroening	Petrafeso	Vento
Carlson, R.	Hokanson	Luther	Philbrook	Volk
Casserly	Jacobs	McCarron	Reding	Voss
Clark	Jaros	McEachern	St. Onge	Wenzel
Clawson	Johnson, D.	Moe	Samuelson	Speaker Sabo

Those who voted in the negative were:

Adams, S.	Friedrich	Langseth	Savelkoul	Swanson
Albrecht	Graba	Lindstrom	Schreiber	Ulland
Anderson, G.	Haugerud	Mann	Schulz	Wenstrom
Braun	Heinitz	McCauley	Schumacher	White
Brinkman	Jensen	Menning	Searle	Wieser
DeGroat	Jopp	Metzen	Setzepfandt	Williamson
Eken	Kaley	Nelsen	Sherwood	Zubay
Erickson	Kalis	Niehaus	Smith	
Evans	Kelly, W.	Peterson	Smogard	
Fjoslien	Kvam	Pleasant	Spanish	
Forsythe	Laidig	Prahl	Suss	

The motion prevailed.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. Nos. 1828 and 1829 which it recommended to pass.

H. F. No. 910 upon which it recommended progress.

H. F. No. 998 upon which it recommended progress until Tuesday, March 2, 1976.

H. F. No. 460 which it recommended be returned to its author.

H. F. Nos. 1076 and 1996 upon which it recommended progress until Wednesday, February 25, 1976.

H. F. No. 116 upon which it recommended progress until Monday, March 1, 1976.

H. F. No. 571 which it recommended re-referral to the Committee on Appropriations.

H. F. Nos. 1702, 1891 and 1892 upon which it recommended progress until Thursday, February 19, 1976.

H. F. No. 1767 upon which it recommended to pass with the following amendment offered by Fudro:

Page 1, line 15, after "board" insert "*for which a consideration has been paid*".

Page 5, line 4, after "*leases*" strike "*or rents*".

Page 5, line 8, strike "*rents*" and insert "*leases*".

Page 6, line 25, after "*Subd. 11*" insert "*No organization shall conduct bingo on a premise without a written lease, unless the premise is owned by the organization conducting the bingo.*".

Page 6, line 29, strike "*rent*" and insert "*lease payments*".

Page 9, line 14, after "*act*" delete the period and insert a semicolon.

Page 9, after line 14, insert the following:

*"(e) Copies of any lease agreements required by this act, executed by the organization in regard to premises leased for the conduct of bingo."*

H. F. No. 2041 upon which it recommended to pass with the following amendment offered by Lindstrom and Adams, S.:

Page 1, line 7, after "that" and before "each" insert "the state of Minnesota has as its objective that".

Page 1, line 19, after "finds" delete "the goals of the state" and insert "that an ideal".

Page 1, line 20, after "care" delete "to be the following:" and insert "should include the following objectives:".

Page 1, line 21, after "(a)" insert "that".

Page 1, line 21, delete "shall".

Page 2, line 1, after "(b)" insert "that".

Page 2, line 1, delete "shall".

Page 2, line 1, after "be" delete "entitled to" and insert "the recipient of".

Page 2, line 5, after "(c)" insert "that".

Page 2, line 6, delete "shall".

Page 2, line 7, after "person's" and before "rights" insert "statutory".

Page 2, line 9, delete "goals" and insert "eventual objectives".

Page 2, line 10, delete "the responsibilities" and insert "its intention to implement as rapidly as possible".

Page 2, line 11, delete "of the state government to be".

Page 2, after line 18, insert:

"Sec. 5. This act shall not create new legal rights or cause of action enforceable against the state or any subdivision thereof nor person, natural or otherwise, in favor of any other person".

Renumber the remaining section.

H. F. No. 2043 upon which it recommended to pass with the following amendments:

Offered by Niehaus:

Page 16, line 22, delete "town,".

Offered by Vento:

Page 13, line 1, after "candidate" insert "not required to file under the provisions of Minnesota Statutes, Section 10A.09".

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

## MOTIONS AND RESOLUTIONS

Kempe, A., moved that the name of Tomlinson be added as an author on H. F. No. 1898. The motion prevailed.

Carlson, L., moved that his name be stricken as an author on H. F. No. 1173. The motion prevailed.

Sieben, M., moved that the name of Osthoff be added as an author on H. F. No. 2262. The motion prevailed.

Heinitz moved that the name of Albrecht be added as an author on H. F. No. 2237. The motion prevailed.

Mann moved that H. F. No. 2215 be recalled from the Committee on Transportation and be re-referred to the Committee on Appropriations. The motion prevailed.

Smith moved that H. F. No. 2107 be recalled from the Committee on Crime Prevention and Corrections and be re-referred to the Committee on Governmental Operations. The motion prevailed.

## ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Wednesday, February 18, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## SEVENTY-SECOND DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, FEBRUARY 18, 1976

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kaley	Neisen	Sieben, H.
Adams, L.	Eken	Kalis	Nelsen	Sieben, M.
Adams, S.	Enebo	Kelly, R.	Niehau	Sieloff
Albrecht	Erickson	Kelly, W.	Norton	Simoneau
Anderson, G.	Evans	Kempe, A.	Novak	Skoglund
Anderson, I.	Ewald	Kempe, R.	Osthoff	Smogard
Arlandson	Faricy	Ketola	Parish	Spanish
Beauchamp	Fjoslien	Knickerbocker	Patton	Stanton
Begich	Forsythe	Knoll	Pehler	Suss
Berg	Friedrich	Kostohryz	Peterson	Swanson
Berglin	Fudro	Kroening	Petrafeso	Tomlinson
Biersdorf	Fugina	Kvam	Philbrook	Ulland
Braun	George	Laidig	Pleasant	Vanasek
Brinkman	Graba	Langseth	Prahl	Vento
Byrne	Hanson	Lindstrom	Reding	Volk
Carlson, A.	Haugerud	Luther	Rice	Voss
Carlson, L.	Heinitz	Mangan	St. Onge	Wenstrom
Carlson, R.	Hokanson	Mann	Samuelson	Wenzel
Casserly	Jacobs	McCarron	Sarna	White
Clark	Jaros	McCauley	Savelkoul	Wieser
Clawson	Jensen	McCollar	Schreiber	Wigley
Corbid	Johnson, C.	McEachern	Schulz	Williamson
Dahl	Johnson, D.	Menning	Schumacher	Zubay
Dean	Jopp	Metzen	Searle	Speaker Sabo
DeGroat	Jude	Moe	Setzepfandt	
Dieterich	Kahn	Munger	Sherwood	

A quorum was present.

Birnstihl, Eckstein, Esau, Lemke, Nelson and Smith were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Kalis the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2170, 920, 2071, 2220, 1767, 2041 and 2043 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

S. F. No. 1135, A bill for an act relating to intoxicating and non-intoxicating liquor; age for licensing, sale, purchase, consumption, possession and furnishing; amending Minnesota Statutes 1974, Sections 340.02, Subdivision 8; 340.035, Subdivision 1; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.355; 340.403, Subdivision 3; 340.73, Subdivision 1; 340.731; 340.78; 340.79; 340.80; and 340.81.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Chapter 340, is amended by adding a section to read:

[340.991] [DEFINITION.] *For the purposes of chapter 340 "minor" means an individual under the age of 18, provided that any person attaining his 18th birthday between the dates of September 1 of one year and June 15 of the following year, inclusive, shall be considered a minor until June 16 next following his 18th birthday.*

Sec. 2. Minnesota Statutes 1974, Section 340.02, Subdivision 8, is amended to read:

Subd. 8. [PERSONS ELIGIBLE.] Licenses hereunder shall be issued only to persons who are citizens of the United States and who are of good moral character and repute, who have attained (THE AGE OF 18 YEARS) *their majority* and who are proprietors of the establishments for which the licenses are issued.

Sec. 3. Minnesota Statutes 1974, Section 340.035, Subdivision 1, is amended to read:

340.035 [PERSONS UNDER 19.] Subdivision 1. It shall be unlawful for any:

(1) Licensee or his employee to sell or serve non-intoxicating malt liquor to any minor or to permit any minor to consume non-intoxicating malt liquor on the licensed premises (OR TO PERMIT ANY MINOR TO LOITER OR TO REMAIN IN THE

ROOM WHERE NON-INTOXICATING MALT LIQUOR IS BEING SOLD OR SERVED UNLESS ACCOMPANIED BY HIS PARENT OR LEGAL GUARDIAN);

(2) Person other than the parent or legal guardian to procure non-intoxicating malt liquor for any minor;

(3) Person to induce a minor to purchase or procure non-intoxicating malt liquor;

(4) Minor to misrepresent his age for the purpose of obtaining non-intoxicating malt liquor;

(5) Minor to consume any non-intoxicating malt liquor unless in the company of his parent or guardian;

(6) Minor to have in his possession any non-intoxicating malt liquor, with intent to consume same at a place other than the household of his parent or guardian. Possession of such non-intoxicating malt liquor at a place other than the household of his parent or guardian shall be prima facie evidence of intent to consume the same at a place other than the household of his parent or guardian.

Sec. 4. Minnesota Statutes 1974, Section 340.119, Subdivision 2, is amended to read:

Subd. 2. A bottle club may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to such members. A bottle club or any unincorporated society which shall have more than 50 members and which shall have, for more than a year, owned, hired, or leased space in a building of such extent and character as may be suitable and adequate for reasonable and comfortable accommodations for its members, may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to such members. Every bottle, container, or other receptacle containing intoxicating liquor stored by members shall have attached to it a label signed by the member of the club. All liquor on the premises of the club shall be labeled as herein required, and any not being actually used or consumed by the owner thereof shall be kept in a locker designated to the use of such member. It shall be unlawful for any club member (UNDER 18 YEARS OF AGE) *who is a minor* to be assigned a locker for the storage of intoxicating liquor, or to consume or display or be permitted to consume or display intoxicating liquor on any premises owned or controlled by such private club.

Sec. 5. Minnesota Statutes 1974, Section 340.13, Subdivision 12, is amended to read:

Subd. 12. [LICENSES; PERSONS ELIGIBLE.] No license shall be issued to other than a citizen of the United States (OVER

18 YEARS OF AGE) *who has attained his majority and who shall be of good moral character and repute, nor to any person who within five years prior to the application of such license has been convicted of any wilful violation of any law of the United States or the state of Minnesota or of any local ordinance with regard to the manufacture, sale, distribution, or possession for sale or distribution of intoxicating liquor, nor to any person whose license under the intoxicating liquor act shall be revoked for any wilful violation of any such laws or ordinances.*

Sec. 6. Minnesota Statutes 1974, Section 340.403, Subdivision 3, is amended to read:

Subd. 3. [LICENSE GRANTED.] Upon the filing of an application, the approval of the bond, and the payment of the license fee, the commissioner shall grant the license unless it shall appear that the applicant: (1) is not a citizen of the United States; or (2) is (NOT OVER 18 YEARS OF AGE) *a minor*; or (3) has been convicted of a felony under the laws of this state; or (4) has had his license revoked within a period of one year prior to the filing of his application; or (5) has not been a resident of Minnesota or has not been qualified as a corporation to do business in Minnesota for more than 90 days prior to application. In the event the applicant is a corporation its managing officers must possess the qualifications herein stated in respect to (1), (2), (3), and (4).

No wholesale malt beverage license shall be granted to any person unless he shall have within the state of Minnesota warehouse space either owned or leased by him and shall have adequate delivery facilities to perform the function of wholesaling malt beverages. Provided that the requirements of this subdivision as to residence and warehouse space shall not apply to any wholesaler in an adjoining state which permits Minnesota resident licensees to deliver malt beverages to retailers without warehousing in that state or to any wholesaler in an adjoining state delivering malt beverages manufactured in Minnesota.”

Further amend the title as follows:

Page 1, line 5, after “1974,” insert “Chapter 340, by adding a section; and”.

Page 1, line 7, delete “340.355;”.

Page 1, line 8, before “340.403” insert “and”.

Page 1, line 8, delete everything after “Subdivision 3” and insert a period.

Page 1, delete line 9.

With the recommendation that when so amended the bill do pass.

The report was adopted.

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

H. F. No. 2001, A bill for an act relating to pollution control; authorizing the hiring of county environmental officers; providing grants-in-aid; appropriating money.

Reported the same back with the following amendments:

Page 1, line 8, after "to" delete "5" and insert "4".

Page 1, line 9, delete "at least one" and insert "or designating an".

Page 1, line 12, delete the comma and insert "and".

Page 1, line 13, delete ", and orders".

Page 1, line 16, after "to" delete "5" and insert "4".

Page 1, delete lines 17 to 21.

Renumber subsequent sections accordingly.

Page 2, line 17, after "to" delete "5" and insert "4".

Page 2, line 17, delete "conjunction" and insert "cooperation".

Page 2, line 19, delete "include the implementation of state".

Page 2, delete lines 20 to 24 and insert "show how each applicant county will assist the pollution control agency in the implementation of the agency's standards and rules, and how the applicant county will implement its own environmental ordinances."

Page 3, line 6, delete "4" and insert "3".

Page 3, line 8, after "hired" insert "or designated".

Page 3, line 13, delete "monthly" and insert "quarterly".

Page 3, line 17, after the dollar sign insert "850,000".

Page 3, line 18, delete "July 1, 1978" and insert "June 30, 1977".

Page 3, line 21, after the dollar sign insert "800,000".

Page 3, line 22, delete "spent" and insert "made available".

Page 3, line 22, after the period insert "Any unspent funds shall be returned to the general fund."

Page 3, line 24, after the period insert "No grants-in-aid may be awarded to an eligible county prior to January 1, 1977, although applications for grants-in-aid may be received and reviewed by the pollution control agency."

Further amend the title as follows:

Page 1, line 3, after "hiring" insert "or designation".

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

The report was adopted.

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

H. F. No. 2244, A bill for an act relating to public employment labor relations; providing for determination of the fair share fee; providing for appeal of that determination; amending Minnesota Statutes 1974, Sections 179.63, by adding a subdivision; 179.65, Subdivision 2; 179.71, Subdivision 2; and 179.72, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 12, delete the comma and insert "or".

Page 1, line 13, delete ", or any other person," and insert "in the unit".

Page 2, line 2, strike "Except for employees included in".

Page 2, line 3, strike the language.

Page 2, line 4, strike "exempt from contributing until January 1, 1975 only,".

Page 2, line 21, after the period insert:

*"Any public employee, as defined in section 179.63, subdivision 10, clause (c), required to contribute a fair share fee shall have credited against the required contribution any amount which the employee contributes in dues to an employee organization*

*which was either a representative candidate in the most recent election held in the unit pursuant to section 176.67 or which has subsequently demonstrated to the director that 30 percent of the employees in the unit desire the employee organization as their exclusive representative, regardless of whether or not the employee organization has requested that an election be held. The credit against the required contribution allowed any public employee shall not in any case serve to reduce the fair share amount to less than 50 percent of the exclusive representative's regular membership dues, and if the fair share fee is 50 percent or less of the exclusive representative's regular membership dues no credit shall be allowed."*

Page 2, line 26, delete "or by a person" and insert "in the unit".

Page 3, line 16, after "(e)" delete the new language.

Page 3, line 17, delete "challenge" and insert "a fair share fee challenge whereupon the director shall allow, disallow or modify the proposed fee with a statement explaining the action".

Page 4, line 1, delete "on the record appeals from".

Page 4, lines 2 and 3, delete the new language and insert "appeals limited to the record from determinations of the director relating to any fair share fee challenge. Judicial review of the board's decisions in such matters shall be by petition for a writ of certiorari to the supreme court pursuant to chapter 606".

Page 4, after line 3, insert a new section:

*"Sec. 5. No fair share fee may be assessed under the procedures of this act prior to July 1, 1976, but written notices of proposed fees and notices of fair share fee challenges may be made beginning on June 1, 1976. Nothing in this act shall be deemed to invalidate prior to July 1, 1976 any fair share fee legally assessed under prior provisions of the public employment labor relations act."*

Renumber the succeeding section.

With the recommendation that when so amended the bill do pass.

- The report was adopted.

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

House Concurrent Resolution No. 18, A house concurrent resolution designating the National Conference of State Legislatures as an instrumentality of the State of Minnesota.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2158, A bill for an act relating to energy conservation; authorizing the purchase of electric automobiles for the purpose of determining the feasibility of the use of such automobiles in state operations; prescribing the powers and duties of the director of the state energy agency in relation to such vehicles; and appropriating money.

Reported the same back with the following amendments:

Page 1, delete lines 10 to 18 and renumber the remaining sections.

Page 1, line 21, delete " "Central motor pool" " and insert " "Commissioner" ".

Page 1, line 21, delete "central motor".

Page 1, line 22, delete "pool" and insert "commissioner".

Page 2, line 4, delete "central motor pool" and insert "department of administration".

Page 2, line 8, delete "central motor pool" and insert "department of administration".

Page 2, line 17, delete "may" and insert "shall".

Page 2, line 18, delete "central motor pool" and insert "department of administration".

Page 3, line 2, delete the second "director" and insert "commissioner".

Page 3, line 2, delete "the central".

Page 3, line 3, delete "motor pool" and insert "administration".

Page 3, line 7, delete the second "director" and insert "commissioner" and after "of" delete "the".

Page 3, line 8, delete "central motor pool" and insert "administration".

Page 3, line 11, delete the second "director" and insert "commissioner".

Page 3, line 11, delete "the central motor".

Page 3, line 12, delete "pool" and insert "administration".

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. No. 2244 was read for the second time.

## SECOND READING OF SENATE BILLS

S. F. No. 1135 was read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Beauchamp, Stanton, Patton, St. Onge and Evans introduced:

H. F. No. 2327, A bill for an act relating to education; state university system; providing for continuing availability of certain appropriations; appropriating money.

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

Stanton, Heinitz, Faricy, Erickson and Fugina introduced:

H. F. No. 2328, A bill for an act relating to handicapped persons; authorizing a feasibility study for the establishment of a rehabilitation center and residence for certain handicapped persons; appropriating money.

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

Clark, Moe, McCarron, Carlson, A., and Byrne introduced:

H. F. No. 2329, A bill for an act relating to corrections; increasing the scope of the jurisdiction and power of the ombudsman; preserving the rights of complainants; providing a penalty for persons hindering the ombudsman; removing an expiration date; amending Minnesota Statutes 1974, Sections 241.42, Subdivision 2; 241.44, Subdivisions 1 and 3; and Chapter 241, by adding a section; repealing Laws 1973, Chapter 553, Section 7.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Osthoff, Vento, Dieterich, Hanson and Kelly, R., introduced:

H. F. No. 2330, A bill for an act relating to Independent School District No. 625; providing that the superintendent of schools shall serve at the pleasure of the school board.

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

Dieterich, Hanson, Norton, Sieloff and Tomlinson introduced:

H. F. No. 2331, A bill for an act relating to education; authorizing Independent School District No. 625 to issue bonds for the purpose of correcting cash flow problems and for other purposes; requiring a tax levy in certain years to eliminate the operating debt of the district.

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

Johnson, C.; Sabo; Petrafeso; Adams, S.; and Wenstrom introduced:

H. F. No. 2332, A bill for an act relating to education; requiring school districts to engage in planning, evaluation and reporting; establishing an office of planning assistance for public elementary and secondary school districts; appropriating money.

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

Mann, Kalis, Erickson, Menning and Graba introduced:

H. F. No. 2333, A bill for an act relating to education; transportation of children; requiring the installation of intercommunication systems in school buses.

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

George, Prah, Wenstrom and Novak introduced:

H. F. No. 2334, A bill for an act relating to accident and health insurance; prohibiting sale or renewal of policies covering only cancer or specified diseases; authorizing exemptions.

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

Brinkman, Philbrook, Jacobs, Kelly, R., and McCauley introduced:

H. F. No. 2335, A bill for an act relating to insurance; revising financial requirements for certain insurance companies; amending Minnesota Statutes 1974, Section 60A.07, Subdivisions 5a, 5b, 5c and 5d.

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

Knickerbocker and Savelkoul introduced:

H. F. No. 2336, A bill for an act relating to elections; permitting use of "nonpartisan" designation for certain candidates; amending Minnesota Statutes, 1975 Supplement, Section 203A.34.

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

Swanson and Hokanson, by request, introduced:

H. F. No. 2337, bill for an act relating to the city of Richfield; exempting the director of public safety from membership in the policemen's relief association; amending Laws 1965, Chapter 458, Section 5.

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

Wenstrom introduced:

H. F. No. 2338, A bill for an act relating to the city of Fergus Falls; firemen's service pensions; amending Laws 1971, Chapter 2, Section 1.

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

Reding, Evans, Sherwood and Kroening introduced:

H. F. No. 2339, A bill for an act relating to licensed occupations; establishing a policy for the regulation of occupations; transferring responsibility for the provision of staffing and administrative services; clarifying reporting responsibilities; prescribing a procedure for complaint review; granting licensing boards additional powers relating to injunctive relief, subpoenas and continuing education; prescribing duties of the board of health relating to human services occupations, creating advisory councils; merging the licensed practical nursing board into the board of nursing; transferring employees and moneys; appropriating money; amending Minnesota Statutes 1974, Sections 125.182, Subdivision 3; 125.183, by adding a subdivision; 125.184, as amended; 125.185, as amended; 125.187; 144.955; 144.959; 147.021, Subdivision 1; 147.06; 147.13; 147.18; 147.23; 148.05; 148.06, Subdivision 1; 148.07, as amended; 148.10; 148.211, Subdivision 2; 148.241, Subdivision 1; 148.291, Subdivision 3; 148.57; 148.59; 148.90, as amended; 148.91, Subdivisions 1 and 3; 148.97, Subdivision 6; 148.98; 150A.04, Subdivision 5; 150A.06, Subdivision 1; 150A.08, Subdivision 4; 150A.09, Subdivision 3; 151.06, Subdivision 4; 151.10; 151.13; 151.14; 151.19; 151.25; 151.27; 155.02, Subdivision 7a; 155.03, Subdivision 2; 155.06, Subdivision 3; 155.09, Subdivisions 1, 4 and 5; 155.11, Subdivision 2; 155.14; 155.16; 155.18, Subdivision 1; 155.20, Subdivision 2; 156.01, Subdivision 5; 156.02, Subdivision 2; 156.03; 156.07; 156.072, Subdivisions 2 and 3; 156.081, Subdivision 1; 156.14; 214.06; 270.47; 326.08, Subdivision 1; 326.11, Subdivision 6; 326.15; 326.22, as amended; 326.23; 326.241, as amended; 326.242, Subdivisions 8 and 9; 326.33, Subdivisions 2 and 3; 326.331; 326.332, Subdivision 1; 326.334, Subdivisions 1 and 3; 326.54; 326.543; 326.544; 326.545; 326.546; 341.05, as amended; 341.06; 341.07; 341.08; 341.12; 341.13; 341.15; 386.63, Subdivisions 2 and 3; 386.64; 386.65, Subdivisions 1 and 2; 386.67; Chapter 214, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 125.183, Subdivision 3; 144.952, by adding a subdivision; 147.01; 147.02, Subdivision 1; 147.05; 148.03; 148.181; 148.191; 148.211, Subdivision 1; 148.261, Subdivision 1; 148.29, Subdivision 2; 148.291, Subdivision 1; 148.299; 148.52; 148.54; 148.60; 148.95; 150A.02, Subdivision 1; 150A.03, Subdivision 2; 151.03; 151.07; 153.02; 153.03; 153.04; 153.13; 154.22; 154.23; 155.05; 155.06, Subdivision 1; 155.08; 156.01, Subdivision 1; 214.04; 214.07; 270.41; 270.42; 326.03, Subdivision 1; 326.04; 326.05; 326.06; 326.08, Subdivision 2; 326.09; 326.10; 326.11, Subdivisions 1 and 5; 326.12; 326.13; 326.14; 326.17; 326.33, Subdivision 1; 326.541; 326.542; 341.01; 341.04; 341.10; 341.11; 386.63, Subdivision 1; 386.66; 386.68; repealing Minnesota Statutes 1974, Sections 144.956; 144.958; 144.965; 145.861; 145.862; 145.863; 145.864; 148.06, Subdivision 2; 148.281, Subdivision 2; 148.291, Subdivision 2; 148.55; 148.94; 148.97, Subdivision 2; 148.99, Subdivision 1; 150A.04, Subdivisions 1, 2, 3 and 4; 150A.07; 150A.08, Subdivision 2; 150A.09, Subdivision 2; 151.09; 153.10; 156.01, Subdivision 4;

326.08, Subdivision 3; 326.11, Subdivision 3; 326.16; 386.63, Subdivision 6; 386.65, Subdivision 2; Minnesota Statutes, 1975 Supplement, Sections 145.865, Subdivision 1; 145.866; 148.211, Subdivision 3; 148.231, Subdivision 3; 148.291, Subdivision 4; 148.297, Subdivision 2; 148.55; 326.11, Subdivisions 2 and 4; 386.695; 386.696; and 386.70, Subdivisions 3, 4, 5 and 6.

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

Jaros, Munger, Doty and Ulland introduced:

H. F. No. 2340, A bill for an act relating to retirement; including employees of the United Day Activity Center of Duluth, Incorporated in membership in the public employees retirement association; amending Minnesota Statutes 1974, Chapter 353, by adding a section.

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

Jude, Pleasant, Knickerbocker, Schreiber and Fudro introduced:

H. F. No. 2341, A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in Hennepin county.

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

Wenstrom; Lindstrom; Johnson, C.; Carlson, R.; and Samuelson introduced:

H. F. No. 2342, A bill for an act relating to state hospitals; providing certain name changes; amending Minnesota Statutes 1974, Sections 252.025, Subdivision 1; 253.201; 253A.02, by adding a subdivision; and 254.05.

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

Rice, Nelson, Berglin and Casserly introduced:

H. F. No. 2343, A bill for an act relating to welfare; duties of the commissioner of public welfare; providing for standards for payment of the state share of medical costs for indigent persons; amending Minnesota Statutes, 1975 Supplement, Section 261.232.

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

Kroening, Langseth, Kaley, Berglin and Schumacher introduced:

H. F. No. 2344, A bill for an act relating to physicians; requiring continuing medical education; providing for reporting of credit hours, granting of extensions, and discipline; defining terms.

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

Evans, Beauchamp, Heinitz, St. Onge and Nelsen introduced:

H. F. No. 2345, A bill for an act relating to retirement; mandatory retirement of state university and community college personnel; amending Minnesota Statutes 1974, Section 354.44, by adding a subdivision; and Minnesota Statutes, 1975 Supplement, Section 354.44, Subdivision 1a.

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

Fugina and Wenzel introduced:

H. F. No. 2346, A bill for an act relating to education; providing for loans to medical students on certain conditions; amending Minnesota Statutes, 1975 Supplement, Section 147.30.

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

Fugina and Sieben, M., introduced:

H. F. No. 2347, A bill for an act relating to education; higher education coordinating board; providing for a student member on the board; amending Minnesota Statutes 1974, Section 136A.02, Subdivision 1.

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

Eken and Anderson, G., introduced:

H. F. No. 2348, A bill for an act relating to newspapers; publication of retractions and corrections; setting certain requirements for the printing of statements of correction.

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

Sherwood, Biersdorf, Braun, Begich and Setzepfandt introduced:

H. F. No. 2349, A bill for an act relating to game and fish; taking of wild animals by firearms; amending Minnesota Statutes 1974, Section 100.29, Subdivision 22.

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

Byrne, Vento, Faricy, Haugerud and Ulland introduced:

H. F. No. 2350, A bill for an act relating to crime victims reparations; authorizing a claim to be filed within one year of the time when it could have been reasonably made; appropriating money; amending Minnesota Statutes 1974, Section 299B.03, Subdivision 2.

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

Clark introduced:

H. F. No. 2351, A bill for an act relating to the city of Minneapolis park board; permitting the appointment of an administrative assistant.

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

Reding, Sherwood, Johnson, D., and Clawson introduced:

H. F. No. 2352, A bill for an act relating to counties; creating enforcement procedures for violations of county plans; amending Minnesota Statutes 1974, Section 394.37, Subdivision 3.

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

Reding, Sherwood, Johnson, D., and Clawson introduced:

H. F. No. 2353, A bill for an act relating to counties; changing lands subject to county control; amending Minnesota Statutes 1974, Section 394.24, Subdivision 3.

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

Eken introduced:

H. F. No. 2354, A bill for an act relating to cities; increasing the amount of obligations that may be issued for television systems; validating prior issuances; amending Minnesota Statutes 1974, Section 465.70.

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

Fugina, Johnson, D., and Begich introduced:

H. F. No. 2355, A bill for an act relating to St. Louis county; establishing the priority of the St. Louis county assessor and the Duluth city assessor.

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

Kelly, W.; Eken; Braun; Langseth and Corbid introduced:

H. F. No. 2356, A bill for an act relating to Red River watershed; authorizing watershed districts which are members of the lower Red River watershed management board to levy a tax; authorizing the management board to institute certain projects; allowing the board to enter certain intergovernmental agreements.

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

McCauley, Fudro, Swanson, Adams, S., and Voss introduced:

H. F. No. 2357, A resolution urging Congress, the President and the Internal Revenue Service to adopt comprehensible income tax laws and return forms as a special Bicentennial Memorial.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Wieser, Arlandson, McCauley and Jopp introduced:

H. F. No. 2358, A bill for an act relating to taxation; providing for the income tax treatment of certain pension contributions; amending Minnesota Statutes 1974, Section 290.09, by adding subdivisions.

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

Tomlinson, Dieterich, Sieloff, Anderson, I., and Kelly, W., introduced:

H. F. No. 2359, A bill for an act relating to taxation; appropriating funds for incentive payments to townships, cities and counties having prescribed assessment-sales ratios; appropriating money; amending Minnesota Statutes 1974, Chapter 273, by adding a section.

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

Eken; Schulz; Anderson, G.; Menning and Carlson, R., introduced:

H. F. No. 2360, A bill for an act relating to taxation; inheritance and gift taxes; amending Minnesota Statutes 1974, Sections 291.03; 291.05; 292.05, Subdivision 1; and 292.07, Subdivisions 3 and 5.

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

Haugerud introduced:

H. F. No. 2361, A bill for an act relating to telephones; revoking the authority of Continental Telephone Company to operate in Mower county.

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

#### MESSAGES FROM THE SENATE

A message from the Senate relating to S. F. No. 733, and an accompanying Conference Committee report, was reported to the House.

Brinkman moved that the message from the Senate relating to S. F. No. 733 be laid over until Thursday, February 26, 1976. The motion prevailed.

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

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

Amend the permanent Rules of the House for the Sixty-ninth Session as they appear in the Journal of the House for the fifth day Thursday, January 16, 1975, as follows:

Page 63, add a new paragraph to read as follows to Rule 1.16:

"After March 30, 1976, the House shall not act on bills other than those recommended by conference committee reports or the Committee on Rules and Legislative Administration, and those bills contained in messages from the Senate."

The report was adopted and the permanent Rules of the House for the Sixty-ninth session were amended.

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

Amend the permanent Rules of the House for the 69th Session as they appear in the Journal of the House for the fifth day, Thursday, January 16, 1975, as follows:

Page 63, strike all of Rule 1.15 and insert in lieu thereof the following:

"1.15 RECALLING BILL FROM COMMITTEE. Except after the deadline for committee reports on bills originating in the House, any bill or resolution may be recalled from any committee at any time by majority vote of the whole house, be given a second reading and be advanced to General Orders."

A minority of the members of the Committee on Rules and Legislative Administration submitted the following minority report to the preceding majority report, and pursuant to the rules of the House the minority report was acted upon first.

#### MINORITY REPORT

February 18, 1976

We, the undersigned, being a minority of the House Committee on Rules and Legislative Administration, do recommend that Rule 1.3 of the permanent House Rules be amended so that Motions and Resolutions is returned to its normal place as No. 7 in the Order of Business in lieu of the recommended amendment to Rule 1.15.

HENRY J. SAVELKOU, WENDELL O. ERICKSON, RODNEY N. SEARLE, JAMES E. ULLAND and SALISBURY ADAMS.

Savelkoul moved that the minority report be substituted for the majority report and that the minority report be now adopted.

## CALL OF THE HOUSE

On the motion of Savelkoul and on the demand of 19 members, a call of the House was ordered. The following members answered to their names:

Abeln	Enebo	Kelly, R.	Niehaus	Sieloff
Adams, L.	Erickson	Kelly, W.	Norton	Simoneau
Adams, S.	Evans	Kempe, A.	Novak	Skoglund
Albrecht	Ewald	Kempe, R.	Osthoff	Smogard
Anderson, G.	Faricy	Ketola	Parish	Spanish
Anderson, I.	Fjoslien	Knickerbocker	Patton	Stanton
Arlandson	Forsythe	Knoll	Pehler	Suss
Beauchamp	Fudro	Kostohryz	Peterson	Swanson
Begich	Fugina	Kroening	Petrafeso	Tomlinson
Berg	George	Kvam	Philbrook	Ulland
Berglin	Graba	Laidig	Pleasant	Vanasek
Braun	Hanson	Langseth	Prahl	Vento
Brinkman	Haugerud	Lindstrom	Reding	Volk
Byrne	Heinitz	Luther	Rice	Voss
Carlson, L.	Hokanson	Mangan	St. Onge	Wenstrom
Carlson, R.	Jacobs	McCarron	Samuelson	Wenzel
Casserly	Jaros	McCauley	Sarna	White
Clark	Jensen	McCollar	Savelkoul	Wieser
Clawson	Johnson, C.	McEachern	Schreiber	Wigley
Dahl	Johnson, D.	Menning	Schulz	Williamson
Dean	Jopp	Metzen	Schumacher	Zubay
DeGroat	Jude	Moe	Searle	Speaker Sabo
Dieterich	Kahn	Munger	Sherwood	
Doty	Kaley	Neisen	Sieben, H.	
Eken	Kalis	Nelsen	Sieben, M.	

Savelkoul moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

A roll call was requested on the minority report and was properly seconded.

The question was taken on the adoption of the minority report.

Anderson, I., moved that those not voting be excused from voting. The motion prevailed.

The roll being called, there were yeas 36, and nays 92, as follows:

Those who voted in the affirmative were:

Abeln	Evans	Kaley	Niehaus	Ulland
Adams, S.	Ewald	Kempe, R.	Peterson	Volk
Albrecht	Faricy	Knickerbocker	Pleasant	Wigley
Biersdorf	Fjoslien	Knoll	Savelkoul	Zubay
Carlson, A.	Forsythe	Kvam	Schreiber	
Dean	Friedrich	Laidig	Searle	
DeGroat	Heinitz	McCauley	Sieloff	
Erickson	Jopp	Nelsen	Stanton	

Those who voted in the negative were:

Adams, L.	Doty	Kelly, W.	Novak	Simoneau
Anderson, G.	Eken	Kempe, A.	Osthoff	Skoglund
Anderson, I.	Enebo	Ketola	Parish	Smogard
Arlandson	Fudro	Kostohryz	Patton	Spanish
Beauchamp	Fugina	Kroening	Pehler	Suss
Begich	George	Langseth	Petrafeso	Swanson
Berg	Graba	Lindstrom	Philbrook	Tomlinson
Berglin	Hanson	Luther	Prahl	Vanasek
Braun	Haugerud	Mangan	Reding	Vento
Brinkman	Hokanson	Mann	Rice	Voss
Byrne	Jacobs	McCarron	St. Onge	Wenstrom
Carlson, L.	Jaros	McCollar	Samuelson	Wenzel
Carlson, R.	Jensen	McEachern	Sarna	White
Casserly	Johnson, C.	Menning	Schulz	Wieser
Clark	Johnson, D.	Metzen	Schumacher	Williamson
Clawson	Jude	Moe	Setzepfandt	Speaker Sabo
Corbid	Kahn	Munger	Sherwood	
Dahl	Kalis	Neisen	Sieben, H.	
Dieterich	Kelly, R.	Norton	Sieben, M.	

The minority report was not adopted.

The question recurred on the Anderson, I., motion to adopt the majority report of the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The roll being called, there were yeas 92, and nays 36, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kempe, A.	Novak	Simoneau
Adams, L.	Eken	Ketola	Osthoff	Skoglund
Anderson, G.	Enebo	Knoll	Parish	Smogard
Anderson, I.	Fudro	Kostohryz	Patton	Spanish
Arlandson	Fugina	Kroening	Pehler	Stanton
Beauchamp	George	Langseth	Petrafeso	Suss
Begich	Graba	Lindstrom	Philbrook	Swanson
Berglin	Hanson	Luther	Prahl	Tomlinson
Braun	Hokanson	Mangan	Reding	Vanasek
Brinkman	Jacobs	Mann	Rice	Vento
Byrne	Jaros	McCarron	St. Onge	Wenstrom
Carlson, L.	Jensen	McCollar	Samuelson	Wenzel
Carlson, R.	Johnson, C.	McEachern	Sarna	White
Casserly	Johnson, D.	Menning	Schulz	Wieser
Clark	Jude	Metzen	Schumacher	Williamson
Clawson	Kahn	Moe	Setzepfandt	Speaker Sabo
Corbid	Kalis	Munger	Sherwood	
Dahl	Kelly, R.	Neisen	Sieben, H.	
Dieterich	Kelly, W.	Norton	Sieben, M.	

Those who voted in the negative were:

Adams, S.	Biersdorf	DeGroat	Ewald	Forsythe
Albrecht	Carlson, A.	Erickson	Farcy	Friedrich
Berg	Dean	Evans	Fjoslien	Haugerud

Heinitz	Kvam	Peterson	Sieloff	Zubay
Jopp	Laidig	Pleasant	Ulland	
Kaley	McCauley	Savelkoul	Volk	
Kempe, R.	Nelsen	Schreiber	Voss	
Knickerbocker	Niehaus	Searle	Wigley	

The report was adopted and the permanent Rules of the House for the Sixty-ninth session were amended.

#### CALL OF THE HOUSE LIFTED

Savelkoul moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

#### CONSENT CALENDAR

H. F. No. 1751, A bill for an act relating to game and fish; firearms permissible for taking wild animals; amending Minnesota Statutes 1974, Section 100.29, Subdivision 9.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 2, as follows:

#### Those who voted in the affirmative were:

Abeln	Eken	Kelly, R.	Niehaus	Sieloff
Adams, L.	Enebo	Kelly, W.	Norton	Simoneau
Adams, S.	Erickson	Kempe, A.	Novak	Skoglund
Anderson, G.	Evans	Kempe, R.	Osthoff	Smogard
Anderson, I.	Ewald	Ketola	Parish	Spanish
Arlandson	Farcy	Knickerbocker	Patton	Stanton
Beauchamp	Fjoslien	Knoll	Pehler	Suss
Begich	Forsythe	Kostohryz	Peterson	Swanson
Berg	Friedrich	Kroening	Petrafeso	Tomlinson
Berglin	Fudro	Kvam	Philbrook	Ulland
Biersdorf	George	Laidig	Pleasant	Vanasek
Braun	Graba	Langseth	Prahl	Vento
Brinkman	Hanson	Lindstrom	Reding	Volk
Byrne	Haugerud	Luther	Rice	Voss
Carlson, A.	Heinitz	Mangan	St. Onge	Wenstrom
Carlson, L.	Hokanson	Mann	Samuelson	Wenzel
Carlson, R.	Jacobs	McCarron	Sarna	White
Cassery	Jaros	McCauley	Savelkoul	Wieser
Clark	Jensen	McCollar	Schreiber	Wigley
Clawson	Johnson, C.	McEachern	Schulz	Williamson
Corbid	Johnson, D.	Menning	Schumacher	Zubay
Dahl	Jopp	Metzen	Searle	Speaker Sabo
Dean	Jude	Moe	Setzepfandt	
DeGroat	Kahn	Munger	Sherwood	
Dieterich	Kaley	Neisen	Sieben, H.	
Doty	Kalis	Nelsen	Sieben, M.	

#### Those who voted in the negative were:

Albrecht	Fugina
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The bill was passed and its title agreed to.

H. F. No. 1898 was reported to the House.

Kempe, A., moved that H. F. No. 1898 be returned to the top of General Orders for today. The motion prevailed.

### CALENDAR

S. F. No. 806 was reported to the House.

There being no objection, S. F. No. 806 was continued on the Calendar until Thursday, February 19, 1976.

H. F. No. 1828, A bill for an act relating to industrial loan and thrift companies; requiring approval of name by commissioner of banks; regulating renewals of loans and refunds of interest or discounts; amending Minnesota Statutes 1974, Sections 53.03, by adding a subdivision; and 53.07; and Minnesota Statutes, 1975 Supplement, Section 53.04.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 3, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kaley	Neisen	Sieben, H.
Adams, L.	Eken	Kalis	Nelsen	Sieben, M.
Adams, S.	Enebo	Kelly, R.	Niehaus	Sieloff
Albrecht	Erickson	Kelly, W.	Norton	Simoneau
Anderson, G.	Evans	Kempe, A.	Novak	Skoglund
Anderson, I.	Ewald	Kempe, R.	Osthoff	Smogard
Arlandson	Faricy	Ketola	Parish	Spanish
Beauchamp	Fjoslien	Knickerbocker	Patton	Stanton
Begich	Forsythe	Knoll	Pehler	Suss
Berg	Fredrich	Kostohryz	Peterson	Swanson
Biersdorf	Fudro	Kroening	Petrafero	Tomlinson
Braun	Fugina	Kvam	Philbrook	Ulland
Brinkman	George	Laidig	Pleasant	Vanasek
Byrne	Graba	Langseth	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Volk
Carlson, L.	Haugerud	Luther	Rice	Voss
Carlson, R.	Heinitz	Mangan	St. Onge	Wenstrom
Casserly	Hokanson	Mann	Samuelson	Wenzel
Clark	Jacobs	McCarron	Sarna	White
Clawson	Jensen	McCauley	Savelkoul	Wieser
Corbid	Johnson, C.	McCollar	Schulz	Wigley
Dahl	Johnson, D.	McEachern	Schumacher	Williamson
Dean	Jopp	Menning	Searle	Zubay
DeGroat	Jude	Metzen	Setzpfandt	Speaker Sabo
Dieterich	Kahn	Munger	Sherwood	

Those who voted in the negative were:

Berglin Jaros Moe

The bill was passed and its title agreed to.

H. F. No. 1829, A bill for an act relating to insurance; regulation of insurance premium finance companies; maintenance of records; charging examination fees; requiring reports; amending Minnesota Statutes 1974, Section 59A.06.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eken	Kalis	Nelsen	Sieloff
Adams, L.	Enebo	Kelly, R.	Niehaus	Simoneau
Adams, S.	Erickson	Kelly, W.	Norton	Skoglund
Albrecht	Evans	Kempe, A.	Novak	Smogard
Anderson, G.	Ewald	Kempe, R.	Osthoff	Spanish
Anderson, I.	Faricy	Ketola	Parish	Stanton
Arlandson	Fjoslien	Knickerbocker	Patton	Suss
Beauchamp	Forsythe	Knoll	Pehler	Swanson
Begich	Friedrich	Kostohryz	Peterson	Tomlinson
Berg	Fudro	Kroening	Petraferoso	Ulland
Berglin	Fugina	Kvam	Philbrook	Vanasek
Biersdorf	George	Laidig	Pleasant	Vento
Braun	Graba	Langseth	Prahl	Voik
Brinkman	Hanson	Lindstrom	Reding	Voss
Byrne	Hangerud	Luther	Rice	Wenstrom
Carlson, A.	Heintz	Mangan	St. Onge	Wenzel
Carlson, L.	Hokanson	Mann	Samuelson	White
Carlson, R.	Jacobs	McCarron	Sarna	Wieser
Clark	Jaros	McCauley	Savelkoul	Wigley
Clawson	Jensen	McCollar	Schreiber	Williamson
Corbid	Johnson, C.	McEachern	Schumacher	Zubay
Dahl	Johnson, D.	Menning	Searle	Speaker Sabo
Dean	Jopp	Metzen	Setzpfandt	
DeGroat	Jude	Moe	Sherwood	
Dieterich	Kahn	Munger	Sieben, H.	
Doty	Kaley	Neisen	Sieben, M.	

The bill was passed and its title agreed to.

H. F. No. 1767, A bill for an act relating to bingo; providing penalties; amending Minnesota Statutes 1974, Section 609.75, Subdivision 3; repealing Minnesota Statutes 1974, Chapter 349.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 3, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jude	Munger	Setzepfandt
Adams, L.	Doty	Kahn	Neisen	Sherwood
Adams, S.	Eken	Kaley	Neisen	Sieben, H.
Albrecht	Enebo	Kalis	Niehaus	Sieben, M.
Anderson, G.	Erickson	Kelly, R.	Norton	Sieloff
Anderson, I.	Evans	Kelly, W.	Novak	Simoneau
Arlandson	Ewald	Kempe, A.	Osthoff	Skoglund
Beauchamp	Faricy	Kempe, R.	Parish	Smogard
Begich	Fjoslien	Ketola	Patton	Stanton
Berg	Forsythe	Knickerbocker	Pehler	Suss
Berglin	Friedrich	Knoll	Peterson	Swanson
Biersdorf	Fudro	Kostohryz	Petrafeso	Tomlinson
Braun	Fugina	Kroening	Philbrook	Ulland
Brinkman	George	Laidig	Pleasant	Vanasek
Byrne	Graba	Langseth	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Volk
Carlson, L.	Haugerud	Luther	Rice	Voss
Carlson, R.	Heinitz	Mangan	St. Onge	Wenstrom
Casserly	Hokanson	Mann	Samuelson	Wenzel
Clark	Jacobs	McCarron	Sarna	White
Clawson	Jaros	McCollar	Savelkoul	Wigley
Corbid	Jensen	McEachern	Schreiber	Williamson
Dahl	Johnson, C.	Menning	Schulz	Zubay
Dean	Johnson, D.	Metzen	Schumacher	Speaker Sabo
DeGroat	Jopp	Moe	Searle	

Those was voted in the negative were:

Kvam            McCauley        Wieser

The bill was passed and its title agreed to.

H. F. No. 2041, A bill for an act relating to the elderly; establishing a state policy for older citizens dependent on long-term care and treatment.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, R.	Forsythe	Kahn	Mangan
Adams, L.	Casserly	Friedrich	Kaley	Mann
Adams, S.	Clark	Fudro	Kalis	McCarron
Albrecht	Clawson	Fugina	Kelly, R.	McCauley
Anderson, G.	Corbid	George	Kelly, W.	McCollar
Anderson, I.	Dahl	Graba	Kempe, A.	McEachern
Arlandson	Dean	Hanson	Kempe, R.	Menning
Beauchamp	DeGroat	Haugerud	Ketola	Metzen
Begich	Dieterich	Heinitz	Knickerbocker	Moe
Berg	Doty	Hokanson	Knoll	Munger
Berglin	Eken	Jacobs	Kostohryz	Neisen
Biersdorf	Enebo	Jaros	Kroening	Nelsen
Braun	Erickson	Jensen	Kvam	Niehaus
Brinkman	Evans	Johnson, C.	Laidig	Norton
Byrne	Ewald	Johnson, D.	Langseth	Novak
Carlson, A.	Faricy	Jopp	Lindstrom	Osthoff
Carlson, L.	Fjoslien	Jude	Luther	Parish

Patton	St. Onge	Sherwood	Suss	Wenzel
Pehler	Samuelson	Sieben, H.	Swanson	White
Peterson	Sarna	Sieben, M.	Tomlinson	Wieser
Petrafeso	Savelkoul	Sieloff	Uiland	Wigley
Philbrook	Schreiber	Simoneau	Vanasek	Williamson
Pleasant	Schulz	Skoglund	Vento	Zubay
Prahl	Schumacher	Smogard	Volk	Speaker Sabo
Reding	Searle	Spanish	Voss	
Rice	Setzpfandt	Stanton	Wenstrom	

The bill was passed and its title agreed to.

H. F. No. 2043, A bill for an act relating to elections; providing for uniform reporting dates for campaign disclosure forms; providing for disclosure of campaign contributions and expenditures of political committees and candidates for local office; amending Minnesota Statutes 1974, Chapters 123, 373, and 471, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 210A.01, Subdivisions 1, 5, 6, 8, 9, and by adding subdivisions; 210A.05, Subdivision 1; 210A.16; 210A.23; 210A.24; 210A.25; 210A.26; 210A.27, Subdivision 1; 210A.29; 210A.32; 210A.33; Chapter 210A, by adding sections; repealing Minnesota Statutes, 1975 Supplement, Sections 123.015; 210A.01, Subdivisions 4 and 7; 210A.22; 210A.28; and 210A.31.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 72, and nays 54, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kelly, R.	Norton	Sieloff
Adams, L.	Doty	Kempe, A.	Novak	Simoneau
Anderson, I.	Enebo	Kempe, R.	Osthoff	Skoglund
Arlandson	Ewald	Knickerbocker	Parish	Stanton
Begich	Faricy	Knoll	Patton	Swanson
Berg	Fudro	Kostohryz	Pehler	Tomlinson
Berglin	Fugina	Kroening	Petrafeso	Vento
Byrne	George	Luther	Philbrook	Volk
Carlson, A.	Hanson	Mangan	Reding	Voss
Carlson, L.	Hokanson	McCarron	Rice	Wenzel
Casserly	Jacobs	McCollar	St. Onge	Williamson
Clark	Jaros	McEachern	Samuelson	Speaker Sabo
Clawson	Johnson, D.	Moe	Sarna	
Dahl	Jude	Munger	Sieben, H.	
Dean	Kahn	Neisen	Sieben, M.	

Those who voted in the negative were:

Adams, S.	DeGroat	Haugerud	Ketola	Metzen
Albrecht	Eken	Heinitz	Kvam	Nelsen
Anderson, G.	Ericksen	Jensen	Laidig	Niehaus
Beauchamp	Evans	Johnson, C.	Langseth	Peterson
Braun	Fjoslien	Jopp	Lindstrom	Pleasant
Brinkman	Forsythe	Kaley	Mann	Prahl
Carlson, R.	Friedrich	Kalis	McCauley	Savelkoul
Corbid	Graba	Kelly, W.	Menning	Schreiber

Schulz	Setzepfandt	Spanish	Wenstrom	Wigley
Schumacher	Sherwood	Suss	White	Zubay
Searle	Smogard	Vanasek	Wieser	

The bill was passed and its title agreed to.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. Nos. 1323, 2038, 1870, 1904 and 59 which it recommended to pass.

H. F. Nos. 1567, 510 and 1326 upon which it recommended progress.

H. F. No. 910 upon which it recommended progress retaining its place on General Orders.

H. F. No. 995 upon which it recommended progress until Wednesday, February 25, 1976.

H. F. No. 1322 upon which it recommended progress until Tuesday, March 2, 1976.

H. F. No. 1881 upon which it recommended progress until Monday, March 1, 1976.

H. F. No. 1898 upon which it recommended to pass with the following amendment offered by Kempe, A.:

Page 1, line 17, after "state" insert "*or to a beneficiary under a policy or certificate issued in this state. If the insurer has no established current rate of interest for death proceeds left on deposit with the insurer, then the rate of interest to be paid under this subdivision shall be the rate of interest charged by the insurer to policy holders for loans under the insurer's policies*".

Page 2, line 1, after "rate" strike the balance of line 1 and insert "*that is two percent more than the rate of interest provided for in subdivision 1. Such interest shall be*".

Page 2, line 2, strike "percent,".

Page 2, line 4, after "state" insert "*or to a beneficiary under a policy or certificate issued in this state*".

S. F. No. 932 upon which it recommended to pass with the following amendment offered by Berglin:

Page 1, line 12 of the unofficial engrossment, strike "Minnesota Statutes 1967,".

H. F. No. 1897 upon which it recommended progress with the following amendment offered by Braun:

Page 1, line 13, after the word "*present*" strike the words "*at all times*" and insert in lieu thereof "*not less than five (5) days in any calendar week*".

H. F. No. 764 upon which it recommended to pass with the following amendment offered by Pehler:

Page 2, line 3, strike Section 2 of the bill.

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

#### MOTIONS AND RESOLUTIONS

Anderson, I., moved that S. F. No. 1135 be unofficially engrossed to include committee amendments and be printed for the House. The motion prevailed.

Knickerbocker moved that H. F. No. 2336 now in the Governmental Operations Committee be recalled and be re-referred to the Committee on General Legislation and Veterans Affairs. The motion prevailed.

Eken introduced:

House Concurrent Resolution No. 20, A house concurrent resolution providing a legislative "open house" day to honor and welcome former legislators.

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

House Concurrent Resolution No. 18 was reported to the House.

#### HOUSE CONCURRENT RESOLUTION NO. 18

A house concurrent resolution designating the National Conference of State Legislatures as an instrumentality of the State of Minnesota.

*Whereas*, the National Conference of State Legislatures is an official membership organization of the State of Minnesota and of the several States and Territories of the United States, supported through regular and continuing appropriations from the State treasuries, and serving the Legislators and Legislative Staff of the several States and Territories of the United States as an interstate authority and joint instrumentality for the pursuit of common objectives; and

*Whereas*, the Legislatures of the several States and Territories, have recently brought about a merger of three previously competing organizations of State Legislators into the National Conference of State Legislatures in order to better serve the State of Minnesota and the several States and Territories of the United States as a joint instrumentality; now, therefore,

*Be It Resolved*, by the House of Representatives of the State of Minnesota, the Senate concurring, that the State of Minnesota designates the National Conference of State Legislatures an instrumentality of the State of Minnesota. Its work is clearly the work of Minnesota State Government, and indeed as an instrumentality of all the states, the National Conference of State Legislatures is critical to the achievement of the common goals of state government.

Anderson, I., moved that House Concurrent Resolution No. 18 be now adopted. The motion prevailed and House Concurrent Resolution No. 18 was adopted.

#### ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 943:

McCarron, Kelly, W., and Osthoff.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1199:

Clawson, Berglin, Forsythe, Samuelson and Rice.

#### ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Thursday, February 19, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## SEVENTY-THIRD DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 19, 1976

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kaley	Neisen	Sherwood
Adams, L.	Enebo	Kalis	Nelsen	Sieben, H.
Adams, S.	Erickson	Kelly, R.	Nelson	Sieben, M.
Albrecht	Esau	Kelly, W.	Niehau	Sieloff
Anderson, G.	Evans	Kempe, A.	Norton	Simoneau
Anderson, I.	Ewald	Kempe, R.	Novak	Skoglund
Arlandson	Faricy	Ketola	Osthoff	Smith
Beauchamp	Fjorlien	Knickerbocker	Parish	Smogard
Begich	Forsythe	Kostohryz	Patton	Spanish
Berg	Friedrich	Kroening	Pehler	Stanton
Berglin	Fudro	Kvam	Peterson	Suss
Biersdorf	Fugina	Laidig	Petraleso	Swanson
Birnstihl	George	Langseth	Philbrook	Tomlinson
Braun	Graba	Lemke	Pleasant	Ulland
Brinkman	Hanson	Lindstrom	Prahl	Vanasek
Byrne	Haugerud	Luther	Reding	Vento
Carlson, A.	Heinitz	Mangan	Rice	Volk
Carlson, L.	Hokanson	Mann	St. Onge	Wenstrom
Carlson, R.	Jacobs	McCarron	Samuelson	Wenzel
Casserly	Jaros	McCauley	Sarna	White
Clawson	Jensen	McCollar	Savelkoul	Wieser
Corbid	Johnson, C.	McEachern	Schreiber	Wigley
Dahl	Johnson, D.	Menning	Schulz	Williamson
Dean	Jopp	Metzen	Schumacher	Zubay
DeGroat	Jude	Moe	Searle	Speaker Sabo
Dieterich	Kahn	Munger	Setzepfandt	

A quorum was present.

Eckstein and Voss were excused. Clark was excused until 3:35 p.m. Eken was excused until 4:00 p.m. Knoll was excused until 2:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Kalis the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 764, 1897, 1898 and 2244 and S. F. No. 1135 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 2147, A bill for an act relating to traffic regulation; providing for traffic and parking regulation by school boards; providing a penalty; amending Minnesota Statutes 1974, Chapter 123, by adding a section.

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

The report was adopted.

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

H. F. No. 2292, A bill for an act relating to Independent School Districts No. 834, No. 832 and No. 833; instruction to pupils from other districts; authorizing the districts to enter into agreements for the furnishing of instruction to non-resident pupils.

Reported the same back with the following amendments:

Page 1, line 8, delete "834 is" and insert "832 and Independent School District No. 833 are".

Page 1, line 10, delete "832 and Independent School".

Page 1, line 11, delete "District No. 833" and insert "834".

Page 1, line 15, delete "is effective upon approval by the".

Page 1, delete lines 16 to 18 and insert "shall take effect with respect to each of the independent school districts named in section 1 upon its approval by the school board of the independent school district."

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

The report was adopted.

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

H. F. No. 2201, A bill for an act relating to census data; providing for implementation of federal law permitting the state to design a plan for return of census data to the state; appropriating money; amending Minnesota Statutes 1974, Section 4.12, Subdivision 7; and Minnesota Statutes, 1975 Supplement, Section 204A.06, Subdivision 1, and by adding a subdivision.

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

The report was adopted.

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

H. F. No. 1847, A bill for an act relating to dentistry; authorizing continuing education requirements for dental assistants; amending Minnesota Statutes 1974, Section 150A.10, Subdivision 2.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 150A.01, is amended by adding a subdivision to read:

*Subd. 8. "Registered dental assistant" means a person registered pursuant to section 3 of this act.*

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 150A.02, Subdivision 1, is amended to read:

150A.02 [BOARD OF DENTISTRY.] Subdivision 1. There is hereby created a board of dentistry whose duty it shall be to carry out the purposes and enforce the provisions of sections 150A.01 to 150A.12. The board shall consist of two public members as defined for purposes of Laws 1973, Chapter 638 (AND), five qualified resident dentists, *one qualified resident registered dental assistant, and one qualified resident dental hygienist* appointed by the governor. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. Each board member who is a dentist, *registered dental assistant, or dental hygienist* shall have been lawfully in active practice in this state for five years immediately preceding his appointment; and no board member shall be eligible for appointment to more than two consecutive

four year terms, and members serving on the board at the time of the enactment hereof shall be eligible to reappointment provided they shall not have served more than nine consecutive years at the expiration of the term to which they are to be appointed. (THE MINNESOTA STATE DENTAL ASSOCIATION,) At least 90 days prior to the expiration of the terms of dentists, *registered dental assistants, or dental hygienists, the Minnesota dental association, Minnesota dental assistants association, or the Minnesota state dental hygiene association* shall recommend to the governor for each term expiring not less than two dentists, *two registered dental assistants, or two dental hygienists, respectively, who are qualified to serve on the board,* and from the list (OF DENTISTS) so recommended the governor may appoint members to the board for the term of four years, the appointments to be made within 30 days after the expiration of the terms. Within 60 days after the occurrence of a *dentist, registered dental assistant, or dental hygienist* vacancy, prior to the expiration of the term, in the board, the Minnesota (STATE) dental association, *the Minnesota state dental assistants association, or the Minnesota state dental hygiene association* shall recommend to the governor not less than two dentists, *two registered dental assistants, or two dental hygienists, who are qualified to serve on the board* and from the list (OF DENTISTS) so recommended the governor, within 30 days after receiving such list of dentists, may appoint one member to the board for the unexpired term occasioned by such vacancy. Any appointment to fill a vacancy shall be made within 90 days after the occurrence of such vacancy. *The first four year term of the dental hygienist and of the registered dental assistant shall commence on the first Monday in January, 1977.*

Sec. 3. Minnesota Statutes 1974, Section 150A.06, is amended by adding a subdivision to read:

*Subd. 2a. [REGISTERED DENTAL ASSISTANT.] A person of good moral character not already a registered dental assistant in this state and a graduate of a training program approved by the board, upon payment of a fee established by the board, may be examined as prescribed by the board to test an applicant's ability. Each applicant shall also be examined on the applicant's knowledge of the laws of Minnesota relating to dentistry and the rules of the board. An applicant who successfully passes the examination shall be registered as a dental assistant.*

Sec. 4. Minnesota Statutes 1974, Section 150A.06, is amended by adding a subdivision to read:

*Subd. 2b. [EXAMINATION.] When the examination of persons applying for licensure or registration is done by board members it shall be conducted by those board members qualified for the particular part of the examination being conducted.*

Sec. 5. Minnesota Statutes 1974, Section 150A.06, Subdivision 6, is amended to read:

Subd. 6. [DISPLAY OF NAME AND CERTIFICATES.] Every licensed dentist (OR), dental hygienist, or *registered dental assistant* shall post and keep conspicuously displayed his name, license certificate and annual registration certificate in every office wherein he practices, in plain sight of his patients and if there is more than one dentist (OR), dental hygienist, or *registered dental assistant* practicing or employed in any office the manager or proprietor of such office shall post and display or cause to be posted and displayed, in like manner the name, license certificate and annual registration certificate of each dentist (OR), dental hygienist, or *registered dental assistant* so practicing or employed therein. In addition there shall be posted or displayed near or upon the entrance door to every office wherein dentistry is practiced, the name of each and every dentist practicing therein and such names shall be the name of the person inscribed upon the license certificate and annual registration certificate of each dentist.

Sec. 6. Minnesota Statutes 1974, Section 150A.08, is amended to read:

150A.08 [SUSPENSION OR REVOCATION OF LICENSE.] Subdivision 1. [GROUNDS.] The board may by order suspend or revoke, in the manner hereinafter provided, any license to practice dentistry or dental hygiene or *the registration of any dental assistant* issued heretofore or hereunder upon any of the following grounds:

- (1) Fraud or deception in connection with the securing of such license or annual registration certificate;
- (2) Conviction of the holder in any court of a felony;
- (3) Conviction of the holder in any court of an offense involving moral turpitude;
- (4) Habitual indulgence in the use of narcotics or habitual overindulgence in the use of intoxicating liquors;
- (5) Conduct unbecoming a person licensed to practice dentistry or dental hygiene or *registered as a dental assistant*, or conduct contrary to the best interest of the public, as such conduct is defined by the rules and regulations of the board;
- (6) Gross immorality;
- (7) Advanced physical or mental disability;
- (8) Failure to maintain adequate safety and sanitary conditions for a dental office in accordance with the standards established by the rules and regulations of the board;

(9) Employing, assisting, or enabling in any manner an unlicensed person to practice dentistry; or

(10) Violation of, or failure to comply with, any other provisions of Sections 150A.01 to 150A.12 or the rules and regulations of the board of dentistry. Suspension or revocation shall not be based upon any judgment as to therapeutic or monetary value of any individual drug prescribed or any individual treatment rendered, but only upon a repeated pattern of conduct.

Subd. 2. [PROCEDURE.] Before the board shall order any such suspension or revocation it shall on its own motion cause an investigation to be made and a citation to issue under the seal of the board, signed by the secretary-treasurer, requiring the holder to show cause on a certain date why his license to practice dentistry or dental hygiene or *registration as a dental assistant* should not be suspended or revoked on the grounds specified therein. The holder of such license shall have 20 days' notice of the hearing and be entitled to be represented by an attorney.

A stenographic record shall be kept of all such proceedings. A certified copy of the conviction of any licensee shall be conclusive evidence as to the conviction in any proceeding before the board. The action of the board in suspending or revoking a license shall be subject to a review by a writ of certiorari brought in the district court of Ramsey county. The action of the board shall stand until otherwise directed by the district court or by the supreme court upon appeal.

Subd. 3. [REINSTATEMENT.] Any licensee or *registrant* whose license (TO PRACTICE DENTISTRY OR DENTAL HYGIENE) or *registration* has been suspended or revoked may have his license or *registration* reinstated or a new license or *registration* issued (TO HIM), as the case may be, when in the discretion of the board such action is warranted and the board may require the licensee or *registrant* to pay all costs of proceedings resulting in his suspension or revocation of license or *registration* and reinstatement or new license and, in addition thereto, the fee for reinstatement established by the board.

Subd. 4. [RECORDS.] The secretary-treasurer of the board shall keep a record of all licenses and *registration certificates* issued, suspended, or revoked.

Sec. 7. Minnesota Statutes 1974, Section 150A.09, Subdivision 1, is amended to read:

150A.09 [ANNUAL REGISTRATION OF LICENSE.] Subdivision 1. [ANNUAL INFORMATION AND PROCEDURE.] On or before the first day of January each year every licensed dentist (AND), dental hygienist, and *registered dental assistant* shall transmit to the secretary of the board, upon a form prescribed by the board, his signature, office address or

addresses, the number of his license *or registration* certificate, whether such (LICENSEE) *person* has been engaged during the preceding year in (THE) active practice (OF DENTISTRY OR DENTAL HYGIENE), whether within or without the state, and such other pertinent information as may be required by the board, together with the fee established by the board and, in default of providing such information or payment of such fee, the board may, upon hearing and upon 30 days' notice, suspend *or revoke* the license (OF THE DENTIST OR DENTAL HYGIENIST) *or registration* during such default, but the providing of such information as requested by the board and the payment of such fee on or before the date of hearing, with an additional sum equal to that of the renewal fee, shall excuse the default and the suspension proceeding shall thereupon terminate. The board may collect such fee by civil action. At least 30 days before January 1, the board shall cause a written notice stating the amount and due date of the fee and the information to be provided (BY THE LICENSEE), to be sent to every licensed dentist (AND), dental hygienist, *and registered dental assistant*.

Sec. 8. Minnesota Statutes 1974, Section 150A.09, Subdivision 2, is amended to read:

Subd. 2. [FIVE YEAR EDUCATIONAL REQUIREMENT FOR DENTISTS, DENTAL HYGIENISTS AND REGISTERED DENTAL ASSISTANTS.] Five years from June 6, 1969 or upon the fifth anniversary of the issuance of his license, whichever occurs last, and each five years thereafter, each person licensed to practice dentistry or dental hygiene *or registered as a dental assistant* in this state shall provide the state board of dentistry evidence, of a nature suitable to the board, that such licensed person has attended, or participated in such amount of continuing education in dentistry as shall be required by the board; however, for dentists this requirement shall be not less than (20) 75 hours during the preceding five years of licensure. The board may accept for compliance with this requirement any of the following which, in the opinion of the board, contributes directly to the dental education of the licensee *or registrant*:

(1) Attendance at lectures, study clubs, college postgraduate courses, or scientific sessions of conventions; and

(2) Research, graduate study, teaching, or service as a clinician; and

(3) Any other such evidence of continuing education the board may approve.

Any licensed person who shall fail to comply with this requirement shall, at the discretion of the board, be re-examined to determine his competency to continue licensure. If, in the opinion of the board, such licensed person does not qualify for further licensed practice, the board shall suspend such license until such

time as the dentist or dental hygienist shall provide acceptable evidence to the board of his competency to practice.

Sec. 9. Minnesota Statutes 1974, Section 150A.10, Subdivision 2, is amended to read:

Subd. 2. [DENTAL ASSISTANTS.] Every licensed dentist who uses the services of any unlicensed person for the purpose of assisting him in the practice of dentistry shall be responsible for the acts of such unlicensed person while engaged in such assistance. Such dentist shall permit such unlicensed assistant to perform only those acts which he is authorized to delegate to unlicensed assistants by the board of dentistry. Such acts shall be performed under supervision of a licensed dentist. The board may permit differing levels of dental assistance based upon recognized educational standards, approved by the board, for the training of dental assistants. *The board may also permit differing levels of dental assistance based upon a person's qualifications or lack thereof as a registered dental assistant. The board by rule may require continuing education for differing levels of dental assistants, as a condition to their registration or authority to perform their authorized duties.* Any licensed dentist who shall permit such unlicensed assistant to perform any dental service other than that authorized by the board shall be deemed to be enabling an unlicensed person to practice dentistry, and commission of such an act by such unlicensed assistant shall constitute a violation of sections 150A.01 to 150A.12.”.

Further, strike the title and insert:

“A bill for an act relating to dentistry; providing for registration of dental assistants; changing the membership of the board of dentistry; providing for continuing education; amending Minnesota Statutes 1974, Sections 150A.01, by adding a subdivision; 150A.06, Subdivision 6, and by adding subdivisions; 150A.08; 150A.09, Subdivisions 1 and 2; and 150A.10, Subdivision 2; and amending Minnesota Statutes, 1975 Supplement, Section 150A.02, Subdivision 1.”.

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

The report was adopted.

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

H. F. No. 2037, A bill for an act relating to medical assistance for the needy; prohibiting false claims for reimbursement; making certain vendors ineligible for reimbursement; providing access to certain medical records for verification of claims; amending Minnesota Statutes 1974, Sections 256B.064; 256B.27;

Chapter 256B, by adding a section; Minnesota Statutes, 1975 Supplement, Section 609.52, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 17, strike "finally".

Page 1, line 19, delete "has been found".

Page 1, delete line 20 and insert "submits to the department of public welfare a claim for reimbursement, cost report or rate application which he knows to be false in whole or in part shall be".

Page 1, delete line 25.

Page 2, delete lines 1 to 3 and insert "eligibility. No vendor shall be declared ineligible without prior notice and an opportunity for a hearing, pursuant to Minnesota Statutes, Chapter 15, on the commissioner's proposed action."

Page 2, line 12, after "operations" insert "or health care services provided".

Page 2, line 13, delete "nursing homes" and insert "medical vendors".

Page 2, delete lines 14 and 15 and insert "rates or reimbursement shall be submitted under oath as to the truthfulness of their contents by the vendor or an officer or authorized representative of the vendor."

Page 2, line 18, delete "determining" and insert "investigating".

Page 2, delete line 22 and insert "vendor has submitted a claim for reimbursement, cost report or rate application which he knows to be false in whole or in part. To the extent feasible, the commissioner shall contract with a "review organization", as defined in Minnesota Statutes, Section 145.61, in determining whether or not the medical care provided was medically necessary."

Page 2, line 30, after "report" insert ", rate application".

Page 2, line 31, after "which" insert "the vendor knows".

Page 3, line 5, delete "fraudulent".

Page 3, line 5, delete "received" and insert "which result from the false representation".

Page 3, line 7, insert a new section to read:

"Sec. 4. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.466] [MEDICAL ASSISTANCE FRAUD.] *Any person who, with the intent to defraud, presents a claim for reimbursement, cost report or rate application, relating to the payment of medical assistance funds pursuant to Minnesota Statutes, Chapter 256B, to the department of public welfare, which is false in whole or in part, is guilty of an attempt to commit theft of public funds and may be sentenced accordingly.*"

Renumber subsequent sections in sequence.

Page 4, line 9, before "cost" insert "claim for reimbursement,".

Page 4, line 9, after "report" insert "or rate application".

Page 4, line 12, delete "report".

Further amend the title as follows:

Page 1, line 7, delete "Chapter" and insert "Chapters".

Page 1, line 8, after "section;" insert "and 609, by adding a section;"

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

The report was adopted.

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

H. F. No. 2040, A bill for an act relating to nursing homes; establishing an office of nursing home complaints; appropriating money.

Reported the same back with the following amendments:

Page 1, line 6, delete "4" and insert "6".

Page 1, line 13, after "staff;" delete "or".

Page 1, line 15, delete the period and insert "; or".

Page 1, after line 15, insert "(d) Any court or judge.".

Page 1, after line 17 insert "Subd. 4. "Nursing home" means a facility or that part of a facility which provides skilled nursing care, intermediate care or boarding of custodial care to five or more persons. Nursing home does not include a facility or that part of a facility which is a hospital, clinic, doctor's office, diagnostic or treatment center, or a residential facility licensed pursuant to Minnesota Statutes, Sections 245.78 to 245.821, 252.28, and 257.081 to 257.124."

Renumber subsequent subdivision.

Page 1, line 18, delete "Patient" and insert "Resident".

Page 2, line 10, delete "personal".

Page 2, line 13, delete "personal".

Page 2, line 24, delete "In selecting a staff,".

Page 2, line 25, delete "make certain that it includes" and insert "include on his staff".

Page 2, line 26, delete "areas such as nursing" and insert "law, health".

Page 2, line 27, delete "and".

Page 2, line 28, after "homes" insert ", and any other relevant fields".

Page 3, line 1, delete the fourth comma and insert a semicolon.

Page 3, line 6, delete ". The legislative audit commission may,".

Page 3, delete line 7.

Page 3, line 8, delete "director".

Page 3, line 11, after the semicolon insert "provided, however, that he cooperates with the department of health's nursing home complaint team when undertaking an investigation,".

Page 3, line 23, delete "patients" and insert "residents".

Page 3, line 26, after "agency" insert "or a nursing home".

Page 4, line 12, delete "being".

Page 4, line 13, delete "questioned" and insert "under investigation".

Page 4, line 28, delete the second comma.

Page 4, delete lines 29 and 30 and insert "and recommendations. The director shall transmit his conclusions and recommendations to the".

Page 4, line 32, delete "impliedly" and insert "by implication criticizes an".

Page 5, line 12, after "information" insert ", other than resident records,".

Page 5, after line 12, insert "Subd. 3. In performing his duties under this act, the director shall preserve the confidentiality of resident records. He may release a resident's records with the written approval of the resident who is the subject of the records.

Sec. 5. [HEALTH DEPARTMENT COMPLAINT TEAM.] It is the intent of the legislature that the complaint team of the state board of health continue its activities in investigating complaints related to nursing homes. The director shall consult with and coordinate his activities with the activities of the state board of health.

Sec. 6. [ADVISORY COMMITTEE.] The legislative audit commission shall appoint a fifteen member advisory committee to advise the director in the performance of his duties under this act."

Renumber the remaining section in sequence.

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

The report was adopted.

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

H. F. No. 2236, A bill for an act relating to medical assistance for the needy; allowing the cost of certain home care services provided by public health nurses to be paid by medical assistance; authorizing an experimental program for the cost of home care of the elderly; amending Minnesota Statutes, 1974, Chapter 256B, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 256B.02, Subdivision 7.

Reported the same back with the following amendments:

Page 2, line 9, delete "*households which*" and insert "*individuals who*".

Page 2, line 10, delete "*an elderly person*" and insert "*elderly or disabled persons*".

Page 2, line 11, delete "*households caring*" and insert "*care*".

Page 2, line 12, after "*older*" insert "*, or who have been determined to be disabled pursuant to Title XVIII or Title XIX of the United States Social Security Act, and*".

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 1087, A bill for an act relating to privacy of communications; authorization for interception of wire or oral communications; amending Minnesota Statutes 1974, Section 626A.05.

Reported the same back with the following amendments:

Page 1, line 11, delete "*any*" and insert "*not more than one*".

Page 1, line 13, after the second "*or*" delete "*any*" and insert "*not more than one*".

Page 2, line 14, after "*609.485,*" insert "*subdivision 4, clause (1),*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2020, A bill for an act relating to courts; increasing the jurisdictional amount in conciliation court of Hennepin and Ramsey counties; amending Minnesota Statutes 1974, Section 488A.12, Subdivision 3; and 488A.29, Subdivision 3.

Reported the same back with the following amendments:

Page 2, after line 2, insert:

"Sec. 3. Minnesota Statutes 1974, Section 488A.14, Subdivision 6, is amended to read:

Subd. 6. [REPLEVIN.] If the controversy concerns the ownership or possession, or both, of personal property the value of which does not exceed the sum of (\$500) \$1,000, the judge in his discretion, may direct an officer of the court to take possession of the property immediately and hold it subject to the further order of the court, without the giving of any bond whatever.

Sec. 4. Minnesota Statutes 1974, Section 488A.31, Subdivision 6, is amended to read:

Subd. 6. [REPLEVIN.] If the controversy concerns the ownership or possession, or both, of personal property the value of which does not exceed the sum of (\$500) \$1,000, the judge in his discretion, may direct an officer of the court to take possession of the property immediately and hold it subject to the further order of the court, without the giving of any bond whatever."

Further amend the title as follows:

Page 1, line 5, strike "and" and insert "488A.14, Subdivision 6;"

Page 1, line 6, before the period insert "; and 488A.31, Subdivision 6".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2024, A bill for an act relating to the tax court; establishing the tax court as a full time court; creating a small claims division; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 15A.083; Subdivision 4; 271.01, Subdivisions 1 and 4a, and by adding a subdivision; 271.02; 271.03; 271.04; 271.06, Subdivisions 1, 2, 3, 4, 6, and by adding a subdivision; 271.07; 271.08; 271.09, Subdivisions 1, 2, and 3; 271.10, Subdivisions 1 and 2; 271.12; 271.13; 271.14; 271.15; 271.17; 271.18; 271.20; and 490.121, Subdivision 2; and Chapter 271, by adding sections; and Minnesota Statutes, 1975 Supplement, Section 124.212, Subdivision 11; repealing Minnesota Statutes 1974, Sections 271.001; 271.01, Subdivisions 2 and 3; 271.06, Subdivision 5; 271.11; and 271.16.

Reported the same back with the following amendments:

Page 3, line 10, strike "receive compensation for time".

Page 3, strike line 11.

Page 3, line 22, delete "courts have" and insert "court has".

Page 3, line 27, after "property" insert "or in any case that is under the jurisdiction of the probate court".

Page 5, line 21, delete "The" and insert "Each".

Page 5, line 24, after the period insert "When an appeal is taken by a resident taxpayer from an order of the commissioner, venue for the case shall be in Ramsey county or in the county in which the taxpayer resides. Venue shall be in Ramsey county for an appeal taken by a nonresident taxpayer from an order of the commissioner."

Page 5, line 24, after "for" insert "all other".

Page 6, line 24, after the period insert "In Ramsey county, notice of appeal may be filed with the tax court clerk or with the administrator."

Page 8, line 2, reinstate the stricken "any".

Page 8, line 2, strike "the".

Page 8, line 32, after "empanel" delete "a" and insert "an advisory".

Page 8, line 32, after "upon" delete "a" and insert "his own".

Page 9, line 1, delete "of the court".

Page 9, line 11, delete "in equity".

Page 9, line 11, after "aside" insert "or modify".

Page 10, line 28, strike "within six".

Page 10, line 29, strike "months after such order has become final,".

Page 11, line 5, delete "sections" and insert "section".

Page 11, line 26, delete "3" and insert "4".

Page 18, line 21, strike "member,".

Page 21, line 9, delete "and equitable".

Page 22, line 9, after the period insert "*Each referee shall have authority to hear and decide the cases that he hears as small claims referee.*".

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 2147, 2292, 1847, 1087 and 2020 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Graba, Wenstrom, Fjoslien, DeGroat and Sherwood introduced:

H. F. No. 2362, A bill for an act relating to economic development; appropriating money.

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

Faricy introduced:

H. F. No. 2363, A bill for an act relating to public welfare; authorizing grants for community residential facilities for the cerebral palsied; appropriating money; amending Minnesota Statutes 1974, Section 252.30; and Chapter 252, by adding a Section.

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

Voss, Eken, McCauley, Arlandson and Haugerud introduced:

H. F. No. 2364, A bill for an act relating to appropriations; converting certain standing appropriations to direct appropriations; abolishing other standing appropriations; appropriating money; amending Minnesota Statutes 1974, Sections 9.061, Subdivision 5; 97.482, Subdivision 2; 638.08; and Laws 1971, Chapter 121, Section 2, as amended; repealing Minnesota Statutes 1974, Sections 7.07; 138.821; Minnesota Statutes, 1975 Supplement, Sections 123.937; 144.146, Subdivision 2; Laws 1973, Chapter 768, Section 23; and Laws 1975, Chapter 433, Section 20.

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

McCarron, Lindstrom, Kaley, Novak and Haugerud introduced:

H. F. No. 2365, A bill for an act relating to crimes; prohibiting devices intended to be used to avoid payment of long distance telecommunications services; prescribing penalties; amending Minnesota Statutes 1974, Section 609.785.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Patton; Anderson, G.; Munger; Sherwood and Kahn introduced:

H. F. No. 2366, A bill for an act relating to the regulation and control of junk yards adjacent to trunk highways; requiring junk yards to be concealed from the view of motorists using the highway; amending Minnesota Statutes, 1975 Supplement, Section 161.242, Subdivision 3.

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

Anderson, I.; Johnson, D.; Biersdorf; Braun and PrahI introduced:

H. F. No. 2367, A bill for an act relating to state lands; procedure for timber sales; amending Minnesota Statutes, 1975 Supplement, Section 90.101, Subdivision 1.

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

Parish; Patton; Anderson, I.; Beauchamp and Biersdorf introduced:

H. F. No. 2368, A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; providing for a medical adviser in disability cases; amending Minnesota Statutes 1974, Sections 353.01, Subdivisions 2b, 16, and 30; 353.03, by adding a subdivision; 353.27, Subdivision 7; 353.30, Subdivision 3; 353.33, Subdivision 11, and by adding subdivisions; 353.34, Subdivision 6; 353.35; 353.656, Subdivision 6; and Minnesota Statutes, 1975 Supplement, Sections 353.01, Subdivision 24; 353.15; and 353.29, Subdivision 7.

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

Eken introduced:

H. F. No. 2369, A bill for an act relating to state lands; directing conveyance of certain state owned lands in Mahnommen county.

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

Sieben, M.; Jaros; Knoll and McCauley introduced:

H. F. No. 2370, A bill for an act relating to daytime activity centers; renaming them developmental achievement centers; making the necessary revisions in Minnesota Statutes; amending Minnesota Statutes 1974, Sections 252.21; 252.22; 252.23; 252.24, as amended; 252.25; 257.081, Subdivision 10; and Minnesota Statutes, 1975 Supplement, Sections 123.39, Subdivision 13; and 252.26.

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

Berglin, Heinitz, Clark, Byrne and Volk introduced:

H. F. No. 2371, A bill for an act relating to health; providing guidelines for licensing nurse-midwives; defining registered nurse-midwife; amending Minnesota Statutes 1974, Section 148.171; and Chapter 148, by adding a section.

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

Kahn and Dean introduced:

H. F. No. 2372, A bill for an act relating to eminent domain; providing for referees in lieu of court appointed commissioners and prescribing the powers and duties of a referee; providing that the county or city assessor's market value or estimated market value be the basis of the referee's initial award; providing a method of determining past taxes due on certain acquired property by reason of under assessment, and providing for the collection and distribution thereof; amending Minnesota Statutes 1974, Sections 117.105; 117.115; 117.135, by adding subdivisions; 117.145; 117.165, Subdivisions 1 and 2; 117.175, Subdivision 1; 117.195; Chapter 117, by adding sections; and Minnesota Statutes, 1975 Supplement, Section 117.042; repealing Minnesota Statutes 1974, Sections 117.075 and 117.085.

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

Faricy introduced:

H. F. No. 2373, A bill for an act relating to courts; creating a system of district attorneys in the state; providing for assistant district attorneys and temporary assignments; authorizing compensation.

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

Luther; Dieterich; Carlson, L.; Wenstrom and Arlandson introduced:

H. F. No. 2374, A bill for an act relating to highway traffic regulation; requiring courts to report to the commissioner of public safety a stay of imposition of sentence granted under provisions of law relating to driving while under the influence of drugs or alcoholic beverages; amending Minnesota Statutes 1974, Section 169.121, Subdivision 6.

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

Philbrook, Arlandson, Beauchamp, White and Dean introduced:

H. F. No. 2375, A bill for an act relating to consumer protection; regulating invention development services; prescribing contract terms and disclosures to customers; defining terms; requiring invention developers to file a bond; providing penalties.

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

Patton, Fugina, McCauley and Spanish introduced:

H. F. No. 2376, A bill for an act relating to public employment labor relations; providing that students in state universities be present at certain negotiations; amending Minnesota Statutes 1974, Sections 179.61; 179.63, Subdivisions 15 and 16 and by adding a subdivision; 179.65, Subdivision 4; 179.68, Subdivisions 2 and 3; 179.69, Subdivision 1; 179.73; and Chapter 179 by adding a section.

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

Petrafeso, Pleasant and Tomlinson introduced:

H. F. No. 2377, A bill for an act relating to metropolitan government; comprehensive transportation planning; providing for council adoption of a transportation policy plan and appointment of a transportation advisory board which shall prepare a transportation development program; establishing a program of transportation development grants; directing the highway department to promote the use of car pools and commuter vans; authorizing tax levies; amending Minnesota Statutes, 1975 Supplement, Sections 473.121, Subdivisions 18, 19, and by adding subdivisions; 473.405, Subdivision 1; 473.411, Subdivisions 1 and 3; 473.413, Subdivisions 4, 5, 6, and 11; 473.424; 473.435; 473.445, Subdivision 1; 473.446, by adding a subdivision; and Chapter 473, by adding sections; repealing Minnesota Statutes, 1975 Supplement, Sections 473.121, Subdivision 17; 473.146, Subdivisions 3 and 4; 473.416 to 473.423; 473.425 and 473.445, Subdivision 2.

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

Brinkman and Fjoslien introduced:

H. F. No. 2378, A bill for an act relating to taxation; providing for taxation of certain camps.

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

Mangan, Arlandson and Dieterich introduced:

H. F. No. 2379, A bill for an act relating to taxation; restoring the ten percent rent credit for rent paid after December 31, 1974; appropriating money; amending Minnesota Statutes, 1975 Supplement, Sections 290.985; 290A.04, Subdivision 2; and 290A.21.

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

Heinitz, Neisen, Tomlinson and Sieloff introduced:

H. F. No. 2380, A bill for an act relating to taxation; providing for a credit against income tax for the cost of remodeling buildings and facilities to accommodate handicapped persons; amending Minnesota Statutes 1974, Section 290.06, by adding a subdivision.

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

Carlson, A., and Dean introduced:

H. F. No. 2381, A bill for an act relating to highways; adding a new route to the trunk highway system in substitution of an existing route.

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

Berglin, Fudro, Novak, Schreiber and Pleasant introduced:

H. F. No. 2382, A bill for an act relating to highways; providing for the construction and maintenance of acoustical barriers along the perimeter of certain trunk highways; amending Minnesota Statutes, 1975 Supplement, Section 161.125.

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

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

House Concurrent Resolution No. 19, A House Concurrent Resolution providing that either house may adjourn from February 19 until February 25, 1976.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1880, A bill for an act relating to state lands; conveyance; authorizing the conveyance by the state of certain lands in the county of Kittson.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 830, 1273, 1636 and 1794.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1813 and 1820.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### FIRST READING OF SENATE BILLS

S. F. No. 830, A bill for an act relating to health care; requiring certain insurance policies and health care plans to provide benefits for health care services rendered in free standing ambulatory surgical centers.

The bill was read for the first time.

Pehler moved that S. F. No. 830 and H. F. No. 764, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1273, A bill for an act relating to fair campaign practices; permitting corporations to conduct non-partisan voter registration campaigns and provide meeting facilities to political parties and candidates; authorizing the state ethics commission to issue and publish certain advisory opinions; amending Minnesota Statutes 1974, Section 10A.02, Subdivision 12; and Minnesota Statutes, 1975 Supplement, Section 210A.34, by adding a subdivision.

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

S. F. No. 1636, A bill for an act relating to insurance; clarifying license requirements for persons who enter into, acquire or

hold insurance premium finance agreements; amending Minnesota Statutes 1974, Section 59A.03, Subdivision 1.

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

S. F. No. 1794, A bill for an act relating to courts; prescribing the jurisdictional limits of conciliation courts in the counties of Hennepin and Ramsey; amending Minnesota Statutes 1974, Sections 488A.12, Subdivision 3; and 488A.29, Subdivision 3.

The bill was read for the first time.

Schreiber moved that S. F. No. 1794 and H. F. No. 2020, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1813, A bill for an act authorizing the conveyance by the state of certain lands located in Roseau county.

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

S. F. No. 1820, A bill for an act relating to Marshall county; authorizing the county law library to be supported by certain judicially imposed fee charges.

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

#### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Osthoff reported on the progress of S. F. No. 570, now in Conference Committee.

Pursuant to Joint Rule 13, Patton reported on the progress of S. F. No. 919, now in Conference Committee.

Pursuant to Joint Rule 13, Sherwood reported on the progress of S. F. No. 1308, now in Conference Committee.

#### CONSENT CALENDAR

H. F. No. 2071, A bill for an act relating to townships; adoption of optional form of government; amending Minnesota Statutes, 1975 Supplement, Section 367.31, Subdivision 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Moe	Sieloff
Adams, L.	Enebo	Kalis	Munger	Simoneau
Adams, S.	Erickson	Kelly, R.	Neisen	Skoglund
Albrecht	Esau	Kelly, W.	Nelsen	Smith
Anderson, G.	Evans	Kempe, A.	Niehaus	Smogard
Anderson, I.	Ewald	Kempe, R.	Novak	Spanish
Arlandson	Faricy	Ketola	Osthoff	Stanton
Beauchamp	Fjoslien	Knickerbocker	Parish	Suss
Begich	Forsythe	Kostohryz	Patton	Swanson
Berg	Friedrich	Kroening	Peterson	Tomlinson
Berglin	Fudro	Kvam	Philbrook	Ulland
Biersdorf	Fugina	Laidig	Pleasant	Vanasek
Birnstihl	George	Langseth	Prahl	Vento
Braun	Graba	Lemke	Reding	Volk
Brinkman	Hanson	Lindstrom	St. Onge	Wenstrom
Byrne	Heinitz	Luther	Samuelson	Wenzel
Carlson, A.	Hokanson	Mangan	Sarna	White
Carlson, L.	Jacobs	Mann	Savelkoul	Wigley
Carlson, R.	Jaros	McCarron	Schreiber	Williamson
Casserly	Jensen	McCauley	Schumacher	Zubay
Clawson	Johnson, C.	McCollar	Setzepfandt	Speaker Sabo
Corbid	Johnson, D.	McEachern	Sherwood	
DeGroat	Jopp	Menning	Sieben, H.	
Dieterich	Jude	Metzen	Sieben, M.	

The bill was passed and its title agreed to.

H. F. No. 2170, A bill for an act relating to towns; election of officers; submittal of optional plans of town government to electors; amending Minnesota Statutes, 1975 Supplement, Sections 367.03, Subdivision 1; and 367.31, Subdivision 1.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, A.	Ewald	Jensen	Kvam
Adams, L.	Carlson, L.	Faricy	Johnson, C.	Laidig
Adams, S.	Carlson, R.	Fjoslien	Johnson, D.	Langseth
Albrecht	Casserly	Forsythe	Jopp	Lemke
Anderson, G.	Clawson	Friedrich	Jude	Lindstrom
Anderson, I.	Corbid	Fudro	Kahn	Luther
Arlandson	Dahl	Fugina	Kalis	Mangan
Beauchamp	Dean	George	Kelly, R.	Mann
Begich	DeGroat	Graba	Kelly, W.	McCarron
Berg	Dieterich	Hanson	Kempe, A.	McCauley
Biersdorf	Doty	Haugerud	Kempe, R.	McCollar
Birnstihl	Enebo	Heinitz	Ketola	McEachern
Braun	Erickson	Hokanson	Knickerbocker	Menning
Brinkman	Esau	Jacobs	Kostohryz	Metzen
Byrne	Evans	Jaros	Kroening	Moe

Munger	Peterson	Savelkoul	Skoglund	Vento
Neisen	Petrafeso	Schreiber	Smith	Volk
Nelsen	Philbrook	Schulz	Smogard	Wenstrom
Nelson	Pleasant	Schumacher	Spanish	Wenzel
Niehaus	Prahl	Setzepfandt	Stanton	White
Novak	Reding	Sherwood	Suss	Wieser
Osthoff	Rice	Sieben, H.	Swanson	Wigley
Parish	St. Onge	Sieben, M.	Tomlinson	Williamson
Patton	Samuelson	Sieloff	Ulland	Zubay
Pehler	Sarna	Simoneau	Vanasek	Speaker Sabo

The bill was passed and its title agreed to.

### CALENDAR

S. F. No. 806, A bill for an act relating to control of noxious weeds; authorizing towns to control noxious weed growth on state lands; providing reimbursement of certain expenses incurred to control weeds on state lands.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kalis	Neisen	Sieben, H.
Adams, L.	Enebo	Kelly, R.	Nelsen	Sieben, M.
Adams, S.	Erickson	Kelly, W.	Nelson	Sieloff
Albrecht	Esau	Kempe, A.	Niehaus	Simoneau
Anderson, G.	Evans	Kempe, R.	Novak	Skoglund
Anderson, I.	Ewald	Ketola	Osthoff	Smith
Arlandson	Faricy	Knickerbocker	Parish	Smogard
Beauchamp	Fjoslien	Kostohryz	Patton	Spanish
Begich	Forsythe	Kroening	Pehler	Stanton
Berg	Friedrich	Kvam	Peterson	Suss
Berglin	Fudro	Laidig	Petrafeso	Swanson
Biersdorf	Fugina	Langseth	Philbrook	Tomlinson
Birnstihl	George	Lemke	Pleasant	Ulland
Braun	Graba	Lindstrom	Prahl	Vanasek
Brinkman	Hanson	Luther	Reding	Vento
Carlson, A.	Haugerud	Mangan	Rice	Volk
Carlson, L.	Heinitz	Mann	Samuelson	Wenstrom
Carlson, R.	Hokanson	McCarron	Sarna	Wenzel
Casserly	Jacobs	McCauley	Savelkoul	White
Clawson	Jaros	McCollar	Schreiber	Wieser
Corbid	Jensen	McEachern	Schulz	Wigley
Dahl	Johnson, C.	Menning	Schumacher	Williamson
Dean	Johnson, D.	Metzen	Searle	Zubay
DeGroat	Jopp	Moe	Setzepfandt	Speaker Sabo
Dieterich	Kahn	Munger	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 1898, A bill for an act relating to insurance; providing for interest on unpaid benefits; amending Minnesota Statutes 1974, Chapter 61A, by adding a section.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kaley	Neisen	Sieben, H.
Adams, L.	Enebo	Kalis	Nelsen	Sieben, M.
Adams, S.	Erickson	Kelly, R.	Nelson	Sieloff
Albrecht	Esau	Kelly, W.	Niehaus	Simoneau
Anderson, G.	Evans	Kempe, A.	Norton	Skoglund
Anderson, I.	Ewald	Kempe, R.	Novak	Smith
Arlandson	Faricy	Ketola	Osthoff	Smogard
Beauchamp	Fjoslien	Knickerbocker	Parish	Spanish
Begich	Forsythe	Kostohryz	Patton	Stanton
Berg	Friedrich	Kroening	Pehler	Suss
Berglin	Fudro	Kvam	Peterson	Swanson
Biersdorf	Fugina	Laidig	Petrafeso	Tomlinson
Birnstihl	George	Langseth	Philbrook	Ulland
Braun	Graba	Lemke	Pleasant	Vanasek
Brinkman	Hanson	Lindstrom	Prahl	Vento
Byrne	Haugerud	Luther	Reding	Volk
Carlson, A.	Heinitz	Mangan	Rice	Wenstrom
Carlson, L.	Hokanson	Mann	St. Onge	Wenzel
Carlson, R.	Jacobs	McCarron	Samuelson	White
Casserly	Jaros	McCauley	Sarna	Wieser
Clawson	Jensen	McCollar	Savelkoul	Wigley
Corbid	Johnson, C.	McEachern	Schreiber	Williamson
Dahl	Johnson, D.	Menning	Schulz	Zubay
Dean	Jopp	Metzen	Schumacher	Speaker Sabo
DeGroat	Jude	Moe	Setzepfandt	
Dieterich	Kahn	Munger	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 932, A bill for an act relating to public welfare; permitting the commissioner of public welfare to establish maximum fees for congregate living care under the income maintenance programs; amending Minnesota Statutes 1974, Section 256.01, Subdivision 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Berg	Carlson, R.	Enebo	Fudro
Adams, L.	Berglin	Casserly	Erickson	Fugina
Adams, S.	Biersdorf	Clawson	Esau	George
Albrecht	Birnstihl	Corbid	Evans	Graba
Anderson, G.	Braun	Dahl	Ewald	Hanson
Anderson, I.	Brinkman	Dean	Faricy	Haugerud
Arlandson	Byrne	DeGroat	Fjoslien	Heinitz
Beauchamp	Carlson, A.	Dieterich	Forsythe	Hokanson
Begich	Carlson, L.	Doty	Friedrich	Jacobs

Jaros	Kvam	Nelsen	Samuelson	Stanton
Jensen	Laidig	Nelson	Sarna	Suss
Johnson, C.	Langseth	Niehaus	Savelkoul	Swanson
Johnson, D.	Lemke	Norton	Schreiber	Tomlinson
Jopp	Lindstrom	Novak	Schulz	Ulland
Jude	Luther	Osthoff	Schumacher	Vento
Kahn	Mangan	Parish	Searle	Volk
Kaley	Mann	Patton	Setzepfandt	Wenstrom
Kalis	McCarron	Pehler	Sherwood	Wenzel
Kelly, R.	McCauley	Peterson	Sieben, H.	White
Kelly, W.	McCollar	Petrafaso	Sieben, M.	Wieser
Kempe, A.	McEachern	Philbrook	Sieloff	Wigley
Kempe, R.	Menninng	Pleasant	Simoneau	Williamson
Ketola	Metzen	Prahl	Skoglund	Zubay
Knickerbocker	Moe	Reding	Smith	Speaker Sabo
Kostohryz	Munger	Rice	Smogard	
Kroening	Neisen	St. Onge	Spanish	

The bill was passed and its title agreed to.

H. F. No. 1323, A bill for an act relating to health; setting standards for contract emergency ambulance services; amending Minnesota Statutes 1974, Section 144.804, Subdivision 3.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Abel	Dieterich	Jude	Metzen	Schumacher
Adams, L.	Doty	Kahn	Moe	Searle
Adams, S.	Enebo	Kaley	Munger	Setzepfandt
Albrecht	Erickson	Kalis	Neisen	Sherwood
Anderson, G.	Esau	Kelly, R.	Nelsen	Sieben, H.
Anderson, I.	Evans	Kelly, W.	Nelson	Sieben, M.
Arlandson	Ewald	Kempe, A.	Niehaus	Sieloff
Beauchamp	Faricy	Kempe, R.	Norton	Simoneau
Begich	Fjoslien	Ketola	Novak	Skoglund
Berg	Forsythe	Knickerbocker	Osthoff	Smogard
Berglin	Friedrich	Kostohryz	Parish	Spanish
Biersdorf	Fudro	Kroening	Patton	Stanton
Birnstihl	Fugina	Kvam	Pehler	Suss
Braun	George	Laidig	Peterson	Swanson
Brinkman	Graba	Langseth	Petrafaso	Tomlinson
Byrne	Hanson	Lemke	Philbrook	Ulland
Carlson, A.	Haugerud	Lindstrom	Pleasant	Volk
Carlson, L.	Heinitz	Luther	Prahl	Wenstrom
Carlson, R.	Hokanson	Mangan	Reding	Wenzel
Casserly	Jacobs	Mann	Rice	White
Clawson	Jaros	McCarron	St. Onge	Wieser
Corbid	Jensen	McCauley	Samuelson	Wigley
Dahl	Johnson, C.	McCollar	Sarna	Williamson
Dean	Johnson, D.	McEachern	Schreiber	Zubay
DeGroat	Jopp	Menninng	Schulz	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 2038, A bill for an act relating to medical assistance for the needy; directing the commissioner of public welfare to identify and investigate certain medical assistance abuses; requiring certain reports; amending Minnesota Statutes 1974, Section 256B.04, Subdivision 5, and by adding subdivisions.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Enebo	Kalis	Nelsen	Sieben, M.
Adams, L.	Erickson	Kelly, R.	Nelson	Sieloff
Adams, S.	Esau	Kelly, W.	Niehaus	Simoneau
Albrecht	Evans	Kempe, A.	Norton	Skoglund
Anderson, G.	Ewald	Kempe, R.	Novak	Smith
Anderson, I.	Fariicy	Ketola	Osthoff	Smogard
Arlandson	Fjoslien	Knickerbocker	Parish	Spanish
Beauchamp	Forsythe	Kostohryz	Patton	Stanton
Begich	Friedrich	Kroening	Pehler	Suss
Berglin	Fudro	Kvam	Peterson	Swanson
Biersdorf	Fugina	Laidig	Petrafeso	Tomlinson
Birnstihl	George	Langseth	Philbrook	Ulland
Braun	Graba	Lemke	Pleasant	Vanasek
Brinkman	Hanson	Lindstrom	Prahl	Vento
Byrne	Hangerud	Luther	Reding	Volk
Carlson, A.	Heinitz	Mangan	Rice	Wenstrom
Carlson, L.	Hokanson	Mann	St. Onge	Wenzel
Carlson, R.	Jacobs	McCarron	Samuelson	White
Cassery	Jaros	McCauley	Sarna	Wieser
Clawson	Jensen	McCollar	Schreiber	Wigley
Corbid	Johnson, C.	McEachern	Schulz	Williamson
Dahl	Johnson, D.	Menning	Schumacher	Zubay
Dean	Jopp	Metzen	Searle	Speaker Sabo
DeGroat	Jude	Moe	Setzepfandt	
Dieterich	Kahn	Munger	Sherwood	
Doty	Kaley	Neisen	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 1870, A bill for an act relating to public employees; administrative expenses of salary deductions for annuity contracts; appropriating funds; repealing Laws 1975, Chapter 433, Section 12.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Adams, S.	Anderson, G.	Arlandson	Begich
Adams, L.	Albrecht	Anderson, I.	Beauchamp	Berg

Berglin	Friedrich	Knickerbocker	Novak	Sieloff
Biersdorf	Fudro	Kostohryz	Osthoff	Simoneau
Birnstihl	Fugina	Kroening	Parish	Skoglund
Braun	George	Kvam	Patton	Smith
Brinkman	Graba	Laidig	Pehler	Smogard
Byrne	Hanson	Langseth	Peterson	Spanish
Carlson, A.	Haugerud	Lemke	Petraleso	Stanton
Carlson, L.	Heinitz	Lindstrom	Philbrook	Suss
Carlson, R.	Hokanson	Luther	Pleasant	Swanson
Casserly	Jacobs	Mangan	Prahl	Tomlinson
Clawson	Jaros	Mann	Reding	Ulland
Corbid	Jensen	McCarron	Rice	Vanasek
Dean	Johnson, C.	McCauley	St. Onge	Vento
DeGroat	Johnson, D.	McCollar	Samuelson	Volk
Dieterich	Jopp	McEachern	Sarna	Wenstrom
Doty	Jude	Menning	Savelkoul	Wenzel
Enebo	Kahn	Metzen	Schreiber	White
Erickson	Kaley	Moe	Schulz	Wieser
Esau	Kalis	Munger	Schumacher	Wigley
Evans	Kelly, R.	Neisen	Searle	Williamson
Ewald	Kelly, W.	Nelsen	Setzepfandt	Zubay
Faricy	Kempe, A.	Nelson	Sherwood	Speaker Sabo
Fjoslien	Kempe, R.	Niehaus	Sieben, H.	
Forsythe	Ketola	Norton	Sieben, M.	

The bill was passed and its title agreed to.

H. F. No. 1904, A bill for an act relating to cemeteries; prohibiting certain activities on public and private cemeteries and Indian burial grounds; requiring the posting of Indian burial grounds; amending Minnesota Statutes 1974, Section 307.08.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Jacobs	Lindstrom	Petraleso
Adams, L.	Dean	Jaros	Luther	Philbrook
Adams, S.	DeGroat	Jensen	Mangan	Pleasant
Albrecht	Dieterich	Johnson, C.	Mann	Prahl
Anderson, G.	Doty	Johnson, D.	McCarron	Reding
Anderson, I.	Enebo	Jopp	McCollar	Rice
Arlandson	Erickson	Jude	McEachern	St. Onge
Beauchamp	Esau	Kahn	Menning	Samuelson
Begich	Evans	Kaley	Metzen	Sarna
Berg	Ewald	Kalis	Moe	Savelkoul
Berglin	Faricy	Kelly, R.	Munger	Schreiber
Biersdorf	Fjoslien	Kelly, W.	Neisen	Schulz
Birnstihl	Forsythe	Kempe, A.	Nelsen	Schumacher
Braun	Friedrich	Kempe, R.	Nelson	Searle
Brinkman	Fudro	Ketola	Niehaus	Setzepfandt
Byrne	Fugina	Knickerbocker	Norton	Sherwood
Carlson, A.	George	Kostohryz	Novak	Sieben, H.
Carlson, L.	Graba	Kroening	Osthoff	Sieben, M.
Carlson, R.	Hanson	Kvam	Parish	Sieloff
Casserly	Haugerud	Laidig	Patton	Simoneau
Clawson	Heinitz	Langseth	Pehler	Skoglund
Corbid	Hokanson	Lemke	Peterson	Smith

Smogard	Swanson	Vento	White	Zubay
Spanish	Tomlinson	Volk	Wieser	Speaker Sabo
Stanton	Ulland	Wenstrom	Wigley	
Suss	Vanasek	Wenzel	Williamson	

The bill was passed and its title agreed to.

H. F. No. 59, A bill for an act relating to towns; authorizing towns to request the taking of a census by the secretary of state; amending Minnesota Statutes 1974, Chapter 365, by adding a section.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Enebo	Kalis	Nelsen	Sieben, H.
Adams, L.	Erickson	Kelly, R.	Nelson	Sieben, M.
Adams, S.	Esau	Kelly, W.	Niehaus	Sieloff
Albrecht	Evans	Kempe, A.	Norton	Simoneau
Anderson, G.	Ewald	Kempe, R.	Novak	Skoglund
Anderson, I.	Faricy	Ketola	Osthoff	Smith
Arlandson	Fjoslien	Knickerbocker	Parish	Smogard
Beauchamp	Forsythe	Kostohryz	Patton	Spanish
Begich	Friedrich	Kroening	Pehler	Stanton
Berg	Fudro	Kvam	Peterson.	Suss
Berglin	Fugina	Laidig	Petrafeso	Swanson
Biersdorf	George	Langseth	Philbrook	Tomlinson
Birnstihl	Graba	Lemke	Pleasant	Ulland
Braun	Hanson	Lindstrom	Prahl	Vanasek
Brinkman	Haugerud	Luther	Reding	Vento
Byrne	Heintz	Mangan	Rice	Volk
Carlson, A.	Hokanson	Mann	St. Onge	Wenstrom
Carlson, L.	Jacobs	McCarron	Samuelson	Wenzel
Carlson, R.	Jaros	McCauley	Sarna	White
Casserly	Jensen	McCollar	Savelkoul	Wieser
Clawson	Johnson, C.	McEachern	Schreiber	Wigley
Corbid	Johnson, D.	Menning	Schulz	Williamson
Dean	Jopp	Metzen	Schumacher	Zubay
DeGroat	Jude	Moe	Searle	Speaker Sabo
Dieterich	Kahn	Munger	Setzepfandt	
Doty	Kaley	Neisen	Sherwood	

The bill was passed and its title agreed to.

Adams, S., was excused at 2:35 p.m. Pleasant was excused at 4:00 p.m. Osthoff was excused at 4:55 p.m. Sherwood was excused at 5:00 p.m. Abeln was excused at 5:10 p.m.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the motion of Pehler to recommend passage of H. F. No. 468, as amended.

The roll being called, there were yeas 56, and nays 67, as follows:

Those who voted in the affirmative were:

Adams, L.	Enebo	Knoll	Osthoff	Tomlinson
Beauchamp	Evans	Kostohryz	Patton	Vanasek
Berg	Faricy	Lemke	Pehler	Vento
Berglin	Fudro	Luther	Philbrook	Volk
Brinkman	George	Mangan	Rice	Wenzel
Byrne	Hanson	McCarron	St. Onge	Williamson
Carlson, A.	Heinitz	McCauley	Sarna	Zubay
Carlson, L.	Jacobs	Metzen	Sieben, H.	Speaker Sabo
Casserly	Jaros	Moe	Sieben, M.	
Clawson	Jensen	Nelson	Simoneau	
Dean	Johnson, C.	Norton	Stanton	
Dieterich	Kahn	Novak	Suss	

Those who voted in the negative were:

Abeln	Fjoslien	Ketola	Parish	Sieloff
Albrecht	Forsythe	Knickerbocker	Peterson	Skoglund
Anderson, G.	Friedrich	Kroening	Petraleso	Smith
Arlandson	Graba	Kvam	Pleasant	Smogard
Begich	Hokanson	Laidig	Prahl	Spanish
Biersdorf	Johnson, D.	Langseth	Reding	Swanson
Birnstihl	Jopp	Lindstrom	Samuelson	Ulland
Braun	Jude	Mann	Savelkoul	Wenstrom
Carlson, R.	Kaley	McCollar	Schreiber	White
Corbid	Kalis	Menning	Schulz	Wieser
DeGroat	Kelly, R.	Munger	Schumacher	Wigley
Doty	Kelly, W.	Neisen	Searle	
Ericson	Kempe, A.	Nelsen	Setzepfandt	
Esau	Kempe, R.	Niehaus	Sherwood	

The motion did not prevail.

Pursuant to Rule 1.6, a roll call was taken on the motion of Ulland to recommend passage of H. F. No. 1702, as amended.

The roll being called, there were yeas 94, and nays 11, as follows:

Those who voted in the affirmative were:

Adams, L.	Carlson, R.	Esau	Jaros	Kroening
Albrecht	Casserly	Evans	Johnson, C.	Laidig
Anderson, G.	Clark	Ewald	Jopp	Langseth
Anderson, I.	Clawson	Faricy	Kahn	Lindstrom
Arlandson	Corbid	Fjoslien	Kaley	Luther
Beauchamp	Dahl	Friedrich	Kelly, W.	Mangan
Berg	Dean	Fudro	Kempe, A.	McCarron
Berglin	DeGroat	Fugina	Kempe, R.	McCauley
Byrne	Dieterich	George	Ketola	McCollar
Carlson, A.	Doty	Graba	Knickerbocker	McEachern
Carlson, L.	Enebo	Hokanson	Knoll	Menning

Moe	Osthoff	Prahl	Simoneau	Wenzel
Munger	Parish	St. Onge	Skoglund	White
Neisen	Patton	Sarna	Smogard	Wieser
Nelsen	Pehler	Savelkoul	Spanish	Wigley
Nelson	Peterson	Setzepfandt	Stanton	Williamson
Niehaus	Petrafaso	Sherwood	Ulland	Zubay
Norton	Philbrook	Sieben, H.	Vento	Speaker Sabo
Novak	Pleasant	Sieben, M.	Volk	

Those who voted in the negative were:

Abeln	Birnstihl	Kalis	Schumacher	Vanasek
Begich	Jensen	Reding		
Biersdorf	Johnson, D.	Samuelson		

The motion prevailed.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 1326, as amended, offered by Brinkman:

Page 10, line 19, to Page 13, line 12, delete Section 13 of the bill.

The roll being called, there were yeas 53, and nays 61, as follows:

Those who voted in the affirmative were:

Albrecht	Erickson	Kaley	McEachern	Schulz
Anderson, G.	Esau	Kalis	Menning	Setzepfandt
Begich	Evans	Kempe, R.	Metzen	Smith
Biersdorf	Ewald	Ketola	Nelsen	Spanish
Birnstihl	Fjoslien	Knickerbocker	Niehaus	Swanson
Braun	Forsythe	Laidig	Patton	Wenzel
Brinkman	Friedrich	Lemke	Peterson	Wieser
Dahl	Heinitz	Lindstrom	Reding	Wigley
DeGroat	Jensen	Mann	St. Onge	Zubay
Doty	Jopp	McCauley	Samuelson	
Eken	Jude	McCollar	Schreiber	

Those who voted in the negative were:

Adams, L.	Enebo	Kempe, A.	Parish	Suss
Anderson, I.	Farcy	Knoll	Pehler	Tomlinson
Arlandson	Fugina	Kostohryz	Petrafaso	Ulland
Berg	George	Kroening	Philbrook	Vanasek
Byrne	Graba	Langseth	Rice	Vento
Carlson, A.	Hanson	Luther	Schumacher	Volk
Carlson, L.	Haugerud	Mangan	Sieben, H.	Wenstrom
Carlson, R.	Hokanson	Moe	Sieben, M.	Williamson
Casserly	Jaros	Munger	Sieloff	Speaker Sabo
Clark	Johnson, D.	Neisen	Simoneau	
Clawson	Kahn	Nelson	Skoglund	
Corbid	Kelly, R.	Norton	Smogard	
Dieterich	Kelly, W.	Novak	Stanton	

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

Pursuant to Rule 1.6, a roll call was taken on the motion of Casserly to recommend passage of H. F. No. 1326, as amended.

The roll being called, there were yeas 53, and nays 69, as follows:

Those who voted in the affirmative were:

Adams, L.	Dieterich	Kelly, R.	Norton	Skoglund
Anderson, I.	Faricy	Kempe, A.	Novak	Stanton
Arlandson	Fudro	Knoll	Parish	Suss
Beauchamp	Fugina	Kostohryz	Pehler	Tomlinson
Berg	George	Kroening	Petrafeso	Ulland
Byrne	Hanson	Luther	Prahl	Vanasek
Carlson, A.	Hokanson	Mangan	Rice	Vento
Carlson, L.	Jacobs	McCarron	Sarna	White
Carlson, R.	Jaros	Moe	Sieben, H.	Speaker Sabo
Casserly	Johnson, D.	Munger	Sieben, M.	
Clark	Kahn	Nelson	Simoneau	

Those who voted in the negative were:

Albrecht	Enebo	Jude	McEachern	Searle
Anderson, G.	Erickson	Kaley	Menning	Setzepfandt
Begich	Esau	Kalis	Metzen	Sieloff
Biersdorf	Evans	Kelly, W.	Neisen	Smith
Birstihl	Ewald	Kempe, R.	Nelsen	Smogard
Braun	Fjoslien	Ketola	Niehaus	Spanish
Brinkman	Forsythe	Knickerbocker	Patton	Swanson
Clawson	Friedrich	Laidig	Peterson	Wenstrom
Corbid	Graba	Langseth	Philbrook	Wenzel
Dahl	Haugerud	Lemke	Reding	Wieser
Dean	Heinitz	Lindstrom	St. Onge	Wigley
DeGroat	Jensen	Mann	Samuelson	Williamson
Doty	Johnson, C.	McCauley	Schulz	Zubay
Eken	Jopp	McCollar	Schumacher	

The motion did not prevail.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. No. 1337 which it recommended to pass.

H. F. No. 437 upon which it recommended progress.

H. F. No. 1249 upon which it recommended progress until Tuesday, March 2, 1976.

H. F. No. 1891 upon which it recommended progress until Thursday, February 26, 1976 retaining its place on General Orders.

H. F. No. 1892 upon which it recommended progress until Wednesday, February 25, 1976 retaining its place on General Orders.

H. F. No. 1897 upon which it recommended progress until Wednesday, February 25, 1976 retaining its place on General Orders.

H. F. No. 468 upon which it recommended progress with the following amendment offered by Evans:

Page 1, line 23, after "in" delete "or on".

Page 2, line 1, before "building" insert "dormitory".

Page 2, line 1, delete "grounds" and insert ", in the case of special events authorized by the administration, in other buildings".

H. F. No. 1702 upon which it recommended to pass with the following amendment offered by Ulland:

Page 1, line 23, after "sale" insert "at wholesale".

Page 2, line 12, after "use" strike the remainder of the line. Strike lines 13 and 14 and insert "or to the sale of such compounds for use in the cleaning, maintenance, testing and repair of electronic equipment."

H. F. No. 910 upon which it recommended to pass with the following amendment offered by Novak:

Page 2, line 29, after "whoever" strike the rest of the line.

Page 2, line 30, strike "fire to, or burns or causes to be burned," and insert "unlawfully by means of fire or explosives, intentionally destroys or damages".

Page 3, line 1, strike "or stable, barn, or other outbuilding that is".

Page 3, line 2, strike "parcel thereof or belonging to or adjoining" and insert "appurtenant to or connected with".

Page 3, line 7, after "whoever" strike the rest of the line.

Page 3, line 8, strike "explosives sets fire to or burns or causes to be burned" and insert "unlawfully by means of fire or explosives, intentionally destroys or damages".

Page 3, strike all of line 21.

Page 3, line 22, strike "burns or causes to be burned" and insert "unlawfully by means of fire or explosives, intentionally destroys or damages".

Page 3, line 29, after "*whoever*" strike the rest of the line.

Page 3, line 30, strike "*fire to or burns or causes to be burned*" and insert "*unlawfully by means of fire or explosives, intentionally destroys or damages*".

Page 4, line 11, after "*property*" insert "*of value*".

Page 4, delete lines 14 to 22.

Page 4, line 23, delete "8" and insert "7".

Page 5, line 15, delete "9" and insert "8".

Page 5, line 24, delete the comma and insert a semicolon.

Page 5, line 27, delete the period and insert a semicolon.

Page 5, line 27, after "*greater.*" add a new paragraph to read:

*"(c) Proof that the actor recovered or attempted to recover on a policy of insurance by reason of the fire is relevant but not essential to establish his intent to defraud the insurer."*

Page 5, line 28, delete "10" and insert "9".

H. F. No. 1326 upon which it recommended progress with the following amendments:

Offered by Casserly:

Page 12, line 18, delete the second "*Program*" and insert "*County*".

Page 12, line 26, delete second "*Program*" and insert "*County*".

Offered by Sieloff:

Page 20, line 8, after "*otherwise*" strike the balance of the sentence.

Page 22, line 31, after "*otherwise*" strike the balance of the sentence.

Offered by Brinkman:

Page 1, line 13, delete "24" and insert "23".

Page 5, lines 3 to 31 delete section 6 of the bill.

Renumber sections accordingly.

Further, amend the title:

Page 1, line 4, delete "14".

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

### MOTIONS AND RESOLUTIONS

Fjoslien moved that his name be stricken as an author on H. F. No. 903. The motion prevailed.

Stanton moved that his name be stricken as an author on H. F. No. 2222. The motion prevailed.

Skoglund moved that the name of Evans be stricken and the name of Simoneau be added as an author on H. F. No. 2196. The motion prevailed.

Ketola introduced:

House Resolution No. 26, A house resolution congratulating the Cloquet High School ski team upon winning the state championship.

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

### ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Wednesday, February 25, 1976. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Wednesday, February 25, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1976

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SEVENTY-FOURTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, FEBRUARY 20, 1976

The Senate met on Friday, February 20, 1976, which was the Seventy-fourth Legislative Day of the Sixty-Ninth Session of the Minnesota State Legislature. The House of Representatives did not meet on this date.

RESOLUTION

RELATIVE TO

THE

ADJOURNMENT

OF THE HOUSE OF REPRESENTATIVES

IN SENATE

STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1976

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SEVENTY-FIFTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 23, 1976

The Senate met on Monday, February 23, 1976, which was the Seventy-fifth Legislative Day of the Sixty-Ninth Session of the Minnesota State Legislature. The House of Representatives did not meet on this date.



## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## SEVENTY-SIXTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, FEBRUARY 25, 1976

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kaley	Neisen	Sieben, H.
Adams, L.	Eckstein	Kalis	Nelsen	Sieben, M.
Adams, S.	Eken	Kelly, R.	Nelson	Sieloff
Albrecht	Enebo	Kelly, W.	Niehaus	Simoneau
Anderson, G.	Erickson	Kempe, A.	Norton	Skoglund
Anderson, I.	Esau	Kempe, R.	Novak	Smith
Arlandson	Evans	Ketola	Osthoff	Smogard
Beauchamp	Ewald	Knickerbocker	Parish	Suss
Begich	Faricy	Knoll	Patton	Swanson
Berg	Fjoslien	Kostohryz	Pehler	Tomlinson
Berglin	Forsythe	Kroening	Peterson	Ulland
Biersdorf	Friedrich	Kvam	Petrafeso	Vanasek
Birnstihl	Fudro	Laidig	Philbrook	Vento
Braun	Fugina	Langseth	Pleasant	Volk
Brinkman	George	Lenke	Prahl	Voss
Byrne	Graba	Lindstrom	Reding	Wenstrom
Carlson, A.	Hanson	Luther	Rice	Wenzel
Carlson, L.	Hangerud	Mangan	St. Onge	White
Carlson, R.	Heinitz	Mann	Samuelson	Wieser
Casserly	Hokanson	McCarron	Sarna	Wigley
Clark	Jacobs	McCauley	Savelkoul	Williamson
Clawson	Jensen	McCollar	Schreiber	Zubay
Corbid	Johnson, C.	McEachern	Schulz	Speaker Sabo
Dahl	Johnson, D.	Menning	Schumacher	
Dean	Jopp	Metzen	Searle	
DeGroat	Jude	Moe	Setzepfandt	
Dieterich	Kahn	Munger	Sherwood	

A quorum was present.

Jaros, Spanish and Stanton were excused.

The Chief Clerk proceeded to read the Journals of the preceding days. On the motion of Esau the further readings were dispensed with and the Journals were approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2147, 468, 1087, 2020, 2292, 1702, 1847, 910 and 1326 and S. F. Nos. 830, 1273, 1636, 1794, 1816, 1825, 1839, 1848, 1865, 1813 and 1820 have been placed in the members' files.

S. F. No. 830 and H. F. No. 764, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 764, page 1, lines 8 to 10 read: "BY FREE STANDING AMBULATORY SURGICAL CENTERS OR FACILITIES OFFERING AMBULATORY MEDICAL SERVICE 24 HOURS A DAY SEVEN DAYS A WEEK.] No policy or plan of health, medical,".

Whereas, S. F. No. 830, page 1, lines 8 and 9 read in part: "IN FREE STANDING AMBULATORY SURGICAL CENTERS.] No policy or plan of health, medical,".

H. F. No. 764, page 1, lines 19 to 23 read: "treatment or service rendered by a free standing ambulatory surgical center or facilities offering ambulatory medical service 24 hours a day seven days a week, which are not part of a hospital, but have been reviewed and approved by the state board of health to provide the treatment or service,".

Whereas S. F. No. 830, page 1, lines 17 to 19 read in part: "treatment or service rendered in a free standing ambulatory surgical center authorized by law to provide the treatment or service,".

H. F. No. 764, page 2, line 2 reads in part: "service rendered by a hospital."

Whereas, S. F. No. 830, page 1, line 21 reads: "service rendered in another facility,".

S. F. No. 830, page 1, line 22, contains the following language:

"Sec. 2. This act is effective on August 1, 1976."

Whereas H. F. No. 764 does not contain this language.

## SUSPENSION OF RULES

Pehler moved that the rules be so far suspended that S. F. No. 830 be substituted for H. F. No. 764 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1794 and H. F. No. 2020, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 2020, page 2, lines 3 to 20 contain the following language:

"Sec. 3. Minnesota Statutes 1974, Section 488A.14, Subdivision 6, is amended to read:

Subd. 6. [REPLEVIN.] If the controversy concerns the ownership or possession, or both, of personal property the value of which does not exceed the sum of (\$500) \$1,000, the judge in his discretion, may direct an officer of the court to take possession of the property immediately and hold it subject to the further order of the court, without the giving of any bond whatever.

Sec. 4. Minnesota Statutes 1974, Section 488A.31, Subdivision 6, is amended to read:

Subd. 6. [REPLEVIN.] If the controversy concerns the ownership or possession, or both, of personal property the value of which does not exceed the sum of (\$500) \$1,000, the judge, in his discretion, may direct an officer of the court to take possession of the property immediately and hold it subject to the further order of the court, without the giving of any bond whatever."

Whereas, S. F. No. 1794 does not contain this language.

S. F. No. 1794, page 2, lines 3 and 4 contain the following language:

"Sec. 3. [EFFECTIVE DATE.] *This act is effective the day following its final enactment.*"

Whereas, H. F. No. 2020 does not contain this language.

Further, the title of H. F. No. 2020 reads:

"A bill for an act relating to courts; increasing the jurisdictional amount in conciliation court of Hennepin and Ramsey counties; amending Minnesota Statutes 1974, Section 488A.12, Subdivision 3; 488A.14, Subdivision 6; 488A.29, Subdivision 3; and 488A.31, Subdivision 6."

Whereas, the title of S. F. No. 1794 reads:

"A bill for an act relating to courts; prescribing the jurisdictional limits of conciliation courts in the counties of Hennepin and Ramsey; amending Minnesota Statutes 1974, Sections 488A.12, Subdivision 3; and 488A.29, Subdivision 3."

## SUSPENSION OF RULES

Schreiber moved that the rules be so far suspended that S. F. No. 1794 be substituted for H. F. No. 2020 and that the House File be indefinitely postponed. The motion prevailed.

## PETITIONS AND COMMUNICATIONS

The following reports were received and filed in the Chief Clerk's Office: A Plan for State Administration of Minnesota Income Maintenance Programs submitted by the Department of Public Welfare, and Shade Tree Disease Control submitted by the Department of Agriculture Division of Plant Industry.

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
ST. PAUL 55155

February 20, 1976

The Honorable Martin Sabo  
Speaker of the House

Sir:

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. 1145, An Act relating to landlords and tenants; retaliatory evictions; amending Minnesota Statutes 1974, Section 566.03.

H. F. No. 1977, An Act relating to the operation of government; changing the qualification for community school programs aid and for certain proceeds of the supplementary tax on taconite and iron sulphides; clarifying sanctioning the reduction of certain levies and authorizing certain transfers of funds; amending Minnesota Statutes, 1975 Supplement, Sections 124.271, Subdivision 1; and 298.244, Subdivision 1.

Sincerely,

WENDELL R. ANDERSON  
Governor

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

The Honorable Martin O. Sabo  
 Speaker of the House of Representatives  
 The Honorable Alec G. Olson  
 President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1976 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1976	Date Filed 1976
234		10	February 20	February 20
370		11	February 20	February 20
1405		12	February 20	February 20
1510		13	February 20	February 20
1541		14	February 20	February 20
1584		15	February 20	February 20
1647		16	February 20	February 20
	1145	17	February 20	February 20
	1977	18	February 20	February 20

Sincerely,

JOAN ANDERSON GROWE  
 Secretary of State

STATE OF MINNESOTA  
 OFFICE OF THE GOVERNOR  
 ST. PAUL 55155

February 19, 1976

The Honorable Martin O. Sabo  
 Speaker of the House  
 State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the House of Representatives for confirmation as required by law.

Roger Noreen, 1684 James Road, Mendota Heights, Dakota County, has been appointed by me to the Ethical Practices Board, effective February 18, 1976, for a term expiring April 29, 1976.

Harold Chase, 124 Bedford Street S.E., Minneapolis, Hennepin County, has been appointed by me to the Ethical Practices Board, effective February 18, 1976, for a term expiring April 29, 1978.

Sincerely,

WENDELL R. ANDERSON  
Governor

The communication from the governor relating to appointments was referred to the Committee on General Legislation and Veterans Affairs.

#### REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1984, A bill for an act relating to agriculture; establishing a family farm security program to encourage loans for farm real estate; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [PURPOSE.] *In order to aid young farmers in obtaining credit for the acquisition of farm real estate, there is established a family farm security program which shall provide state money in guarantee of loans made according to the provisions of sections 1 to 12.*

Sec. 2. [DEFINITIONS.] *Subdivision 1. For the purposes of this act the following terms shall have the meanings given.*

*Subd. 2. "Applicant" means a person applying for a family farm security loan.*

*Subd. 3. "Board" means the family farm advisory board.*

*Subd. 4. "Commissioner" means the commissioner of agriculture.*

*Subd. 5. "Family farm security loan" means a loan for acquisition of farm land approved by the commissioner. It may include one or more of the following: (a) a family farm security*

loan guarantee; (b) a payment adjustment; (c) a participation loan.

Subd. 6. "Farm land" means land in Minnesota that is capable of supporting the commercial production of agricultural crops, livestock or livestock products, poultry products, milk or dairy products, or fruit or other horticultural products.

Subd. 7. "Lender" means any bank, savings bank, mutual savings bank, building and loan association, savings and loan association, organized under the laws of this state or the United States, trust companies, trust companies acting as fiduciaries, and other financial institutions subject to the supervision of the commissioner of banks; and any foreign or domestic corporation engaged in the business of insurance which is subject to the supervision of the commissioner of insurance as defined in Minnesota Statutes, Section 60A.02, Subdivisions 1 and 3; and any financial institution operating under the supervision of the farm credit administration. In case of participation loans as authorized in section 8, lender also means the seller of the property.

Subd. 8. "Participation loan" means a loan in which part or all of the purchase price of the farm is financed by a loan from the seller of the property, and the remainder of the loan, if any, is supplied by a lender as defined in subdivision 7. A participation loan may be secured by two or more separate notes that carry different interest rates.

Sec. 3. [ADMINISTRATION.] Subdivision 1. The family farm security program shall be administered by the commissioner.

Subd. 2. [STAFF.] The commissioner shall employ such staff as he finds necessary for administration of sections 1 to 12. He shall also provide staff assistance to the board.

Subd. 3. [RULES.] The commissioner shall promulgate rules and regulations necessary for the efficient administration of sections 1 to 12.

Subd. 4. [REPORT TO LEGISLATURE.] On or before January 1 of each year the commissioner shall submit a report to the legislature, as provided in Minnesota Statutes, Section 3.195, concerning the actions of the commissioner and the status of loans granted.

Sec. 4. [ADVISORY BOARD.] Subdivision 1. [COMPOSITION.] There is established a family farm citizens advisory board composed of seven members appointed by the governor as follows:

(a) two officers from commercial lending institutions;

- (b) one dairy farmer;
- (c) one livestock farmer;
- (d) one cash grain farmer;
- (e) one officer from a farm credit association;
- (f) one representative of consumers of food products, who shall not be a farmer or lender.

Subd. 2. [TERMS AND COMPENSATION.] *The terms, compensation and removal of members of the board shall be governed by Minnesota Statutes, Section 15.059, in the manner provided for advisory councils. The board shall meet monthly or more often as needed.*

Subd. 3. [CHAIRMAN.] *The members of the board shall elect one of their members to serve as chairman.*

Subd. 4. [DUTIES.] *The duties of the board shall be as follows:*

(a) *To review and appraise the family farm security program;*

(b) *to give advice and counsel to the commissioner regarding the family farm security program;*

(c) *to review all applications for family farm security loans and make recommendations to the commissioner as to their disposition;*

(d) *to make recommendations to the governor, legislature and the public on or before December 31 of each year regarding any needed state policy or program changes to foster and promote the economic health and viability of the family farm.*

Sec. 5. [ELIGIBILITY.] *A family farm security loan guarantee and payment adjustment or participation loan approval may be granted if the following criteria are satisfied:*

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

(b) *that the applicant has sufficient education, training, or experience in the type of farming for which he wishes the loan;*

(c) *that the applicant has total net worth valued at less than \$50,000 and has demonstrated a need for the loan;*

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

Sec. 6. [PROCEDURE.] Subdivision 1. [APPLYING FOR LOAN; LOAN DENIED.] Any person desiring to acquire farm land may make application with a lender for one or more of the following: (1) a family farm security loan guarantee; (2) payment adjustment; and (3) participation loan. Upon completion of the appropriate forms by the applicant and the lender, the lender shall forward the application to the commissioner for approval. The commissioner may approve the application if the criteria of sections 5 and 7 are satisfied, and shall notify the applicant and the lender of his decision.

If the application is denied, the commissioner shall return the application to the lender with a written statement of the reasons for the denial. The applicant shall be given a copy of the reasons for the denial of the loan. If the circumstances of the applicant change such that he becomes eligible, he may reapply.

Subd. 2. [APPROVED LOANS.] If the commissioner approves the loan application, he shall retain a copy of the application for his files and return the original to the lender. The applicant and the lender may then complete the transaction for the loan.

Subd. 3. [PRIVACY OF RECORDS.] The information contained in an application and the statement of reasons for the denial of an application shall be private data as defined in Minnesota Statutes, Section 15.162.

Subd. 4. [DEFAULT; FILING CLAIM.] Within 90 days of a default on a family farm security loan, the lender shall send notice to the applicant stating that the commissioner must be notified if the default continues for another 90 days, and the consequences of that default. The lender and the applicant may agree to take any steps reasonable to assure the fulfillment of the loan obligation.

After 180 days from the initial default, if the applicant has not made arrangements to meet his obligation, the lender shall file a claim with the commissioner, identifying the loan and the nature of the default, and relinquishing to the state all rights of the lender in exchange for payment of the outstanding balance due. If the commissioner is satisfied that the default has occurred, he shall authorize payment of state funds to the lender, and shall notify the defaulting party. The commissioner shall then become the holder of the mortgage. He shall arrange for fair market value appraisal of the farm land and shall accept applications from prospective purchasers who meet the criteria of sections 5 and 7 and have the support of a lender willing to finance the purchase. If an application is accepted by the commissioner, the property will be sold to the applicant and treated

as though it were a new family farm security loan. If no buyer who is a qualified applicant can be found within 90 days at the fair market price as determined by the commissioner, the commissioner shall advertise the property and sell it to the highest bidder.

In the case of a participation loan involving more than one note, all of the notes shall be considered to be in default if one of the notes is in default.

Subd. 5. [GUARANTEE VOID.] The loan guarantee shall be void only if the guaranteed loan was obtained by fraud or material misrepresentation of which the original lender or subsequent holder had actual knowledge.

Sec. 7. [TERMS OF THE LOAN.] Subdivision 1. A family farm security loan shall be transacted on forms provided by the commissioner with the advice of the attorney general. The commissioner shall establish an appraisal procedure and shall thereby determine the value of the property before guaranteeing a family farm security loan.

Subd. 2. [PAYMENT ADJUSTMENT.] During the first ten years of a family farm security loan, the commissioner shall pay to the lender four percent of the outstanding balance due each year and the applicant shall pay the remainder of the payment due. After the tenth year, the applicant shall make payments according to the stated interest rate. The applicant may petition the commissioner for one ten year renewal of the payment adjustment. If a renewal is granted, in the twenty-first year the applicant shall reimburse the commissioner for the sums paid on the applicant's behalf under this subdivision. If no renewal is granted, the applicant shall reimburse the commissioner in the eleventh year.

Subd. 3. [ANNUAL REVIEW OF NET WORTH.] The applicant shall annually submit to the commissioner a statement of his net worth. If his net worth in any year exceeds the sum of \$100,000, the applicant shall be ineligible for a payment adjustment in that year.

Sec. 8. [PARTICIPATION LOANS.] Subdivision 1. [AUTHORIZATION.] The commissioner may provide a guarantee to the lenders on participation loans when the buyer satisfies the eligibility criteria in section 5. The commissioner may also provide a payment adjustment on behalf of the applicant in the case of participation loans.

Subd. 2. [NEGOTIABILITY AND MARKETABILITY.] A participation loan shall be secured by a negotiable note or notes as defined in Minnesota Statutes, Section 336.3-104. Participation loan notes may be sold at a premium or discount. The commissioner must be notified in writing within 30 days when a participation loan note is sold or exchanged.

*Subd. 3. [TAXABILITY.] The interest earned by the seller of the property on a participation loan that is guaranteed by the commissioner shall be excludable from gross income for the year in which it is received.*

**Sec. 9. Minnesota Statutes 1974, Section 290.08, is amended by adding a new subdivision to read:**

*Subd. 23. The interest earned by the seller of the property on a participation loan that is guaranteed by the commissioner of agriculture.*

**Sec. 10. [SALE OR CONVEYANCE.] Subdivision 1. [IMMEDIATE REPAYMENT OF LOAN.]** *Any applicant who sells or conveys the property for which a family farm security loan was issued shall immediately retire the entire indebtedness still owed to the lender and the commissioner. The new owner may negotiate a family farm security loan in his own right, but under no circumstances may the original loan be assumed by the new owner. This subdivision is not intended to prohibit the applicant from granting a security interest in the property for the purposes of securing an additional loan.*

**Subd. 2. [TAX PENALTY ON CAPITAL GAIN.]** *Capital gain realized on the sale of property for which a family farm security loan was issued within ten years of the issuance of the loan shall be taxed as follows:*

	Time lapsed from issuance of loan		Tax rate Percent
	At least	but less than	
(a)		1 year	100
(b)	1 year	3 years	90
(c)	3 years	5 years	80
(d)	5 years	7 years	70
(e)	7 years	9 years	60
(f)	9 years	10 years	50

**Subd. 3. [WAIVER OF TAX PENALTY.]** *The commissioner shall waive the imposition of the tax in subdivision 2 if the applicant has died or suffered a total disability.*

*For the purposes of this section, "total disability" means the total and permanent loss of sight of both eyes, the loss of both arms at the shoulder, the loss of both legs so close to the hips that no effective artificial members can be used, complete and per-*

*manent paralysis, total and permanent loss of mental faculties, or any other injury which totally incapacitates the applicant from working his farm.*

*Subd. 4. [DISCLOSURE IN LOAN CONTRACT.] Every family farm security loan shall contain notice of the penalties imposed by this section. The lender shall explain these terms to the applicant before submitting the loan to the commissioner for approval.*

Sec. 11. Minnesota Statutes 1974, Section 48.24, Subdivision 5, is amended to read:

*Subd. 5. Loans or obligations shall not be subject under this section to any limitation based upon such capital and surplus to the extent that they are secured or covered by guarantees, or by commitments or agreements to take over or to purchase the same, made by the commissioner of agriculture on the purchase of agricultural land or by any Federal Reserve bank or by the United States or any department, bureau, board, commission, or establishment of the United States, including any corporation wholly owned directly or indirectly by the United States.*

*Sec. 12. [APPROPRIATION.] Subdivision 1. There is appropriated from the general fund to a special account in the state treasury the sum of \$10,000,000 to be invested by the state board of investment in such securities as authorized by law.*

*Such sums as may be needed from time to time to pay lenders for defaulted loans is appropriated from the special account to the commissioner.*

*Subd. 2. Interest accrued from the investment of funds from the special account is annually appropriated; and the sum of \$ from the general fund is appropriated to the commissioner to be used for payment adjustment under section 7, subdivision 2.*

*Subd. 3. There is appropriated from the general fund to the commissioner the sum of \$56,000 for administrative expenses incurred in fulfilling the provisions of this act."*

Amend the title as follows:

Line 4, after "money" insert "; amending Minnesota Statutes 1974, Sections 48.24, Subdivision 5; and 290.08, by adding a subdivision".

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 608, A bill for an act relating to labor; specifying a minimum wage rate for agricultural sugar beet workers; regulating hours for minor sugar beet employees; amending Minnesota Statutes 1974, Chapter 177, by adding a section; and Section 181A.07, Subdivision 1.

Reported the same back with the following amendments:

Page 2, after line 29, add the following:

"Sec. 3. *The sum of \$45,000 is appropriated to the commissioner of labor and industry from the general fund to carry out the purposes of this act for the biennium ending June 30, 1977.*"

Further amend the title as follows:

Page 1, line 4, after "employees;" insert "appropriating money;"

With the recommendation that when so amended the bill do pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 1382, A bill for an act relating to the operation of state government; authorizing the commissioner of administration to acquire vehicles for the car pooling of state employees; appropriating money; repealing Minnesota Statutes 1974, Section 16.755.

Reported the same back with the following amendments:

Page 1, line 14, delete "11" and insert "12".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1953, A bill for an act relating to commerce; providing longer warranties for mobile homes; amending Minnesota Statutes 1974, Section 327.54, Subdivision 2.

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

The report was adopted.

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

H. F. No. 2331, A bill for an act relating to education; authorizing Independent School District No. 625 to issue bonds for the purpose of correcting cash flow problems and for other purposes; requiring a tax levy in certain years to eliminate the operating debt of the district.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. [BOND AUTHORIZATION.] Subdivision 1. Independent School District No. 625 is hereby authorized to issue not to exceed \$6,400,000 of general obligation bonds for the purpose of establishing a special reserve account for the district to permit the district to segregate adequate tax receipts and aid receipts for the repayment of tax and aid anticipation certificates respectively. These obligations shall be issued and sold in accordance with the further provisions of Minnesota Statutes, Chapter 475 except that no election shall be required to authorize their issuance and that the total principal and interest requirements of said issue in any year shall not exceed 1.5 mills times the adjusted assessed valuation of the taxable property of the district for calendar year 1975 as determined by the equalization aid review committee. The full faith and credit of the district shall be pledged for the payment of the principal of and interest on the bonds and the district is hereby authorized and required to levy taxes upon all taxable property in the district without limitation as to rate or amount for the payment of the principal of and interest on said bonds.

Subd. 2. The debt service levy to be made by the district in 1976, collectible in 1977, shall be reduced by up to \$1,500,000, provided that at the time its levy is certified in 1976 there exists in its sinking funds for its outstanding general obligation bonds a surplus equal to the amount of such reduction. To the extent that this debt service levy is reduced, the district may levy additional taxes in an amount equal to such reduction and the amount of the additional levy shall, when received, be deposited in the sinking fund for the obligations authorized in subdivision 1. The levy made at the time of the sale and issuance of the bonds authorized in subdivision 1 shall not be reduced by reason of the availability of the proceeds of such additional levy in the sinking fund for said bonds, until such time as there is on hand in said sinking fund an amount sufficient to pay all then outstanding bonds of said issue and the interest thereon.

Sec. 2. [ACCOUNTING SYSTEM MONITORED BY LEGISLATIVE AUDITOR.] Subdivision 1. The legislative auditor shall perform an audit of the finances of Independent School District No. 625 for fiscal year 1976 in accordance with the principles of the uniform financial accounting and reporting system which has been developed in accordance with the requirement of Laws 1973, Chapter 683, Section 22. The legislative auditor and his employees may personally conduct this audit and examination or may, at his discretion, contract with certified public accountants or public accounting firms to provide this service.

The legislative auditor shall also restate, in accordance with the uniform financial accounting and reporting system, the audit of the district which was performed for fiscal year 1975.

The legislative auditor shall report the results of the audit and the restatement to the appropriate committees of the legislature by October 15, 1976.

Subd. 2. On or before July 1, 1976, the school district shall adopt a system of accounting, budgeting, and reporting in accordance with the principles of the uniform financial accounting and reporting system. The legislative auditor shall monitor and assist in the implementation of this system by the school district. The legislative auditor shall report to the legislative audit commission and other appropriate committees of the legislature at the times he deems necessary, but not less than twice each year. He shall make his initial report on or before January 15, 1977.

Subd. 3. Independent School District No. 625 shall provide cooperation and assistance as necessary to the legislative auditor to allow him to perform his duties pursuant to this section.

Sec. 3. [STATUTORY OPERATING DEBT.] Subdivision 1. The "statutory operating debt" of Independent School District No. 625 means the net negative fund balances in all school district funds, other than the capital expenditure and building construction, debt service, trust and agency, and post-secondary vocational-technical education funds, calculated as of June 30, 1976 in accordance with the principles of the uniform financial accounting and reporting system.

Subd. 2. The legislative auditor shall certify the amount of statutory operating debt of the district as of June 30, 1976. He may adjust this amount on the basis of corrected figures until June 30, 1978.

Sec. 4. [EXCESS LEVY.] In addition to all other levies permitted by law, in 1976 and each year thereafter, Independent School District No. 625 shall make an additional levy to eliminate its statutory operating debt for the school year ending June 30, 1976 as certified by the legislative auditor pursuant to section 3. Each year the commissioner of education shall certify to the

county auditor and Independent School District No. 625 the correct amount of this levy. This levy shall in each year be an amount which is equal to the amount raised by a levy of 1.5 mills times the adjusted assessed valuation of the district for the preceding year as determined by the equalization aid review committee, less any amount necessary for the payment of principal and interest on bonds sold pursuant to section 1. When the cumulative receipts from the levies made pursuant to this section and the earnings in the reserve account established under section 5 equal an amount equal to the statutory operating debt, the levy shall be discontinued.

Sec. 5. [RESERVE FUND FOR REDUCING STATUTORY OPERATING DEBT.] Subdivision 1. The district shall establish a special reserve account, which shall be designated "reserve account for purposes of reducing statutory operating debt" on its books and records into which the proceeds of the bonds authorized in section 1 and the levies made under section 4 shall be placed. The funds in this account shall be used only for the payment of district operating expenses, but the amount in this account shall never supplement district revenues or income for the purposes of increasing the district's capital or operational expenditures or budgets, or for any purpose, other than to meet temporary cash needs. Earnings on sums in this account may be used for paying interest expenses on tax and aid anticipation certificates and for the purposes for which funds in this account may be used. The funds in this account may be invested and re-invested in accordance with the further provisions of Minnesota Statutes, Section 475.66, as amended.

Subd. 2. When the funds in the special reserve account equal the total amount of the statutory operating debt as certified pursuant to section 3, but in no event later than December 31, 1997, the full amount in the special reserve account shall be used to eliminate the statutory operating debt of the district. Upon elimination of the statutory operating debt, the district shall recognize all tax receipts in the year required by the uniform financial accounting and reporting system.

Sec. 6. [AUTHORIZATION FOR AID ANTICIPATION BORROWING.] The provisions of Minnesota Statutes, Section 124.781 shall not apply to or limit in any way the aid anticipation borrowing of the district, and the district shall be permitted to borrow in anticipation of aids to the full extent permitted by the provisions of Minnesota Statutes, Sections 124.71 to 124.78.

Sec. 7. [GENERAL FUND EXPENDITURE LIMITATION.] In the 1977 fiscal year or in any fiscal year thereafter, Independent School District No. 625 shall not spend any amount in that fiscal year which the district receives from the foundation aid in Minnesota Statutes, Section 124.212; plus the levy allowable under Minnesota Statutes, Section 275.125, Subdivision 2a, plus the levy allowable under Minnesota Statutes, Section

275.125, Subdivision 6, which exceeds the amount which the district would otherwise be entitled to receive from these same sources if it were not using tax anticipation certificates or other methods of borrowing to borrow against tax revenues for the next fiscal year or if it were not using tax receipts intended for the next fiscal year in the prior fiscal year.

Sec. 8. [LIMITATION AND REDUCTION OF TAX ANTICIPATION BORROWING.] Subdivision 1. Notwithstanding the provisions of Minnesota Statutes, Section 124.781, Subdivision 2, in the fiscal year 1977, Independent School District No. 625 shall not issue tax anticipation certificates pursuant to Minnesota Statutes, Sections 124.71 to 124.78 in an amount to exceed \$23,250,000. In fiscal year 1978 or any year thereafter, the district shall not issue tax anticipation certificates in an amount to exceed \$23,250,000, less the amount by which the balance in the reserve account for purposes of reducing statutory operating debt exceeds \$6,400,000 as of December 31 of the previous year.

Subd. 2. The legislative audit commission may, upon application of the district, authorize a waiver of the limitation contained in subdivision 1, in the event of an emergency. If the legislative audit commission authorizes such a waiver, it shall report this fact prior to the effective date of the waiver to the appropriate committees of the legislature.

Sec. 9. [PROHIBITION OF CERTAIN FUND TRANSFERS.] Independent School District No. 625 shall not for any purpose borrow or temporarily transfer funds from its building construction account, its debt service account, or from any sinking fund for outstanding bonds issued for building construction or any other purpose.

Sec. 10. [APPROPRIATION.] There is appropriated from the general fund in the state treasury to the legislative auditor the sum of \$100,000. Notwithstanding the provisions of Minnesota Statutes, Section 16A.28, or any other provision relating to the lapse of appropriations, the appropriation made pursuant to this section shall not lapse but shall continue until expended.

Sec. 11. Nothing in this act shall be construed to limit the existing powers of the legislative auditor.

Sec. 12. [EFFECTIVE DATE.] This act is effective the day following its final enactment."

Further, amend the title as follows:

Page 1, line 7, after "district" insert "; appropriating money".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1644, A bill for an act relating to natural resources; prohibiting, except in national emergencies, the leasing of state minerals and the use of state natural resources in connection with mining in the boundary waters canoe area.

Reported the same back with the following amendments:

Page 2, line 7, delete "This state policy is based upon".

Page 2, delete lines 8 to 32.

Page 3, delete lines 1 to 32.

Page 4, delete lines 1 to 32.

Page 5, delete lines 1 to 3.

Page 5, after line 14 insert new subdivisions to read as follows:

"Subd. 4. [PEAT HARVESTING PROHIBITED IN BOUNDARY WATERS CANOE AREA.] Except with prior approval of the legislature in those cases of national emergency which have been declared by the Congress and which direct the need for exploitation of peat deposits on federal land within the boundary waters canoe area, no state owned or administered land may be leased for the purpose of harvesting peat, and no state permits, licenses or leases shall be issued to use any other state natural resources for the purpose of harvesting peat in the boundary waters canoe area.

Subd. 5. (a) No timber harvesting is permitted on state owned or administered land within the interior zone of the boundary waters canoe area, as described on the map relating thereto as established by the secretary of agriculture on January 12, 1965, and as the boundaries have been added to by the chief of the United States forest service through December 31, 1975.

(b) Timber harvesting on state owned or administered land in the area not included in the interior zone of the boundary waters canoe area, commonly referred to as the portal zone, is permitted in accordance with a management plan prepared by the commissioner of natural resources which shall include but not be limited to the following guidelines:

(1) In addition to the limitations on logging prescribed by Minnesota Statutes, Section 92.45, and the Shipstead-Nolan act,

Public Law 539, seventy-first Congress, July 10, 1930; 46 Stat. 1020, the management plan shall provide for adequate protection of the forest vegetation along lakes, watercourses, and permanent roadways where necessary to protect the aesthetic qualities of the area;

(2) significant stands of large specimens of virgin forest vegetation shall be preserved where, in the opinion of the commissioner, such stands will enhance the aesthetic or recreational qualities, or both, of the area;

(3) all access points to timber harvesting operations on state owned or administered land in the portal zone shall be closed off upon completion of the harvest; and

(4) the management plan shall be submitted by the commissioner to the house environment and natural resources committee and to the senate natural resources and agriculture committee on or before January 15, 1977, for their review. However, before January 15, 1977, the commissioner may, in his discretion, authorize timber harvesting on state owned or administered land in the portal zone in accordance with the management plan.

Subd. 6. [RESOURCE DEGRADATION PROHIBITED.] No agency or political subdivision shall grant approval or issue any rule, regulation, permit or license authorizing or allowing the commercial development, exploitation or removal of a natural resource located outside the boundary waters canoe area by mining, peat harvesting or related activities which would result in degradation of a natural resource within the boundary waters canoe area. For the purpose of this subdivision degradation shall mean a significant effect upon air and water which creates a substantial likelihood of significant damage to plant or animal life."

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1677, A bill for an act relating to natural resources amending certain laws concerning minnows; amending Minnesota Statutes 1974, Section 97.40, Subdivision 27; 97.45, Subdivision 15; 97.55, Subdivision 13; 98.46, Subdivisions 5 and 17; and 101.42, Subdivisions 5 and 6.

Reported the same back with the following amendments:

Page 2, line 20, delete "10" and insert "11".

Page 3, line 6, delete "1974" and insert ", 1975 Supplement".

Page 3, after line 28, insert "(7) To take, transport, purchase and possess for sale unprocessed turtles and tortoises within the state, \$25;"

Page 3, line 29, delete "(7)" and insert "(8)".

Page 3, line 32, delete "(8)" and insert "(9)".

Page 4, line 2, delete "(9)" and insert "(10)".

Page 4, line 6, delete "(10)" and insert "(11)".

Page 5, line 9, after "\$2.50" insert "*plus \$10 for each vehicle used to transport minnows*".

Page 7, line 2, delete "1976" and insert "1977".

Further amend the title as follows:

Page 1, line 6, delete "Subdivisions 5 and" and insert "Subdivision".

Page 1, line 6, after the semicolon, delete "and".

Page 1, line 7, before the period insert "; and Minnesota Statutes, 1975 Supplement, Section 98.46, Subdivision 5".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1878, A bill for an act relating to game and fish; authorizing a season on fishers and additional moose seasons; amending Minnesota Statutes 1974, Section 100.27, Subdivisions 1, 2, as amended, and 4.

Reported the same back with the following amendments:

Page 1, delete lines 7 to 12.

Page 1, line 13, delete "1974" and insert ", 1975 Supplement".

Page 1, line 14, after "2," delete the remainder of the line.

Page 1, line 15, delete "4."

Page 2, line 7, strike "January" and insert "September".

Page 2, delete lines 21 to 32.

Page 3, delete lines 1 to 23.

Renumber the section accordingly.

Further amend the title as follows:

Page 1, line 2, delete "a season on".

Page 1, line 3, delete "fishers and".

Page 1, line 4, delete "1974" and insert ", 1975 Supplement".

Page 1, delete line 5 and insert "Subdivision 2".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1885, A bill for an act relating to the metropolitan airports commission; requiring the installation of aircraft noise suppressing equipment at certain Minneapolis-St. Paul International Airport sites; amending Laws 1975, Chapter 13, Section 100, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 13, after "All" insert "such".

Page 1, line 15, after the period insert "*The pollution control agency shall determine the deadline for*".

Page 1, line 16, after "equipment" insert a period.

Page 1, delete line 17.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 2083, A bill for an act relating to natural resources; authorizing the marking and designation of canoe and boating routes on the Straight river; amending Minnesota Statutes 1974, Section 85.32, Subdivision 1.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1827, A bill for an act relating to health care; requiring certain insurance policies, health care plans and group subscriber contracts to provide certain benefits for out-patient treatment of alcoholism, chemical dependency or drug addiction; amending Minnesota Statutes 1974, Section 62A.149.

Reported the same back with the following amendments:

Page 2, line 2, strike "primary".

Page 2, line 4, delete "or".

Page 2, line 5, delete "*an out-patient*" and insert "*a non-residential*".

Page 2, line 15, strike "calendar" and insert "*twelve month benefit*".

Page 2, line 17, delete "*per calendar*" and insert "*in a twelve month benefit*".

Page 2, line 18, delete "1975" and insert "1976".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1929, A bill for an act relating to health care; requiring that certain insurance contracts and subscriber contracts provide benefits for certain services performed by podiatrists; amending Minnesota Statutes 1974, Section 62A.043.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 2197, A bill for an act relating to insurance; providing for certain mandatory deductible offerings; amending Minnesota Statutes 1974, Section 65B.49, Subdivision 5.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 108, A bill for an act relating to barbers; increasing fees; providing for compensation of secretary and members of board of barber examiners; amending Minnesota Statutes 1974, Sections 154.18 and 154.23.

Reported the same back with the following amendments:

Page 2, line 21, delete "\$500" and insert "\$200".

Page 2, line 23, delete "\$200" and insert "\$150".

Page 3, line 11, delete "1974" and insert ", 1975 Supplement".

Page 3, delete lines 13 to 32.

Page 4, delete lines 1 to 26, and insert:

"154.23 [OFFICERS; COMPENSATION; FEES; DISPOSITION.] The board of barber examiners shall elect a chairman and secretary. *The secretary will be covered by the Minnesota state retirement system within 90 days of the date of his appointment or the effective date of this act.*

It shall adopt and use a common seal for the authentication of its orders and records.

The secretary shall keep a record of all proceedings of the board and turn over to the state treasurer all moneys and fees collected pursuant to this chapter which shall be credited to the general fund (IN THE STATE TREASURY TOGETHER WITH THE UNEXPENDED BALANCE IN ANY SPECIAL

ACCOUNT OF THE BOARD AS OF JULY 1, 1973). The expenses of administering sections 154.01 to 154.26 shall be paid from the appropriations made to the board of barber examiners.

Each member of the board shall take the oath provided by law for public officers.

A majority of the board, in meeting assembled, may perform and exercise all the duties and powers devolving upon the board.

(THE SECRETARY SHALL RECEIVE AS COMPENSATION \$9,000 PER ANNUM AND THE OTHER MEMBERS OF THE BOARD SHALL RECEIVE COMPENSATION FOR EACH DAY SPENT ON BOARD ACTIVITIES, BUT NOT TO EXCEED) *Board members shall not receive compensation for more than 20 days in any calendar month nor 100 days in any calendar year.*

The board shall have authority to employ such inspectors, clerks, deputies, and other assistants as it may deem necessary to carry out the provisions of this chapter."

Further amend the title:

Line 2, after "barbers" insert "and the board of barber examiners".

Line 2, delete "providing".

Delete all of line 3.

Line 4, delete "of barber examiners;"

Line 5, delete "Sections" and insert "Section".

Line 5, after "154.18" insert a semicolon.

Line 5, after "and" insert "Minnesota Statutes, 1975 Supplement, Section".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1932, A bill for an act relating to state administrative procedures; amending Minnesota Statutes, 1975 Supplement, Section 15.0411, Subdivisions 3 and 4.

Reported the same back with the following amendments:

Page 2, after line 11, add the following sections:

“Sec. 3. Minnesota Statutes 1974, Section 15.0418, is amended to read:

**15.0418 [CONTESTED CASE; HEARING, NOTICE.]** In any contested case all parties shall be afforded an opportunity for hearing after reasonable notice. The notice shall state the time, place and issues involved, but if, by reason of the nature of the proceeding, the issues cannot be fully stated in advance of the hearing, or if subsequent amendment of the issues is necessary, they shall be fully stated as soon as practicable, and opportunity shall be afforded all parties to present evidence and argument with respect thereto. (THE AGENCY SHALL PREPARE AN OFFICIAL RECORD, WHICH SHALL INCLUDE TESTIMONY AND EXHIBITS, IN EACH CONTESTED CASE, BUT IT SHALL NOT BE NECESSARY TO TRANSCRIBE SHORTHAND NOTES UNLESS REQUESTED FOR PURPOSES OF REHEARING OR COURT REVIEW. IF A TRANSCRIPT IS REQUESTED, THE AGENCY MAY, UNLESS OTHERWISE PROVIDED BY LAW, REQUIRE THE PARTY REQUESTING TO PAY THE REASONABLE COSTS OF PREPARING THE TRANSCRIPT.) *Prior to assignment of a case to a hearing examiner as provided by section 15.052, all papers shall be filed with the agency. Subsequent to assignment of the case, the agency shall certify the official record to the office of hearing examiners, and thereafter, all papers shall be filed with that office. The office of hearing examiners shall maintain the official record which shall include subsequent filings, testimony and exhibits. All filings are deemed effective upon receipt. Upon issuance of the hearing examiner's report, the official record shall be certified to the agency. Informal disposition may also be made of any contested case by stipulation, agreed settlement, consent order or default. (EACH AGENCY MAY ADOPT APPROPRIATE RULES OF PROCEDURE FOR NOTICE AND HEARING IN CONTESTED CASES.)*

Sec. 4. *This act shall be effective upon final enactment.*

Further amend the title as follows:

Line 3, after “amending” insert “Minnesota Statutes 1974, Section 15.0418; and”.

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1959, A bill for an act authorizing the commissioner of administration to convey a portion of a water system at the Red Wing state training school to the city of Red Wing.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1965, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 4; providing for four year terms for representatives and for staggered terms for representatives and senators.

Reported the same back with the following amendments:

Pages 1 and 2, delete all of Section 1.

Renumber the remaining section.

Page 2, line 7, delete "The" and insert "A".

Page 2, line 12, delete "and to permit staggered terms for".

Page 2, line 13, delete "legislators".

Further amend the title:

Line 4, delete "and for".

Line 5, delete "staggered terms for representatives and senators".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2011, A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Goodhue county to the city of Red Wing.

Reported the same back with the following amendments:

Page 1, line 8, delete "shall" and insert "may".

Page 1, line 9, delete "by quitclaim deed in the form the attorney general".

Page 1, line 10, delete "approves".

Page 1, line 11, after "lands" insert "for recreational purposes only".

Page 2, line 30, after "Subd. 2." delete lines 30 to 32.

Page 3, delete lines 1 and 2, and insert "The commissioner of administration shall cause the above described land to be surveyed and to be appraised by not less than three appraisers, at least two of whom shall be residents of the county in which the lands are situated. Each appraiser shall before entering upon the duties of his office take and subscribe an oath that he will faithfully and impartially discharge his duties as appraiser according to the best of his ability and that he is not interested directly or indirectly in any of the lands to be appraised or the timber of improvements thereon or in the purchase thereof and has entered into no agreement or combination to purchase the same or any part thereof, which oath shall be attached to the report of such appraisal.

The consideration to be paid for the conveyance provided for in this act shall be not less than the value certified by the commissioner of administration. The cost of any survey and the appraisals shall be added to and made a part of the appraised value of the lands to be sold.

The terms of payment for all land so sold shall be not less than ten percent of the purchase price thereof at the time of sale with the balance payable as hereinafter provided. The balance may be paid in not less than equal annual installments over a period not to exceed five years at the option of the purchaser, with principal and interest payable annually in advance at the rate of not less than six percent per annum on the unpaid balance payable to the state treasury on or before June 1 each year.

In the event the terms and conditions of a contract for deed are completely fulfilled or if the purchaser makes a lump sum payment for the subject property in lieu of entering into a contract for deed, the governor, upon the recommendation of the commissioner of administration, shall sign and cause to be issued a quitclaim deed on behalf of the state. Said quitclaim deed shall be in a form prescribed by the attorney general."

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2112, A bill for an act relating to retirement; increasing certain benefits and annuities; appropriating money.

Reported the same back with the following amendments:

Page 1, line 15, after "retired members" insert "of a covered fund".

Page 1, line 18, after "surviving beneficiaries" insert "of a covered fund".

Page 2, line 20, delete "payment" and insert "accruing".

Page 3, line 25, delete "payment" and insert "accruing".

Page 4, line 18, delete "\$17,067,923" and insert "\$17,066,223".

Page 4, line 23, delete "\$361,079" and insert "\$359,302".

Page 4, line 24, delete "\$8,668,120" and insert "\$8,668,197".

Page 5, after line 16, insert a new section to read:

"Sec. 9. Each retirement fund providing benefits or annuities to which the increases in this act apply shall calculate the amount of the increase in its accrued liability attributable to the implementation of this act based on census data as of June 30, 1976. The results of this calculation shall be transmitted and supporting data made available to the legislative commission on pensions and retirement, the chairman of the committee on appropriations of the house of representatives, the chairman of the committee on finance of the senate, the commissioner of finance, and the legislative advisory committee no later than November 1, 1976. Any amount appropriated by this act in excess of the amounts required as determined by the calculation made pursuant to this section may be transferred to a covered fund reporting a deficiency or returned to the general fund by the commissioner of finance with the approval of the governor upon consultation with the legislative advisory committee as provided in Minnesota Statutes, Section 3.30, Subdivision 1. In no event shall the total appropriation made pursuant to section 5 be increased."

Renumber the subsequent section accordingly.

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2042, A bill for an act relating to nursing homes; providing for the licensing and inspection of nursing homes; providing for the licensing of nursing home administrators; reorganizing various laws relating to nursing homes and nursing home administrators; clarifying language and making necessary revisions; prescribing civil and criminal penalties; amending Minnesota Statutes 1974, Sections 144.053, Subdivision 3; 144.49, Subdivisions 6 and 7; 144.50; 144.51; 144.55; 144.572; 144.63, Subdivision 2; 144.652; 144.653, Subdivision 1; 144.654; 144.655; 144.656; 144.657; 144.68, Subdivisions 2 and 3; 145.61, Subdivision 4; 145.75; 145.862, Subdivision 4; 245.691, Subdivision 3; 256.12, Subdivision 19; 256B.02, Subdivision 2; 256B.30; 256D.18, Subdivision 2; 299F.39, Subdivision 1; 609.231; 626.555, Subdivisions 1, 2 and 7; and Minnesota Statutes, 1975 Supplement, Sections 144.53; 144.571; 145.72, Subdivision 2; 145.74; and 214.01, Subdivision 2; repealing Minnesota Statutes 1974, Sections 144.584; 144.951; 144.953; 144.954; 144.955; 144.9555; 144.956; 144.957; 144.958; 144.959; 144.96; 144.961; 144.962; 144.963; 144.964; and 144.965; and Minnesota Statutes, 1975 Supplement, Section 144.952.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert the following:

"Section 1. [144A.01] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 28 of this act, the terms defined in this section have the meanings given them.*

*Subd. 2. "Board of health" means the state board of health established by Minnesota Statutes, Section 144.01.*

*Subd. 3. "Board of examiners" means the board of examiners for nursing home administrators established by section 19 of this act.*

*Subd. 4. "Controlling person" means any business entity, officer, director or managerial employee whose responsibilities include the direction of the management or policies of a nursing home. "Controlling person" also means any person who, directly or indirectly, beneficially owns any interest in:*

(a) Any corporation, partnership or other business association which is a controlling person;

(b) The land on which a nursing home is located;

(c) The structure in which a nursing home is located;

(d) Any mortgage, contract for deed, or other obligation secured in whole or part by the land or structure comprising a nursing home; or

(e) Any lease or sub-lease of the land, structure, or facilities comprising a nursing home.

"Controlling person" does not include:

(a) A bank, savings bank, trust company, building and loan association, savings and loan association, credit union, industrial loan and thrift company, investment banking firm, or insurance company unless the entity directly or through a subsidiary operates a nursing home;

(b) An individual member, director or employee of the legislature or an individual member, director or employee of the governing body of a political subdivision of the state which operates one or more nursing homes, unless the individual is also an officer, director or managerial employee of a nursing home, or owns any of the beneficial interests not excluded in this subdivision;

(c) A natural person who is a member of a tax-exempt organization under section 290.05, subdivision 1, clause (i), unless the individual is also an officer, director or employee of a nursing home, or owns any of the beneficial interests not excluded in this subdivision; and

(d) A natural person who owns less than five percent of the outstanding common shares of a corporation;

(1) whose securities are exempt by virtue of section 80A.15, subdivision 1, clause (f); or

(2) whose transactions are exempt by virtue of section 80A.15, subdivision 2, clause (b).

Subd. 5. "Nursing home" means a facility or that part of a facility which provides nursing care or boarding care to five or more persons. "Nursing home" does not include a facility or that part of a facility which is a hospital, clinic, doctor's office, diagnostic or treatment center, or a residential facility licensed pursuant to Minnesota Statutes, Sections 245.78 to 245.821, 252.28, and 257.081 to 257.124.

Subd. 6. "Nursing care" means skilled nursing care and intermediate care.

Subd. 7. "Boarding care" means room and board provided to individuals who because of their mental or physical condition require care of a custodial nature but who do not require or receive significant health related services or care except on an emergency or temporary basis.

Subd. 8. "Intermediate care" shall have the meaning set forth in 42 U.S.C.A. Sec. 1396d (c), and the regulations promulgated thereunder.

Subd. 9. "Skilled nursing care" shall have the meaning set forth in 42 U.S.C.A. Sec. 1396d (f), and the regulations promulgated thereunder.

Subd. 10. "Nursing home administrator" means a person who administers, manages, supervises, or is in general administrative charge of a nursing home, whether or not such individual has an ownership interest in the home, and whether or not his functions and duties are shared with one or more individuals, and who is licensed pursuant to section 21 of this act.

Sec. 2. [144A.02] [NURSING HOME LICENSES.] Subdivision 1. No facility shall be used as a nursing home to provide boarding care or nursing care unless the facility has been licensed for the type of care to be provided. The board of health may license a facility as a nursing home if the facility meets the criteria established by sections 2 to 10 of this act, and the rules promulgated thereunder. A license shall describe the facility to be licensed by address and by legal property description. The license shall specify the location and square footage of the floor space constituting the facility and shall incorporate by reference the plans and specifications of the facility, which plans and specifications shall be kept on file with the board of health. The license shall also specify whether the facility is licensed to provide boarding care, nursing care, or a combination of these types of care, and shall state any conditions or limitations imposed on the facility in accordance with the rules of the board of health.

Subd. 2. A controlling person who violates this section is guilty of a misdemeanor.

The provisions of this subdivision shall not apply to any controlling person who had no legal authority to affect or change decisions as to the operation of the nursing home which incurred the uncorrected violations.

Sec. 3. [144A.03] [APPLICATION FOR LICENSE.] Subdivision 1. The board of health by rule shall establish forms and procedures for the processing of nursing home license applica-

tions. An application for a nursing home license shall include the following information:

(a) The names and addresses of all controlling persons of the facility to be licensed;

(b) The address and legal property description of the facility;

(c) A copy of the architectural and engineering plans and specifications of the facility as prepared and certified by an architect or engineer licensed to practice in this state; and

(d) Any other relevant information which the board of health by rule or otherwise may determine is necessary to properly evaluate an application for license.

A controlling person which is a corporation shall submit copies of its articles of incorporation and bylaws and any amendments thereto as they occur, together with the names and addresses of its officers and directors. A controlling person which is a foreign corporation shall furnish the board of health with a copy of its certificate of authority to do business in this state. An application on behalf of a controlling person which is a corporation, association or a governmental unit or instrumentality shall be signed by at least two officers or managing agents of that entity.

Subd. 2. Each application for a nursing home license or for renewal of a nursing home license shall specify one or more controlling persons as agents on whom personal service shall be made, and who are authorized to accept service on behalf of all of the controlling persons of the facility, in proceedings under section 10, subdivisions 4 and 5; section 11, subdivision 3; and section 15 of this act. Notwithstanding any law to the contrary, personal service on the controlling person or persons named in an application shall be deemed to be service on all of the controlling persons of the facility, and it shall not be a defense to any action arising under those provisions of this act that personal service was not made on each controlling person of the facility.

Sec. 4. [144A.04] [QUALIFICATIONS FOR LICENSE.]  
Subdivision 1. No nursing home license shall be issued to a facility unless the board of health determines that the facility complies with the requirements of this section.

Subd. 2. The controlling persons of the facility must comply with the application requirements specified by section 3 of this act and the rules of the board of health.

Subd. 3. The facility must meet the minimum health, sanitation, safety and comfort standards prescribed by the rules of the board of health with respect to the construction, equipment, maintenance and operation of a nursing home. The board of health

may temporarily waive compliance with one or more of the standards if it determines that:

(a) Temporary noncompliance with the standard will not create an imminent risk of harm to a nursing home resident; and

(b) The controlling persons have entered into a contract to obtain the materials or labor necessary to meet the standard set by the board of health, but the supplier or other contractor has failed to perform the terms of the contract and the inability of the nursing home to meet the standard is due solely to that failure.

Subd. 4. The controlling persons of the facility must be competent, of good moral character, and otherwise suitably qualified to operate the facility.

Subd. 5. The controlling persons of the facility may not include any controlling person who was a controlling person of another facility during any period of time in the previous two year period during which two year period that facility incurred the following number of violations of section 10 of this act or the rules promulgated thereunder, for which violations a fine was assessed and allowed to be recovered:

(a) Two or more uncorrected violations which created an imminent risk of harm to a nursing home resident; or

(b) Ten or more uncorrected violations of any nature.

The provisions of this subdivision shall not apply to any controlling person who had no legal authority to affect or change decisions as to the operation of the nursing home which incurred the uncorrected violations.

Subd. 6. Except as otherwise provided by this subdivision, a nursing home must have a full time licensed nursing home administrator serving the facility. Two nursing homes having less than 50 beds each and located within 50 miles of each other may share the services of a licensed administrator if the administrator divides his full time work week between the two facilities in proportion to the number of beds in each facility. A facility sharing a full time licensed administrator in accordance with this subdivision shall have a person-in-charge on the premises during the normal work week in the absence of the licensed administrator. The name of the person in charge must be posted in a conspicuous place in the facility. The board of health shall by rule promulgate minimum education and experience requirements for persons-in-charge, and may promulgate rules specifying the times of day during which a licensed administrator or person-in-charge must be on the nursing home's premises.

Subd. 7. The facility may not employ as a managerial employee or as its licensed administrator any person who was a

*managerial employee or the licensed administrator of another facility during any period of time in the previous two year period during which two year period that facility incurred the following number of violations of section 10 of this act or the rules promulgated thereunder, which were in the jurisdiction and control of the managerial employee or administrator and for which violations a fine was assessed and allowed to be recovered:*

(a) *Two or more uncorrected violations which created an imminent risk of harm to a nursing home resident; or*

(b) *Ten or more uncorrected violations of any nature.*

Sec. 5. [144A.05] [LICENSE RENEWAL.] *Unless the license expires in accordance with section 6 of this act or is suspended or revoked in accordance with section 11 of this act, a nursing home license shall remain effective for a period of one year from the date of its issuance. The board of health by rule shall establish forms and procedures for the processing of license renewals. The board of health shall approve a license renewal application if the facility continues to satisfy the requirements, standards and conditions prescribed by sections 1 to 17 of this act and the rules promulgated thereunder. Except as provided in section 8 of this act, a facility shall not be required to submit with each application for a license renewal additional copies of the architectural and engineering plans and specifications of the facility. Before approving a license renewal, the board of health shall determine that the facility's most recent consolidated balance sheet and its most recent statement of revenues and expenses as audited by a certified public accountant licensed by this state or by a public accountant as defined in section 412.222 have been received by the department of public welfare. Neither statement may be dated more than three months prior to the date of expiration of the license.*

Sec. 6. [144A.06] [TRANSFER OF INTERESTS.] *Subdivision 1. [NOTICE; EXPIRATION OF LICENSE.] Any controlling person who makes any transfer of a beneficial interest in a nursing home shall notify the board of health of the transfer within seven days of its occurrence. The notification shall identify by name and address the transferor and transferee and shall specify the nature and amount of the transferred interest. If the board of health determines that the transferred beneficial interest exceeds 50 percent of the transferor's beneficial interest in the nursing home prior to the transfer, or 10 percent of the total beneficial interest in the facility, the structure in which the facility is located, or the land upon which the structure is located, the license of the nursing home shall expire 90 days after the date of transfer. The board of health shall notify the nursing home by certified mail of the expiration of the license at least 60 days prior to the date of expiration.*

*Subd. 2. [RELICENSURE.] The board of health by rule shall prescribe procedures for relicensure under this section. The board of health shall relicense a nursing home if the facility satisfies the requirements for license renewal established by section 5 of this act. A facility shall not be relicensed by the board if at the time of transfer there are any uncorrected violations of rule or statute for which a fine was assessed. The board of health may temporarily waive correction of one or more violations if it determines that:*

*(a) Temporary noncorrection of the violation will not create an imminent risk of harm to a nursing home resident; and*

*(b) The controlling persons have entered into a contract to obtain the materials or labor necessary to correct the violation, but the supplier or other contractor has failed to perform the terms of the contract and the inability of the nursing home to correct the violation is due solely to that failure.*

*Sec. 7. [144A.07] [FEES.] Each application for a license to operate a nursing home, or for a renewal of license, except an application by the Minnesota veterans home or the commissioner of public welfare for the licensing of state institutions, shall be accompanied by a fee to be prescribed by the board of health pursuant to Minnesota Statutes, Section 144.122. No fee shall be refunded. The board of health shall set fees at a level sufficient to approximate its anticipated yearly expenditures under sections 1 to 17 of this act. Fees received by the board of health shall be credited to the general fund.*

*Sec. 8. [144A.08] [PHYSICAL STANDARDS.] Subdivision 1. The board of health by rule shall establish minimum standards for the construction, maintenance, equipping and operation of nursing homes. The rules shall to the extent possible assure the health, treatment, comfort, safety and well being of nursing home residents.*

*Subd. 2. [REPORT.] The controlling persons of a nursing home shall, in accordance with rules established by the board of health, promptly notify the board of health of any change in the physical structure of a nursing home, which change would affect compliance with the rules of the board of health or with sections 1 to 17 of this act.*

*Subd. 3. [PENALTY.] Any controlling person who establishes, conducts, manages or operates a nursing home in violation of the rules established under this section is guilty of a misdemeanor.*

*The provisions of this subdivision shall not apply to any controlling person who had no legal authority to affect or change decisions as to the operation of the nursing home which incurred the uncorrected violations.*

Sec. 9. [144A.09] [FACILITIES EXCLUDED.] *No rule established under sections 1 to 17 of this act other than a rule relating to sanitation and safety of premises, to cleanliness of operation or to physical equipment, shall apply to a nursing home conducted in accordance with the teachings of the body known as the Church of Christ, Scientist.*

Sec. 10. [144A.10] [INSPECTIONS; SANCTIONS.] *Subdivision 1. [ENFORCEMENT AUTHORITY.] The board of health is the exclusive state agency charged with the responsibility and duty of inspecting all facilities required to be licensed under section 2 of this act. The board of health shall enforce the rules established pursuant to sections 1 to 17 of this act, subject only to the authority of the department of public safety respecting the enforcement of fire and safety standards in nursing homes and the responsibility of the commissioner of public welfare under Minnesota Statutes, Sections 245.78 to 245.821; 252.28; and 257.081 to 257.124.*

Subd. 2. [INSPECTIONS.] *At least two times each year the board of health shall inspect each nursing home to assure compliance with sections 1 to 17 of this act and the rules promulgated thereunder. At least one of the inspections shall be a full inspection of the nursing home. No prior notice shall be given of an inspection conducted pursuant to this subdivision. Any employee of the board of health who willfully gives or causes to be given any advance notice of an inspection required or authorized by this subdivision shall be subject to suspension or dismissal in accordance with Minnesota Statutes, Chapter 43. An inspection required by a federal life safety code or similar rule or statute may be conducted in conjunction with or subsequent to any other inspection. Any inspection required by this subdivision shall be in addition to the inspections required by subdivision 5.*

Subd. 3. [REPORTS; POSTING.] *After each inspection required or authorized by this section, the board of health shall send copies of the inspection report and a summary of the report to the nursing home. A copy of the report, and copies of any documentation supplied to the board of health or the commissioner of public welfare shall be kept on file at the nursing home and shall be made available for viewing by any person upon request. Except as otherwise provided by this subdivision, a copy of the most recent summary of the inspection or reinspection report shall be posted in a conspicuous and readily accessible place in the nursing home. Confidential information protected by Minnesota Statutes, Section 15.1641, shall not be made available or posted as provided in this subdivision unless it may be made available or posted in a manner authorized by Minnesota Statutes, Sections 15.1641 to 15.165.*

Subd. 4. [CORRECTION ORDERS.] *Whenever a duly authorized representative of the board of health finds upon inspection of a nursing home, that the facility or a controlling person*

or an employee of the facility is not in compliance with sections 1 to 17 of this act or the rules promulgated thereunder, a correction order shall be issued to the facility. The correction order shall state the deficiency, cite the specific rule or statute violated, and specify the time allowed for correction. The board of health by rule shall establish a schedule of allowable time periods for correction of nursing home deficiencies.

**Subd. 5. [REINSPECTIONS.]** A nursing home issued a correction order under this section shall be reinspected at the end of the period allowed for correction. If upon reinspection the representative of the board of health determines that the facility has not corrected a deficiency identified in the correction order, a notice of noncompliance with the correction order shall be mailed by certified mail to the nursing home. The notice shall specify the deficiencies not corrected and the fines assessed in accordance with subdivision 6.

**Subd. 6. [FINES.]** A nursing home which is issued a notice of noncompliance with a correction order shall be assessed a civil fine in accordance with a schedule of fines promulgated by rule of the board of health. The fine shall be assessed for each day the facility remains in noncompliance and until a notice of correction is received by the board of health in accordance with subdivision 7. No fine for a specific violation or deficiency may exceed \$250 per day of noncompliance.

**Subd. 7. [ACCUMULATION OF FINES.]** A nursing home shall promptly notify the board of health in writing when a deficiency noted in a notice of noncompliance is corrected. Upon receipt of written notification by the board of health, the daily fine assessed for the deficiency shall stop accruing. The facility shall be inspected within three working days after receipt of the notification. If upon inspection the representative of the board of health determines that a deficiency has not been corrected as indicated by the notification of compliance the daily fine assessment shall resume and the amount of fines which otherwise would have accrued during the period prior to resumption shall be added to the total assessment due from the nursing home. The nursing home may challenge the resumption as a contested case in accordance with the provisions of Minnesota Statutes, Chapter 15. The cost of a reinspection conducted pursuant to this subdivision shall be added to the total assessment due from the nursing home.

**Subd. 8. [RECOVERY OF FINES; HEARING.]** Fines assessed under this section shall be payable 15 days after delivery or mailing of the notice of noncompliance and at 15 day intervals thereafter, as the fines accrue. Recovery of an assessed fine shall be stayed if a controlling person or his legal representative on behalf of the nursing home makes a written request for a hearing on the notice of noncompliance within 15 days after the home's receipt of the notice. A hearing under this subdivision

shall be conducted as a contested case in accordance with Minnesota Statutes, Chapter 15. If a nursing home, after notice and opportunity for hearing on the notice of noncompliance, does not pay a properly assessed fine in accordance with this subdivision, the board of health shall notify the commissioner of public welfare who shall deduct the amount from reimbursement moneys due or to be due the facility under Minnesota Statutes, Chapter 256B. The board of health may consolidate the hearings provided for in subdivisions 7 and 8 of this section in cases in which a facility has requested hearings under both provisions.

Subd. 9. [NONLIMITING.] Nothing in this section shall be construed to limit the powers granted to the board of health by section 11 of this act.

Sec. 11. [144A.11] [LICENSE SUSPENSION OR REVOCATION; REINSTATEMENT.] Subdivision 1. [OPTIONAL PROCEEDINGS.] The board of health may institute proceedings leading to a suspension or revocation of a nursing home license, or it may refuse to grant or renew the license of a nursing home if any action by a controlling person or employee of the nursing home:

(a) Violates any of the provisions of sections 1 to 8, 12 or 16 of this act, or the rules promulgated thereunder;

(b) Permits, aids, or abets the commission of any illegal act in the nursing home;

(c) Performs any act contrary to the welfare of a patient or resident of the nursing home; or

(d) Obtains, or attempts to obtain, a license by fraudulent means or misrepresentation.

Subd. 2. [MANDATORY PROCEEDINGS.] The board of health shall initiate proceedings leading to the suspension or revocation of a nursing home license or shall refuse to renew a license if within the preceding two years the nursing home has incurred the following number of violations of section 10 of this act or the rules promulgated thereunder for which violations a fine was assessed and allowed to be recovered:

(a) Two or more uncorrected violations which created an imminent risk of harm to a nursing home resident; or

(b) Ten or more uncorrected violations of any nature.

Subd. 3. [HEARINGS.] No nursing home license may be suspended or revoked without a hearing held as a contested case in accordance with Minnesota Statutes, Chapter 15. If the controlling person designated under section 3, subdivision 2 of this

act, as an agent to accept service on behalf of all of the controlling persons of the nursing home has been notified by the board of health that the facility will not receive an initial license or that a license renewal has been denied, the controlling person or his legal representative on behalf of the nursing home may request and receive a hearing on the denial. This hearing shall be held before the board of health as a contested case in accordance with Minnesota Statutes, Chapter 15.

Subd. 4. [RELICENSING.] *If a nursing home license is revoked a new application for license may be considered by the board of health when the conditions upon which revocation was based have been corrected and satisfactory evidence of this fact has been furnished to the board of health. A new license may be granted after an inspection has been made and the facility has been found to comply with all provisions of sections 1 to 17 of this act and the rules promulgated thereunder.*

Sec. 12. [144A.12] [ADDITIONAL REMEDY; DISCOVERY.] *Subdivision 1. [INJUNCTIVE RELIEF.] In addition to any other remedy provided by law, the board of health may in its own name bring an action in the district court in Ramsey county or in the district in which a nursing home is located to enjoin a controlling person or an employee of the nursing home from illegally engaging in activities regulated by sections 1 to 17 of this act. A temporary restraining order may be granted by the court in the proceeding if continued activity by the controlling person or employee would create an imminent risk of harm to a resident of the facility.*

Subd. 2. [DISCOVERY; SUBPOENAS.] *In all matters pending before it under sections 1 to 17 of this act, the board of health shall have the power to issue subpoenas and compel the attendance of witnesses and the production of all necessary papers, books, records, documents and other evidentiary material. Any person failing or refusing to appear or testify regarding any matter about which he may be lawfully questioned or to produce any papers, books, records, documents or evidentiary materials in the matter to be heard, after having been required by order of the board of health or by a subpoena of the board of health to do so may, upon application to the district court in any district, be ordered to comply therewith. The commissioner of health acting on behalf of the board of health may issue subpoenas and may administer oaths to witnesses, or take their affirmation. Depositions may be taken within or without the state in the manner provided by law for the taking of depositions in civil actions. A subpoena or other process or paper may be served upon any named person anywhere within the state by any officer authorized to serve subpoenas in civil actions, with the same fees and mileage and in the same manner as prescribed by law for process issued out of the district court of this state. Fees and mileage and other costs shall be paid in the same manner as for proceedings in district court.*

Sec. 13. [144A.13] [COMPLAINTS; DISCRIMINATION.]  
Subdivision 1. [PROCESSING.] *All matters relating to the operation of a nursing home which are the subject of a written complaint from a resident and which are received by a controlling person or employee of the nursing home shall be delivered to the facility's administrator for evaluation and action. Failure of the administrator within seven days of their receipt to resolve the complaint within a reasonable time after he receives it, or alternatively, the failure of the administrator to make a reply within seven days after he receives it to the complaining resident stating that the complaint did not constitute a valid objection to the nursing home's operations, shall be a violation of section 10 of this act. If a complaint directly involves the activities of a nursing home administrator, the complaint shall be resolved in accordance with this section by a person, other than the administrator, duly authorized by the nursing home to investigate the complaint and implement any necessary corrective measures.*

Subd. 2. [RESIDENT RIGHTS.] *The administrator of a nursing home shall inform each resident in writing at the time of admission of his right to complain to the administrator about facility accommodations and services. A notice of the right to complain shall be posted in the nursing home. The administrator shall also inform each resident of his right to complain to the board of health. No controlling person or employee of a nursing home shall retaliate in any way against a complaining nursing home resident and no nursing home resident may be denied any right available to him under Minnesota Statutes, Chapter 566.*

Sec. 14. [144A.14] [VOLUNTARY RECEIVERSHIP.] *A majority in interest of the controlling persons of a nursing home may at any time request the board of health to assume the operation of the nursing home through appointment of a receiver. Upon receiving a request for a receiver, the board of health may, if it deems receivership desirable, enter into an agreement with a majority in interest of the controlling persons, providing for the appointment of a receiver to take charge of the facility under conditions deemed appropriate by both parties. The agreement shall specify all terms and conditions of the receivership and shall preserve all rights of the facility residents as granted by law. A receivership initiated in accordance with this section shall terminate at the time specified by the parties or at the time when either party notifies the other in writing that he wishes to terminate the receivership agreement.*

Sec. 15. [144A.15] [INVOLUNTARY RECEIVERSHIP.]  
Subdivision 1. [PETITION; NOTICE.] *In addition to any other remedy provided by law, the board of health may petition the district court in Ramsey county or in the district in which a nursing home is located for an order directing the controlling persons of the nursing home to show cause why the board of health or its designee should not be appointed receiver to operate*

*the facility. The petition to the district court shall contain proof by affidavit that the board of health has either commenced license suspension or revocation proceedings, suspended or revoked a license, or decided not to renew the nursing home license. The order to show cause shall be returnable not less than five days after service is completed and shall provide for personal service of a copy to the nursing home administrator and to the persons designated as agents by the controlling persons to accept service on their behalf pursuant to section 3, subdivision 2 of this act.*

**Subd. 2. [APPOINTMENT OF RECEIVER, RENTAL.]** *If, after hearing, the court finds that involuntary receivership is necessary as a means of protecting the health, safety or welfare of a resident of a nursing home, the court shall appoint the board of health, or any other person designated by the board of health, as a receiver to take charge of the facility. The court shall determine a fair monthly rental for the facility, taking into account all relevant factors including the condition of the facility. This rental fee shall be paid by the receiver to the appropriate controlling persons for each month that the receivership remains in effect. Notwithstanding any other law to the contrary, no payment made to a controlling person by any state agency during a period of involuntary receivership shall include any allowance for profit or be based on any formula which includes an allowance for profit.*

**Subd. 3. [POWERS AND DUTIES OF RECEIVER.]** *A nursing home receiver appointed pursuant to this section shall with all reasonable speed, but in any case, within 18 months after the receivership order, provide for the orderly transfer of all the nursing home's residents to other facilities or make other provisions for their continued safety and health care. The receiver may correct or eliminate those deficiencies in the facility which seriously endanger the life, health or safety of the residents unless the correction or elimination of deficiencies involve major alterations in the physical structure of the nursing home. He shall, during this period, operate the nursing home in a manner designed to guarantee the safety and adequate health care of the residents. The receiver shall take no action which impairs the legal rights of a resident of the nursing home. He shall have power to make contracts and incur lawful expenses. He shall collect incoming payments from all sources and apply them to the cost incurred in the performance of his functions as receiver. No security interest in any real or personal property comprising the nursing home or contained within it, or in any fixture of the facility, shall be impaired or diminished in priority by the receiver. The receiver shall pay all valid obligations of the nursing home and shall deduct these expenses, if appropriate, from rental payments owed to any controlling person by virtue of the receivership.*

**Subd. 4. [RECEIVER'S FEE; LIABILITY; BOARD ASSISTANCE.]** *A nursing home receiver appointed pursuant*

to this section shall be entitled to a reasonable receiver's fee as determined by the court. The receiver shall be liable only in his official capacity for injury to person and property by reason of the conditions of the nursing home. He shall not be personally liable, except for his gross negligence and intentional acts. The board of health shall assist the receiver in carrying out his duties.

**Subd. 5. [TERMINATION.]** An involuntary receivership imposed pursuant to this section shall terminate 18 months after the date on which it was ordered or at any other time designated by the court or upon the occurrence of any of the following events:

(a) A determination by the board of health that the nursing home's license should be renewed or should not be suspended or revoked;

(b) The granting of a new license to the nursing home; or

(c) A determination by the board of health that all of the residents of the nursing home have been provided alternative health care, either in another facility or otherwise.

**Sec. 16. [144A.16] [CESSATION OF NURSING HOME OPERATIONS.]** If a nursing home plans to cease operations or to curtail operations to the extent that relocation of residents is necessary, the controlling persons of the facility shall notify the board of health at least 90 days prior to the scheduled cessation or curtailment. The board of health shall cooperate with and advise the controlling persons of the nursing home in the resettlement of residents. Failure to comply with this section shall be a violation of section 10 of this act.

**Sec. 17. [144A.17] [ADVISORY COUNCIL.]** A nursing home advisory council consisting of 15 members shall be appointed by the board of health to advise and make recommendations on proposed rules and other matters relating to nursing homes. The members of the council shall include the following:

(a) Six professionals engaged in providing services to residents of nursing homes, including a nurse, pharmacist, dietitian, medical doctor, dentist, and social worker;

(b) A licensed nursing home administrator;

(c) An architect, engineer or general contractor familiar with nursing home construction;

(d) One controlling person of a proprietary nursing home;

(e) Two controlling persons each associated with a different nonprofit nursing home;

(f) Two nursing home residents not residing in the same home; and

(g) Two public members as defined in Minnesota Statutes, Section 214.02.

The council shall expire and the terms, compensation and removal of members shall be as provided in Minnesota Statutes, Section 15.059.

Sec. 18. [144A.18] [LICENSE REQUIREMENT FOR ADMINISTRATORS.] No person shall act as a nursing home administrator or purport to be a nursing home administrator unless he is licensed by the board of examiners for nursing home administrators. A violation of this section is a misdemeanor.

Sec. 19. [144A.19] [BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS.] Subdivision 1. There is hereby created the board of examiners for nursing home administrators which shall consist of the following members:

(a) A designee of the board of health who shall be a nonvoting member;

(b) The commissioner of public welfare, or his designee who shall be a nonvoting member; and the following members appointed by the governor:

(c) Two members actively engaged in the management, operation, or ownership of proprietary nursing homes;

(d) Two members actively engaged in the management or operation of nonprofit nursing homes;

(e) One member actively engaged in the practice of medicine;

(f) One member actively engaged in the practice of professional nursing; and

(g) Three public members as defined in Minnesota Statutes, Section 214.02.

Subd. 2. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements for the board of examiners shall be as provided in Minnesota Statutes, Sections 214.07 to 214.09.

Sec. 20. [144A.20] [ADMINISTRATOR QUALIFICATIONS.] *Subdivision 1. The board of examiners may issue licenses to qualified persons as nursing home administrators, and shall establish qualification criteria for nursing home administrators. No license shall be issued to a person as a nursing home administrator unless he:*

(a) *Is at least 18 years of age, of good moral character, sound physical and mental health and otherwise suitably qualified;*

(b) *Has satisfactorily met standards set by the board of examiners, which standards shall be designed to assure that nursing home administrators will be individuals who, by training or experience are qualified to serve as nursing home administrators; and*

(c) *Has passed an examination approved by the board and designed to test for competence in the subject matters referred to in clause (b), or has been approved by the board of examiners through the development and application of other appropriate techniques.*

*Subd. 2. Notwithstanding any law to the contrary, no person desiring to be licensed to administer a nursing home operated exclusively in accordance with the teachings of the body known as the Church of Christ, Scientist, shall be required to demonstrate proficiency in any medical technique or meet any medical educational qualification or medical standard which is not in accord with the type of remedial care and treatment provided in a nursing home operated exclusively in accordance with the teachings of that body.*

Sec. 21. [144A.21] [ADMINISTRATOR LICENSES.] *Subdivision 1. A nursing home administrator's license shall not be transferable and shall be valid until June 30 of the year following its issuance or until it is earlier surrendered, suspended or revoked.*

*Subd. 2. The board of examiners by rule shall establish forms and procedures for the processing of license renewals. A nursing home administrator's license may be renewed only in accordance with the standards adopted by the board of examiners pursuant to section 24 of this act.*

*Subd. 3. Each person licensed as a nursing home administrator shall be required to pay initial and renewal license fees in amounts to be fixed by rule of the board of examiners. In addition, each person who takes an examination pursuant to section 20 of this act, shall pay a fee in an amount fixed by rule of the board. Except as otherwise provided by this subdivision, the board of examiners shall set fees at a level sufficient to generate*

receipts approximately equal to anticipated expenditures of the board for the following year. Examination fees shall be set at a level sufficient to generate receipts approximately equal to the costs of administering the examinations. All fees received by the board of examiners shall be credited to the general fund.

Subd. 4. Denial of issuance or renewal, or suspension or revocation of an administrator's license shall be subject to review upon timely written request for review in accordance with Minnesota Statutes, Chapter 15.

Sec. 22. [144A.22] [ORGANIZATION OF BOARD.] The board of examiners shall elect from its membership a chairman, vice-chairman and secretary-treasurer, and shall adopt rules to govern its proceedings. Except as otherwise provided by law the board of examiners shall employ and fix the compensation and duties of an executive secretary and other necessary personnel to assist it in the performance of its duties. The executive secretary shall not be a member of the board of examiners.

Sec. 23. [144A.23] [EXCLUSIVE JURISDICTION OF BOARD.] The board of examiners shall have exclusive authority to determine the qualifications, skill and fitness required of any person to serve as an administrator of a nursing home. The holder of a license shall be deemed fully qualified to serve as the administrator of a nursing home.

Sec. 24. [144A.24] [DUTIES OF THE BOARD.] The board of examiners shall:

(a) Develop and enforce standards for nursing home administrator licensing, which standards shall be designed to assure that nursing home administrators will be individuals of good character who, by training or experience, are suitably qualified to serve as nursing home administrators;

(b) Develop appropriate techniques, including examinations and investigations, for determining whether applicants and licensees meet the board's standards;

(c) Issue licenses to those individuals who are found to meet the board's standards;

(d) Establish and implement procedures designed to assure that individuals licensed as nursing home administrators will comply with the board's standards;

(e) Receive, investigate, and take appropriate action consistent with section 25 of this act, to revoke or suspend the license of a nursing home administrator who fails to comply with sections 18 to 28 of this act or the board's standards;

(f) Conduct a continuing study and investigation of nursing homes, and the administrators of nursing homes within the state, with a view to the improvement of the standards imposed for the licensing of administrators and improvement of the procedures and methods used for enforcement of the board's standards; and

(g) Approve or conduct courses of instruction or training designed to prepare individuals for licensing in accordance with the board's standards. Courses designed to meet license renewal requirements shall be designed solely to improve professional skills and shall not include classroom attendance requirements exceeding 50 hours per year. The board may approve courses conducted within or without this state.

Sec. 25. [144A.25] [COMPLAINTS.] Subdivision 1. [RECEIPT OF COMPLAINT.] The executive secretary of the board of examiners, a board member or any other person who performs services for the board, who receives a complaint or other communication, whether oral or written, which complaint or communication alleges or implies a violation of a statute or rule which the board is empowered to enforce, shall promptly forward the substance of the communication to the designee of the attorney general responsible for providing legal services to the board. Before proceeding further with the communication, the designee of the attorney general may require the complaining party to state his complaint in writing on a form prepared by the attorney general. Complaints which relate to matters within the jurisdiction of another governmental agency shall be forwarded to that agency by the executive secretary. An officer of that agency shall advise the executive secretary of the disposition of that complaint. A complaint received by another agency which relates to a statute or rule which the board is empowered to enforce shall be forwarded to the executive secretary of the board to be processed in accordance with this section.

Subd. 2. [INVESTIGATION AND HEARING.] The designee of the attorney general providing legal services to the board of examiners shall evaluate the communications forwarded to him by the board or its members or staff. If the communication alleges a violation of statute or rule which the board is to enforce, the designee is empowered to investigate the facts alleged in the communication. In the process of evaluation and investigation, he shall consult with or seek the assistance of the executive secretary or a member of the board who has been designated by the board to assist the designee. He may also consult with or seek the assistance of any other qualified persons who are not members of the board who the designee believes will materially aid in the process of evaluation or investigation. The executive secretary or the consulted board member may attempt to correct improper activities and redress grievances through education, conference, conciliation and persuasion, and in these attempts they may be assisted by the designee of the attorney general. If

*the attempts at correction or redress do not produce satisfactory results in the opinion of the executive secretary or the consulted board member, or if the designee providing legal services to the board, the executive secretary or the consulted board member believes that the communication and the investigation suggest illegal or unauthorized activities warranting board action, they shall inform the executive secretary of the board who shall schedule a disciplinary hearing in accordance with Minnesota Statutes, Chapter 15. Before scheduling a disciplinary hearing, the executive secretary must have received a verified written complaint from the complaining party. A board member who was consulted during the course of an investigation may participate at the hearing but may not vote on any matter pertaining to the case. The executive secretary of the board shall promptly inform the complaining party of the final disposition of the complaint.*

*Subd. 3. [DISCOVERY; SUBPOENAS.] In all matters pending before it, the board of examiners may issue subpoenas and compel the attendance of witnesses and the production of all necessary papers, books, records, documents and other evidentiary material. Any person failing or refusing to appear or testify regarding any matter about which he may be lawfully questioned or to produce any papers, books, records, documents or other evidentiary materials in the matter to be heard, after having been required by order of the board or by a subpoena of the board to do so may, upon application to the district court in any district, be ordered to comply therewith. The chairman of the board acting on behalf of the board may issue subpoenas and any board member may administer oaths to witnesses, or take their affirmation. Depositions may be taken within or without the state in the manner provided by law for the taking of depositions in civil actions. A subpoena or other process or paper may be served upon any person named therein, anywhere within the state by any officer authorized to serve subpoenas or other process or paper in civil actions, with the same fees and mileage and in the same manner as prescribed by law for service of process issued out of the district court of this state. Fees and mileage and other costs shall be paid as the board directs.*

*Subd. 4. [ADDITIONAL REMEDY.] In addition to any other remedy provided by law, the board of examiners may in its own name bring an action in district court for injunctive relief to restrain any unauthorized practice or violation or threatened violation of any statute or rule which the board is empowered to regulate or enforce. A temporary restraining order may be granted in a proceeding if continued activity by the person would create an imminent risk of harm to others. Injunctive relief granted pursuant to this section shall not relieve a person enjoined from criminal prosecution by any competent authority or from disciplinary action by the board in respect to the person's license or application for license or renewal.*

*Sec. 26. [144A.251] [MANDATORY PROCEEDINGS.] The board of examiners shall initiate proceedings leading to the*

*suspension or revocation of a nursing home administrator license or shall refuse to renew a license if within the preceding two years the administrator was employed at a nursing home which incurred during the two year period the following number of violations of section 10 of this act or the rules promulgated thereunder, which violations were in the jurisdiction and control of the administrator and for which a fine was assessed and allowed to be recovered:*

(a) *Two or more uncorrected violations which created an imminent risk of harm to a nursing home resident; or*

(b) *Ten or more uncorrected violations of any nature.*

Sec. 27. [144A.26] [RECIPROCITY WITH OTHER STATES.] *The board of examiners may issue a nursing home administrator's license, without examination, to any person who holds a current license as a nursing home administrator from another jurisdiction if the board finds that the standards for licensure in the other jurisdiction are at least the substantial equivalent of those prevailing in this state and that the applicant is otherwise qualified.*

Sec. 28. [144A.27] [EMERGENCY PERFORMANCE.] *If a licensed nursing home administrator is removed from his position by death or other unexpected cause, the controlling persons of the nursing home suffering the removal may designate an acting nursing home administrator who may serve without a license for no more than 90 days, unless an extension is granted by the board of examiners.*

Sec. 29. [144A.28] [SEVERABILITY.] *Any part of sections 18 to 28 of this act which is in conflict with any act of congress of the United States or any rule of a federal agency, so as to deprive nursing homes of this state of federal funds, shall be deemed void without affecting the remaining provisions of sections 18 to 28 of this act.*

Sec. 30. [CONTINUITY OF RULES; AUTHORITY.] *Subdivision 1. The provisions of any rule affecting nursing homes or nursing home administrators heretofore promulgated in accordance with Minnesota Statutes, Chapter 144, or hereafter promulgated in accordance with subdivision 2, shall remain effective with respect to nursing homes and nursing home administrators until repealed, modified or superseded by a rule promulgated in accordance with this act.*

*Subd. 2. Any investigation, disciplinary hearing, court action or other proceeding affecting a nursing home or nursing home administrator heretofore initiated by the board of health or board of examiners in accordance with Minnesota Statutes, Chapter 144, shall be conducted and completed in accordance with that*

*chapter as it existed prior to the effective date of this section. Proceedings heretofore initiated by the board of health or board of examiners leading to the establishment of a rule affecting nursing homes or nursing home administrators may be continued and the rule may be promulgated in accordance with heretofore existing law, notwithstanding any other provision of this act.*

*Subd. 3. As soon as possible after the effective date of this section, the board of health shall by rule establish a schedule of fines in accordance with section 10, subdivision 5 of this act.*

Sec. 31. Minnesota Statutes 1974, Section 144.053, Subdivision 3, is amended to read:

Subd. 3. The furnishing of such information to the state board of health or its authorized representative, or to any other cooperating agency in such research project, shall not subject any person, hospital, sanitarium, (REST HOME,) nursing home or other person or agency furnishing such information, to any action for damages or other relief.

Sec. 32. Minnesota Statutes 1974, Section 144.49, Subdivision 6, is amended to read:

Subd. 6. Any person, partnership, association, or corporation establishing, conducting, managing, or operating any hospital, sanatorium, (REST HOME, NURSING HOME,) or other institution in accordance with the provisions of sections 144.50 to 144.56, without first obtaining a license therefor is guilty of a misdemeanor.

Sec. 33. Minnesota Statutes 1974, Section 144.49, Subdivision 7, is amended to read:

Subd. 7. Any person, partnership, association, or corporation (ESTABLISHING, CONDUCTING, MANAGING, OR OPERATING) *which establishes, conducts, manages or operates* any hospital, sanatorium (, REST HOME, NURSING HOME,) or other institution (IN ACCORDANCE WITH THE PROVISIONS OF) *required to be licensed under* sections 144.50 to 144.56 (VIOLATING), *in violation of* any provision of sections 144.50 to 144.56 or any regulation established thereunder, is guilty of a misdemeanor.

Sec. 34. Minnesota Statutes 1974, Section 144.50, is amended to read:

144.50 [HOSPITALS, LICENSES; DEFINITIONS.] No person, partnership, association, or corporation, nor any state, county, or local governmental units, nor any division, department, board, or agency thereof, shall establish, *operate*, conduct,

or maintain in the state any hospital sanatorium (, REST HOME, NURSING HOME, BOARDING HOME,) or other institution for the hospitalization or care of human beings without first obtaining a license therefor in the manner (HEREINAFTER) provided by law.

Hospital, sanatorium (, REST HOME, NURSING HOME, BOARDING HOME, AND OTHER RELATED INSTITUTIONS) or other institution for the hospitalization or care of human beings, within the meaning of sections 144.50 to 144.56 shall mean any institution, place, building, or agency, other than a diagnostic or treatment center, a clinic, or a physician's office, in which any accommodation is maintained, furnished, or offered for the hospitalization of the sick or injured or for maternity care of more than one woman within a period of six months (OR FOR CARE OF FIVE OR MORE AGED OR INFIRM PERSONS REQUIRING OR RECEIVING CHONIC OR CONVALESCENT CARE) and in which clinical laboratory services, diagnostic x-ray services, or treatment facilities for surgery, obstetrical care or other definitive medical treatment of similar extent, including but not limited to psychiatric care, physical medicine and rehabilitation, x-ray therapy and similar specialized treatments, are made available to inpatients. The term "hospital" includes the term "sanatorium" unless the context clearly indicates otherwise. Nothing in sections 144.50 to 144.56 shall apply to hotels or other similar places that furnish only board and room, or either, to their guests.

"Hospitalization" means the reception and care of persons for a continuous period longer than 24 hours, for the purpose of diagnosis or treatment bearing on the physical or mental health of such persons.

"Maternity care" means the care and treatment of a woman during pregnancy or during delivery or within ten days after delivery, and for the purposes of sections 144.50 to 144.56 shall include care during such period of time of the infant born to such mother.

("CHRONIC OR CONVALESCENT CARE" MEANS (1) CARE REQUIRED BY A PERSON BECAUSE OF PROLONGED MENTAL OR PHYSICAL ILLNESS OR DEFECT OR DURING RECOVERY FROM INJURY OR DISEASE AND SHALL INCLUDE ANY OR ALL OF THE PROCEDURES COMMONLY EMPLOYED IN CARING FOR THE SICK; AND (2) CARE INCIDENT TO OLD AGE REQUIRED BY A PERSON WHO BECAUSE OF ADVANCING AGE IS NOT CAPABLE OF PROPERLY CARING FOR HIMSELF AND SHALL INCLUDE NECESSARY PERSONAL OR CUSTODIAL CARE. THE FURNISHING OF BOARD, ROOM, AND LAUNDRY SHALL NOT IN ITSELF BE DEEMED CARE INCIDENT TO OLD AGE.)

Nothing in sections 144.50 to 144.56 shall authorize any person, partnership, association, or corporation, nor any state, county, or local governmental units, nor any division, department, board, or agency thereof, to engage, in any manner, in the practice of healing, or the practice of medicine, as defined by law.

Sec. 35. Minnesota Statutes 1974, Section 144.51, is amended to read:

144.51 [LICENSE APPLICATIONS.] (NO PERSON, PARTNERSHIP, ASSOCIATION, OR CORPORATION, NOR ANY STATE, COUNTY, OR LOCAL GOVERNMENTAL UNITS, NOR ANY DIVISION, DEPARTMENT, BOARD, OR AGENCY THEREOF, MAY OPERATE A HOSPITAL, SANATORIUM, REST HOME, NURSING HOME, OR BOARDING HOME FOR THE INFIRM AGED, WITHOUT A LICENSE THEREFOR.)

Before a license shall be issued under sections 144.50 to 144.56, the person applying shall submit evidence satisfactory to the state board of health that he is not less than 18 years of age and of reputable and responsible character; in the event the applicant is an association or corporation or governmental unit like evidence shall be submitted as to the members thereof and the persons in charge. All applicants shall, in addition, submit satisfactory evidence of their ability to comply with the provisions of sections 144.50 to 144.56 and all rules, regulations, and minimum standards adopted thereunder.

Sec. 36. Minnesota Statutes, 1975 Supplement, Section 144.53, is amended to read:

144.53 [FEES.] Each application for a license, or renewal thereof, to operate a hospital, sanatorium, REST HOME, OR BOARDING HOME, OR RELATED INSTITUTION) or other institution for the hospitalization or care of human beings, within the meaning of sections 144.50 to 144.56, except applications by the Minnesota veterans home, the commissioner of public welfare for the licensing of state institutions or by the administrator for the licensing of the university of Minnesota hospitals, shall be accompanied by a fee to be prescribed by the state board of health pursuant to section 144.122. No such fee shall be refunded. Licenses shall expire and shall be renewed as prescribed by the board pursuant to section (14.122) 144.122.

No license granted hereunder shall be assignable or transferable.

Sec. 37. Minnesota Statutes 1974, Section 144.55, is amended to read:

144.55 [LICENSES; ISSUANCE, SUSPENSION AND REVOCATION BY STATE BOARD OF HEALTH.] The state

board of health is hereby authorized to issue licenses to operate hospitals, sanatoriums, (REST HOMES, NURSING HOMES,) or other (RELATED) institutions *for the hospitalization or care of human beings*, which after inspection are found to comply with the provisions of sections 144.50 to 144.56 and any reasonable regulations adopted by the state board of health. All decisions of the state board of health thereunder may be reviewed in the district court in the county in which the institution is located or contemplated.

The state board of health may refuse to grant, refuse to renew, or may suspend or revoke a license on any of the following grounds:

(1) Violation of any of the provisions of sections 144.50 to 144.56 or the rules, regulations, or standards issued pursuant thereto;

(2) Permitting, aiding, or abetting the commission of any illegal act in such institution;

(3) Conduct or practices detrimental to the welfare of the patient; or

(4) Obtaining, or attempting to obtain a license by fraudulent means or misrepresentation.

Before any such license issued thereunder is suspended, or revoked, or its renewal refused, 30 days written notice shall be given the holder thereof of the date set for hearing of the complaint. The holder of such license shall be furnished with a copy of the complaint and be entitled to be represented by legal counsel at such hearing. Such notice may be given by the state board of health by registered mail. The board may appoint, in writing, any competent person to preside at such hearing who shall take testimony, administer oaths, issue subpoenas, and compel the attendance of witnesses and transmit the record of such hearing to the board. The decision of the board shall be based on the testimony and records.

If a license is revoked as herein provided a new application for license may be considered by the state board of health if, when, and after the conditions upon which revocation was based have been corrected and evidence of this fact has been satisfactorily furnished. A new license may then be granted after proper inspection has been made and all provisions of sections 144.50 to 144.56 and rules and regulations thereunder as heretofore or hereinafter provided have been complied with and recommendation has been made therefor by the hospital inspector as an agent of the state board of health.

Sec. 38. Minnesota Statutes, 1975 Supplement, Section 144.571, is amended to read:

144.571 [ADVISORY COUNCIL.] An advisory council of (NINE) *eight* members shall be appointed in the following manner to make recommendations to the state board of health and to assist in the establishment *and amendment* of (SUCH) rules (, REGULATIONS,) and standards (AND ANY AMENDMENTS THERETO) *authorized by sections 144.50 to 144.58.* This council shall consist of (FOUR) *three* members to be appointed annually from the membership of the Minnesota hospital association by the board of trustees thereof(.). One of (SAID FOUR) *these three* members shall be the superintendent of a hospital operated by a county or other local governmental unit (, ONE MEMBER REPRESENTING HOMES FOR CHRONIC OR CONVALESCENT PATIENTS SHALL BE APPOINTED ANNUALLY BY THE STATE BOARD OF HEALTH;) and two members shall be doctors of medicine (TO BE) appointed annually from the Minnesota state medical association by the council of the Minnesota state medical association. The commissioner of public welfare, or a person from the department of public welfare designated by him, shall be the (EIGHTH) *seventh* member of the council, and the commissioner of public welfare shall designate the (NINTH) *eighth* member who will represent the Minnesota county welfare boards.

Sec. 39. Minnesota Statutes 1974, Section 144.572, is amended to read:

144.572 [INSTITUTIONS EXCEPTED.] No regulation nor requirement shall be made, nor standard established under sections 144.50 to 144.56 for any sanatorium, (NURSING HOME, NOR REST HOME) conducted in accordance with the practice and principles of the body known as the Church of Christ, Scientist, except as to the sanitary and safe condition of the premises, cleanliness of operation, and its physical equipment.

Sec. 40. Minnesota Statutes 1974, Section 144.63, Subdivision 2, is amended to read:

Subd. 2. An advisory (BOARD) *council* of five members shall be appointed in the following manner to make recommendations to the state board of health in such matters and to assist in the establishment *and amendment* of (SUCH) rules (AND REGULATIONS AND ANY AMENDMENTS THERETO) *authorized by sections 144.59 to 144.65.* This (BOARD) *council* shall consist of three members to be appointed annually from the membership of the Minnesota Hospital Association by the board of trustees thereof; one of said three members shall be a hospital administrator of a hospital located outside of a city of the first class; one of said three members shall be a hospital administrator of a state, county or municipal hospital; one of said three members shall be a hospital administrator selected at large; one member of (SAID BOARD) *the council* shall be the director of the course of hospital administration at the Uni-

versity of Minnesota or his designated representative; one member of (SAID BOARD) *the council* shall be a duly licensed and registered doctor of medicine to be appointed annually from the Minnesota State Medical Association by the council thereof.

Sec. 41. Minnesota Statutes 1974, Section 144.652, is amended to read:

144.652 [NOTICE TO PATIENT.] The policy statement contained in section 144.651 shall be posted conspicuously in a public place in all facilities licensed under the provisions of sections 144.50 to 144.58, or *section 2 of this act*. Copies of the policy statement shall be furnished the patient and resident upon admittance to the facility.

Sec. 42. Minnesota Statutes 1974, Section 144.653, Subdivision 1, is amended to read:

144.653 [RULES; INSPECTIONS.] Subdivision 1. [AUTHORIZATION.] The state board of health is the exclusive state agency charged with the responsibility and duty of inspecting all facilities required to be licensed under the provisions of Minnesota Statutes (1971), Sections 144.50 to 144.58. The state board of health shall enforce (SUCH) *its* rules (, REGULATIONS AND STANDARDS) subject only to the authority of the department of public safety respecting the enforcement of fire and safety standards in (NURSING HOMES AND OTHER) licensed health care facilities and the responsibility of the commissioner of public welfare pursuant to Minnesota Statutes (1971), Sections 245.78; 252.28; and 257.081 to 257.123.

Sec. 43. Minnesota Statutes 1974, Section 144.654, is amended to read:

144.654 [EXPERTS MAY BE EMPLOYED.] The state board of health may employ experts in the field of health care to assist the staffs of facilities required to be licensed under the provisions of sections 144.50 to 144.58, or *section 2 of this act*, in programming and providing adequate care of the patients and residents of the facility. Alternate methods of care for patients and residents of such facilities shall be researched by the state board of health using the knowledge and experience of experts employed therefor.

Sec. 44. Minnesota Statutes 1974, Section 144.655, is amended to read:

144.655 [PROGRAM FOR VOLUNTARY MEDICAL AID.] Licensed physicians may visit a facility required to be licensed under the provisions of sections 144.50 to 144.58, or *section 2 of this act*, and examine patients and residents thereof under a program which shall be established by the state board of health and

regulated and governed by rules and regulations promulgated by the state board of health pursuant to the administrative procedures act. Such rules and regulations shall protect the privacy of patients and residents at facilities. No patient or resident of any facility shall be required to submit to an examination under such program. The state board of health shall consult with medical schools and other experts for the purpose of establishing the program. The state board of health shall encourage the active participation of all licensed physicians on a voluntary basis in such program.

Sec. 45. Minnesota Statutes 1974, Section 144.656, is amended to read:

144.656 [EMPLOYEES TO BE COMPENSATED.] All employees of facilities required to be licensed under the provisions of sections 144.50 to 144.58, or *section 2 of this act*, participating in orientation programs or in inservice training provided by the facility shall be compensated therefor at their regular rate of pay, provided, however, that this section will be effective only to the extent that facilities are reimbursed for such compensation by the commissioner of public welfare in the proportion of welfare to total residents and patients in the facility.

Sec. 46. Minnesota Statutes 1974, Section 144.657, is amended to read:

144.657 [VOLUNTEER EFFORTS ENCOURAGED.] The state board of health, through the dissemination of information to appropriate organizations, shall encourage citizens to promote improved care in facilities required to be licensed under the provisions of sections 144.50 to 144.58, or *section 2 of this act*, throughout the state.

Sec. 47. Minnesota Statutes 1974, Section 144.68, Subdivision 2, is amended to read:

Subd. 2. [HOSPITALS AND SIMILAR INSTITUTIONS.] Every hospital, sanatorium, (REST HOME,) nursing home or other (PLACE IN WHICH ANY ACCOMMODATION IS OFFERED, FURNISHED, OR MAINTAINED FOR THE HOSPITALIZATION OF ANY SICK OR INJURED PERSON OR FOR THE CARE OF ANY AGED OR INFIRM PERSON REQUIRING OR RECEIVING CHRONIC OR CONVALESCENT CARE) *institution for the hospitalization or care of human beings*, upon request of the state board of health, shall prepare and forward to the board, in the manner and at such times as it designates, a detailed record of each case of malignant disease having been therein.

Sec. 48. Minnesota Statutes 1974, Section 144.68, Subdivision 3, is amended to read:

Subd. 3. [INFORMATION WITHOUT LIABILITY.] The furnishing of the information required under subdivisions 1 and 2 shall not subject the person, hospital, sanatorium, (REST HOME,) nursing home, or other place furnishing such information, to any action for damages or other relief.

Sec. 49. Minnesota Statutes 1974, Section 145.61, Subdivision 4, is amended to read:

Subd. 4. "Health care" means professional services rendered by a professional or an employee of a professional and services furnished by a hospital, sanatorium, (REST HOME,) nursing home (, BOARDING HOME) or other institution for the hospitalization or care of human beings.

Sec. 50. Minnesota Statutes, 1975 Supplement, Section 145.72, Subdivision 2, is amended to read:

Subd. 2. "Health care facility" means any hospital licensed as such under Minnesota Statutes (1969), Sections 144.50 to 144.56(;), *or any nursing home licensed (AS SUCH) under (MINNESOTA STATUTES 1969, SECTIONS 144.50 TO 144.56; OR ANY BOARDING CARE HOME LICENSED AS SUCH UNDER MINNESOTA STATUTES 1969, SECTIONS 144.50 TO 144.56) section 2 of this act; but does not include any facility licensed under Minnesota Statutes, Sections 245.78 to 245.821, 252.28, and 257.081 to 257.124.*

Sec. 51. Minnesota Statutes, 1975 Supplement, Section 145.74, is amended to read:

145.74 [HEALTH PLANNING AGENCIES; MEMBERSHIP REGULATIONS.] The state planning agency shall, subject to chapter 15, after consulting with the state board of health promulgate regulations concerning the membership of area wide comprehensive health planning agencies. The regulations shall include, but not be limited to, the following factors. The regulations shall:

(1) comply with the provisions of the Partnership for Health Act, P.L. 89-749, as amended, and with the National Health Planning and Resources Development Act, P.L. 93-641;

(2) provide that a majority of the membership be composed of consumers;

(3) provide for representation of (PROVIDERS OF EACH OF THE FOLLOWING:) hospital(,) *and* nursing home (AND BOARDING CARE) *providers*;

(4) provide for representation of licensed medical doctors and other health professionals;

(5) provide for a fixed term of membership; and

(6) provide that members of an area wide comprehensive health planning agency shall not select their successors.

No existing area wide comprehensive health planning agency shall exercise the functions provided in sections 145.71 to 145.83 until it is in compliance with regulations issued pursuant to this section.

If there is no area wide comprehensive health planning agency in a designated area of the state in compliance with sections 145.71 to 145.83, the Minnesota state planning agency shall perform the functions and duties of an area wide comprehensive health planning agency for that area.

Sec. 52. Minnesota Statutes 1974, Section 145.75, is amended to read:

145.75 [HEALTH PLANNING AGENCIES; REGULATION OF DUTIES.] The state planning agency, in accordance with chapter 15, shall, after consulting with the area wide comprehensive health planning agencies and the state board of health, make regulations to guide the area wide comprehensive health planning agencies in the performance of their duties. The regulations shall provide for the consideration of at least the following factors:

(a) the need for health care facilities and services in the area and the requirements of the population of the area;

(b) maximum and minimum hospital(,) and nursing home (, AND BOARDING CARE HOME) bed ratios per 1,000 inhabitants of the area, subject to differences in requirements of the various designated areas;

(c) the possible economies and improvement in service that may be derived from operation of joint, cooperative, or shared health care resources;

(d) the relationship of proposed construction or modification to overall plans for the development of the area;

(e) the availability and adequacy of the area's existing hospitals(,) and nursing homes (, AND BOARDING CARE HOMES) currently conforming to state and federal standards; and

(f) the availability and adequacy of other health services in the area such as out-patient, ambulatory or home care service which may serve as alternates or substitutes for the whole or any part of the service to be provided by any proposed health care facility construction or modification.

The fact that a health care facility serves more than a local area constituency or population or is engaged in educational or research activities shall be taken into consideration in the decision making process with respect to any proposal.

Sec. 53. Minnesota Statutes 1974, Section 145.862, Subdivision 4, is amended to read:

Subd. 4. "Existing state health licensing boards" means the existing professional health licensing boards provided for in Minnesota Statutes (1971), Sections (144.952,) 146.02, 147.01, 148.02, 148.52, 148.79, 148.181, 148.296, 150A.02, 151.02, 153.02, 156.01, and section 19 of this act, as well as any other professional health licensing boards that may be created hereafter unless specifically exempted therefrom.

Sec. 54. Minnesota Statutes, 1975 Supplement, Section 214.01, Subdivision 2, is amended to read:

Subd. 2. "Health related licensing board" means the board of examiners of nursing home (ADMINISTRATION) *administrators* established pursuant to section (144.952) 19 of this act, the board of medical examiners created pursuant to section 147.01, the board of nursing created pursuant to section 148.181, the board of chiropractic examiners established pursuant to section 148.02, the board of licensed practical nursing created pursuant to section 148.29, the board of optometry established pursuant to section 148.52, the board of examiners of psychologists established pursuant to section 148.90, the board of dentistry established pursuant to section 150A.02, the board of pharmacy established pursuant to section 151.02, the board of podiatry examiners and registration established pursuant to section 153.02, and the veterinary examining board, established pursuant to section 156.01.

Sec. 55. Minnesota Statutes 1974, Section 245.691, Subdivision 3, is amended to read:

Subd. 3. Not more than ten patients shall be cared for in any group home established under this section. Minnesota Statutes (1967), Sections 144.50 to 144.58, and section 2 of this act, are not applicable to group homes established by this section.

Sec. 56. Minnesota Statutes 1974, Section 256.12, Subdivision 19, is amended to read:

Subd. 19. [INTERMEDIATE CARE FACILITY.] An intermediate care facility is any facility (SO DEFINED BY THE STATE DEPARTMENT OF HEALTH PURSUANT TO REGULATIONS ADOPTED UNDER THE STATE ADMINISTRATIVE PROCEDURES ACT) *which provides intermediate care as defined by section 1, subdivision 8, of this act.*

Sec. 57. Minnesota Statutes 1974, Section 256B.02, Subdivision 2, is amended to read:

Subd. 2. "Excluded time" means any period of time an applicant spends in a hospital, sanatorium, (REST HOME,) nursing home (, BOARDING HOME,) or (SIMILAR) *other* institution for the hospitalization or care of human beings, as defined in Minnesota Statutes (1965), Section 144.50, or section 1 of this act.

Sec. 58. Minnesota Statutes 1974, Section 256B.30, is amended to read:

256B.30 [HEALTH CARE FACILITY REPORT.] Every facility required to be licensed under the provisions of sections 144.50 to 144.58, or section 2 of this act, shall provide annually to the commissioner of public welfare such reports as may be required under law and under regulations adopted by the commissioner of public welfare under the administrative procedures act. Such regulations shall provide for the submission of a full and complete financial report of a facility's operations including:

- (1) An annual statement of income and expenditures;
- (2) A complete statement of fees and charges;
- (3) The names of all persons other than mortgage companies owning any interest in the facility including stockholders with an ownership interest of ten percent or more of the facility.

The financial reports and supporting data of the facility shall be available for inspection and audit by the commissioner of public welfare.

Sec. 59. Minnesota Statutes 1974, Section 256D.18, Subdivision 2, is amended to read:

Subd. 2. "County of financial responsibility" means (a) the county in which an individual resides; or (b) if an individual is a patient in a hospital(,) or nursing home (, OR BOARDING CARE HOME), as defined in section 144.50, or section 1 of this act, or is placed in a county as a result of a correctional program or a treatment plan for health, rehabilitation, foster care, child care or training, at the time of making application, and immediately prior thereto resided in another county, then that other county; or (c) the above provisions notwithstanding, if an individual is a recipient of medical assistance, the county from which he is receiving medical assistance.

Sec. 60. Minnesota Statutes 1974, Section 299F.39, Subdivision 1, is amended to read:

299F.39 [FIRE SAFETY CODE.] Subdivision 1. [ESTABLISHMENT.] The state fire marshal after holding a public hearing in accordance with law, shall establish a fire safety code. The regulations in the code shall provide for reasonable safety from fire, smoke, and panic therefrom, in all hospitals, *as defined in Minnesota Statutes, Section 144.50*; nursing homes, (REST HOMES, BOARD AND CARE HOMES, AS DEFINED BY THE STATE BOARD OF HEALTH,) *as defined in section 1 of this act*; schools(,); and hotels, as defined in Minnesota Statutes, Section 299F.46, Subdivision (1) 2.

Sec. 61. Minnesota Statutes 1974, Section 609.231, is amended to read:

609.231 [MISTREATMENT OF RESIDENTS OR PATIENTS.] Whoever, being in charge of or employed in any facility required to be licensed under the provisions of sections 144.50 to 144.58, *or section 2 of this act*, intentionally abuses, ill-treats, or culpably neglects any patient or resident therein to his physical detriment may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$1,000, or both.

Sec. 62. Minnesota Statutes 1974, Section 626.555, Subdivision 1, is amended to read:

626.555 [REPORTING OF MALTREATMENT OF PATIENTS.] Subdivision 1. [DECLARATION OF PURPOSE.] The purpose of this section is to provide for the protection of persons being cared for in hospitals, nursing homes or other related institutions licensed pursuant to sections 144.50 to 144.58, *or section 2 of this act*, who have had physical injury inflicted upon them, by other than accidental means, when the injury appears to have been caused as a result of physical abuse or neglect.

Sec. 63. Minnesota Statutes 1974, Section 626.555, Subdivision 2, is amended to read:

Subd. 2. [WHO MAKES REPORT AND TO WHOM MADE.] Whether licensed or not, any physician, surgeon, person authorized to engage in the practice of healing, administrator of a hospital or nursing home, nurse or pharmacist, shall immediately report all cases of physical injury to persons being cared for in hospitals, nursing homes or other related institutions *for the hospitalization or care of human beings*, licensed pursuant to sections 144.50 to 144.58, *or section 2 of this act*, inflicted by other than accidental means which come to their attention, when the injury appears to have been caused as a result of physical abuse or neglect. Cases shall be reported to the state board of health.

Sec. 64. Minnesota Statutes 1974, Section 626.555, Subdivision 7, is amended to read:

Subd. 7. [RETALIATION PROHIBITED.] No person who directs or exercises any authority in a facility required to be licensed under the provisions of sections 144.50 to 144.58, or section 2 of this act, shall evict, harass, dismiss or retaliate against a patient, resident or employee because he or any member of his family has reported in good faith any violation or suspected violation of laws, ordinances or regulations applying to the facility.

Sec. 65. [REPEALER.] *Minnesota Statutes 1974, Sections 144.584; 144.951; 144.953; 144.954; 144.955; 144.9555; 144.956; 144.957; 144.958; 14.959; 144.96; 144.961; 144.962; 144.963; 144.964; and 144.965; and Minnesota Statutes, 1975 Supplement, Section 144.952, are repealed.*

Sec. 66. [TRANSITIONAL NURSING HOME LICENSES.] *Notwithstanding the provisions of section 5 of this act, nursing home licenses issued or renewed within the 12 months immediately following the effective date of this act shall expire 120 days after the last day of the fiscal year of the facility licensed. Nursing home licenses issued or renewed after that date shall expire as provided in section 5 of this act.*

Sec. 67. [EFFECTIVE DATE.] *Section 10, Subdivision 5, and section 30, subdivision 3, are effective the day following their final enactment. The remaining provisions of this act are effective on the effective date of the rule establishing the schedule of fines authorized by section 10, subdivision 5, or on January 1, 1977, whichever occurs first."*

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1462, A bill for an act relating to Ramsey county; permitting the board of county commissioners to set the number of members of the county civil service commission.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. . No. 1383, A bill for an act relating to metropolitan government; regulating solid waste; amending Laws 1975, Chapter

13, Sections 1, by adding subdivisions; 11, Subdivision 1; 139; 140, Subdivision 1; 141; 142; 143; and 144; and by adding sections; repealing Laws 1975, Chapter 13, Section 140, Subdivision 2.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 473.121, Subdivision 27, is amended to read:

Subd. 27. "Solid waste" means garbage, refuse and other discarded solid materials, including solid waste materials and waste sludges resulting from industrial, commercial and agricultural operations, and from community activities, but does not include *hazardous waste, animal waste used as fertilizer, earthen fill, boulders, broken rock, solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants. Nothing in this definition shall be construed so as to exclude hazardous waste from the definition of solid waste for the purposes of chapter 116 or 116F.*

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 473.121, Subdivision 29, is amended to read:

Subd. 29. "(SOLID) Waste (DISPOSAL SITE OR) facility" means (TRANSFER STATIONS AND) all property, real or personal, including negative and positive easements and water and air rights, which is or may be needed or useful for the (DISPOSAL) *processing of solid or hazardous waste, except property for the collection of (SOLID) the waste (DIRECTLY FROM THE SOURCE OF GENERATION) and facilities used primarily for the manufacture of scrap metal or paper. Waste facility includes but is not limited to transfer stations, disposal sites and facilities, and resource recovery sites and facilities.*

Sec. 3. Minnesota Statutes, 1975 Supplement, Section 473.121, Subdivision 31, is amended to read:

Subd. 31. "Transfer station" means an intermediate (SOLID) waste (DISPOSAL) facility in which solid or hazardous waste collected from any source is temporarily deposited to await transportation to the final disposal site or facility.

Sec. 4. Minnesota Statutes, 1975 Supplement, Section 473.121, is amended by adding a subdivision to read:

Subd. 31a. "Collection" when referring to solid or hazardous waste means the aggregation of solid or hazardous waste from

*the place at which it is generated and includes all activities up to the time the waste is delivered to a waste facility.*

Sec. 5. Minnesota Statutes, 1975 Supplement, Section 473.121, is amended by adding a subdivision to read:

*Subd. 31b. "Processing" when referring to solid or hazardous waste means the treatment of solid or hazardous waste after collection, and includes all activities after the time the waste is delivered to a waste facility. Processing includes but is not limited to disposal, storage, containment, separation, exchange, resource recovery, physical or chemical modification, and transfer from one waste facility to another.*

Sec. 6. Minnesota Statutes, 1975 Supplement, Section 473.121, is amended by adding a subdivision to read:

*Subd. 31c. "Resource recovery" means the reclamation for sale or reuse of materials, substances, energy, or other products contained within or derived from solid or hazardous waste.*

Sec. 7. Minnesota Statutes, 1975 Supplement, Section 473.149, Subdivision 1, is amended to read:

473.149 [SOLID AND HAZARDOUS WASTE POLICY PLAN.] Subdivision 1. The metropolitan council shall prepare and by resolution adopt as part of its development guide a (COMPREHENSIVE) long range policy plan for the (DISPOSAL) collection and processing of solid (WASTE) and (THE MANAGEMENT AND DISPOSAL OF) hazardous waste in the metropolitan area (FOR SUCH PERIOD AS THE COUNCIL DEEMS PROPER AND REASONABLE; AND,). When adopted, (SUCH) the plan shall be followed in the metropolitan area. The plan shall substantially conform to all policy statements, purposes, goals, standards, maps and plans in development guide sections and plans adopted by the council. The plan shall include goals and policies for the collection and processing of solid and hazardous waste in the metropolitan area and, to the extent appropriate, statements and information similar to that required under section 473.146, subdivision 1. The plan shall include criteria and standards for waste facilities and waste facility sites respecting the following matters: general location; capacity; operation; processing techniques; environmental impact; effect on existing, planned, or proposed collection services and waste facilities; and economic viability. For waste facilities owned or operated by public agencies or supported primarily by public funds or obligations, the plan shall include additional criteria and standards respecting financial self-sufficiency based upon competitive rates and charges. In developing the plan the council shall consider the orderly and economic development, public and private, of the metropolitan area; the preservation and best and most economical use of land and water resources in the metropolitan area (. THE PLAN SHALL INCLUDE A

STATEMENT OF GOALS AND POLICIES FOR SOLID WASTE DISPOSAL AND HAZARDOUS WASTE DISPOSAL AND MANAGEMENT, CRITERIA FOR SOLID WASTE DISPOSAL SITES AND HAZARDOUS WASTE DISPOSAL SITES, THE GENERAL LOCATION AND CAPACITIES OF NEEDED DISPOSAL SITES AND FACILITIES, PROJECTIONS OF DISPOSAL CAPACITIES REQUIRED, REGULATIONS FOR THE OPERATION OF DISPOSAL SITES AND FACILITIES, A DESCRIPTION OF DISPOSAL TECHNIQUES WHICH MAY BE USED, THE TYPE OR TYPES OF SOLID WASTE AND HAZARDOUS WASTE TO BE DISPOSED OF AT EACH SITE OR FACILITY, AND SUCH OTHER DETAILS AS THE COUNCIL DEEMS APPROPRIATE); *the protection and enhancement of environmental quality; the conservation and reuse of resources and energy; the preservation and promotion of conditions conducive to efficient, low cost, competitive, and adaptable systems of waste collection and processing; and the orderly resolution of questions concerning changes in systems of waste collection and processing.*

(CRITERIA FOR SOLID WASTE DISPOSAL SITES AND HAZARDOUS WASTE DISPOSAL SITES, AND REGULATIONS FOR THE OPERATION OF DISPOSAL SITES AND FACILITIES, INCLUDED IN THE PLAN, SHALL BE CONSISTENT WITH REGULATIONS ADOPTED BY THE POLLUTION CONTROL AGENCY PURSUANT TO SECTIONS 116.06 AND 473.823. THE PLAN MAY BE REVISED AS OFTEN AS THE COUNCIL DEEMS NECESSARY IN THE SAME MANNER AS PROVIDED FOR THE ADOPTION THEREOF. A COPY OF THE COMPREHENSIVE PLAN AND EACH REVISION THEREOF SHALL BE DELIVERED OR MAILED TO THE POLLUTION CONTROL AGENCY AND THE COUNTY AUDITOR OF EACH METROPOLITAN COUNTY AFTER IT HAS BEEN ADOPTED. PRIOR TO THE ADOPTION BY THE COUNCIL OF ITS COMPREHENSIVE PLAN, NO METROPOLITAN COUNTY OR LOCAL GOVERNMENT UNIT SHALL ACQUIRE ANY SOLID WASTE DISPOSAL SITE OR HAZARDOUS WASTE DISPOSAL SITE, OR FACILITY UNLESS APPROVED BY THE COUNCIL; AND AFTER THE COMPREHENSIVE PLAN IS ADOPTED NO METROPOLITAN COUNTY, LOCAL GOVERNMENT UNIT OR PERSON SHALL ACQUIRE, IMPROVE OR OPERATE ANY SOLID WASTE DISPOSAL SITE OR HAZARDOUS WASTE DISPOSAL SITE OR FACILITY IN THE METROPOLITAN AREA EXCEPT IN ACCORDANCE WITH THE PLAN, PROVIDED THAT NO SOLID WASTE DISPOSAL SITE OR HAZARDOUS WASTE DISPOSAL SITE OR FACILITY IN USE WHEN THE COMPREHENSIVE PLAN IS ADOPTED SHALL BE DISCONTINUED SOLELY BECAUSE IT IS NOT LOCATED IN AN AREA DESIGNATED IN THE PLAN AS ACCEPTABLE FOR THE LOCATION OF SUCH SITES AND FACILITIES.)

Sec. 8. Minnesota Statutes, 1975 Supplement, Section 473.149, is amended by adding a subdivision to read:

*Subd. 2. The policy plan shall be prepared, adopted, and amended in accordance with section 473.146, subdivision 2, provided that the procedural duties and responsibilities established therein for the affected metropolitan commission shall extend to the metropolitan counties and the pollution control agency. In addition to the requirements of section 473.146, subdivision 2, the council shall send notice of any hearing to the pollution control agency and the governing body of each metropolitan county and each local governmental unit, as defined in section 473.801, wherein a waste facility is or may be located in accordance with the plan. Any comprehensive solid and hazardous waste plan adopted by the council prior to the effective date of this act shall remain in force and effect until a policy plan is prepared in accordance with subdivision 1 and adopted by the council. No metropolitan county, local government unit, commission, or person shall acquire, construct, improve or operate any waste facility in the metropolitan area except in accordance with the council's plan and section 473.823, provided that no waste facility in use when a plan is adopted shall be discontinued solely because it is not located in an area designated in the plan as acceptable for the location of such facilities.*

**Sec. 9. Minnesota Statutes, 1975 Supplement, Section 473.149, is amended by adding a subdivision to read:**

*Subd. 3. The council shall establish an advisory committee to aid in the preparation of the policy plan and the review of county master plans and reports and applications for permits for waste facilities, under sections 473.801 to 473.823, and section 18 of this act, and other duties determined by the council.*

**Sec. 10. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:**

**[473.516] [HAZARDOUS WASTE FACILITIES.]** *Without limiting the grant or enumeration of any of the powers conferred on the council or commission under sections 473.503 to 473.547, the commission shall have the specific power to acquire by purchase, lease, condemnation, gift or grant any real or personal property including positive and negative easements and water and air rights, and it may construct, enlarge, improve, replace, repair, maintain and operate hazardous waste facilities in the metropolitan area deemed to be necessary or convenient in connection with the processing of hazardous waste, and the commission may contract for the maintenance and operation of such waste facilities, subject to the bidding requirements of section 473.523. The commission may accept for processing hazardous waste derived from outside the metropolitan area in the state, as well as hazardous waste derived from within the metropolitan area. With respect to its activities under this section, the commission shall be subject to and comply with the applicable provisions of chapter 473. Property acquired by the commis-*

*sion under this section shall be subject to the provisions of section 473.545. Any site or facility owned or operated for or by the commission shall conform to the policy plan adopted by the council under section 473.149 and shall be authorized in accordance with the commission's development program and capital budget approved by the council.*

Sec. 11. Minnesota Statutes, 1975 Supplement, Section 473.801, Subdivision 2, is amended to read:

Subd. 2. "Local government unit" means any municipal corporation or governmental subdivision other than a metropolitan county located in whole or part in the metropolitan area, authorized by law to provide for the disposal of solid or hazardous waste.

Sec. 12. Minnesota Statutes, 1975 Supplement, Section 473.801, is amended by adding a subdivision to read:

Subd. 3. "Agency" means the Minnesota pollution control agency.

Sec. 13. Minnesota Statutes, 1975 Supplement, Section 473.802, is amended to read:

473.802 [LEGISLATIVE PURPOSE AND POLICY.] The legislature determines that for the protection of the public health, safety, and welfare of the people of the metropolitan area, for the prevention, control and abatement of pollution of air and waters of the state in the metropolitan area, and for the efficient and economic (DISPOSAL) collection and processing of solid and hazardous waste in the metropolitan area, it is necessary to authorize the (POLLUTION CONTROL) agency to regulate the handling of hazardous waste and the location and operation of (SOLID) waste (DISPOSAL SITES AND) facilities in the area(,); to authorize the metropolitan council to carry on a continuous, long range program of planning with respect to(,) solid and hazardous waste collection and processing and (REGULATE THE LOCATION AND USE OF, SOLID) to establish criteria and standards and approve permits for waste (DISPOSAL SITES AND) facilities in the area(,); and to authorize the metropolitan counties if necessary (IN THE AREA) to acquire, construct, operate(,) and maintain waste facilities, to plan for and regulate (SOLID) waste (DISPOSAL SITES) collection services and facilities, to collect data on solid and hazardous waste collection and processing systems and procedures, and to regulate the handling of hazardous waste.

*The legislature declares that a public purpose is served by the recovery and utilization of resources from solid waste and hazardous waste where economically viable and compatible with*

*source reduction. The plans, criteria, standards and regulations of the agency, council and metropolitan counties shall, to the extent practicable, encourage ownership and operation of solid waste facilities by private industry.*

Sec. 14. Minnesota Statutes, 1975 Supplement, Section 473.803, is amended to read:

473.803 [METROPOLITAN COUNTIES; PLANS AND REPORTS.] Subdivision 1. [COUNTY MASTER PLANS.] Each metropolitan county, (UPON RECEIPT OF THE COUNCIL'S COMPREHENSIVE) following adoption or revision of the council's solid and hazardous waste policy plan and in accordance with the dates specified therein, and after consultation with all affected municipalities, shall prepare and submit to the council for its approval, a (REPORT INCLUDING: A DESCRIPTION OF) county solid and hazardous waste master plan to implement the policy plan. The master plan shall describe county solid and hazardous waste activities, functions, and facilities; the existing system of solid and hazardous waste generation, collection, and processing within the county; existing and proposed county and municipal ordinances and license and permit requirements relating to waste facilities and hazardous and solid waste generation, collection, and processing; existing or proposed municipal, county, or private waste facilities and collection services within the county together with schedules of existing rates and charges to users and statements as to the extent to which such facilities and services will or may be used to implement the policy plan; and any (SOLID) waste (DISPOSAL SITE OR) facility which the county owns or plans to acquire (TO IMPLEMENT THE COMPREHENSIVE PLAN); construct, or improve together with statements as to the planned method, estimated cost and time of acquisition (THEREOF); A DESCRIPTION OF ANY IMPROVEMENTS WHICH WILL BE NECESSARY TO MAKE THE SITE OR FACILITY SUITABLE FOR SOLID WASTE DISPOSAL;), proposed procedures for (THE) operation and maintenance of (ANY SUCH SITE OR) each facility; an estimate of the annual cost of operation and maintenance of each (SITE OR) facility; an estimate of the annual gross revenues which will be received from the operation of each (SITE OR) facility; and a proposal for the use of each (SITE WHEN FILLED) facility after it is no longer needed or useable as a waste facility. The master plan shall, to the extent practicable, encourage ownership and operation of such facilities by private industry. For waste facilities owned or operated by public agencies or supported primarily by public funds or obligations, the master plan shall contain policies to ensure financial self sufficiency based upon competitive rates and charges. (THE REPORT SHALL ALSO INCLUDE A COMPLETE SURVEY OF EXISTING OR PROPOSED MUNICIPAL OR PRIVATE SOLID WASTE DISPOSAL SITES AND FACILITIES IN THE COUNTY CONTAINING INFORMATION SIMILAR TO THAT REQUIRED FOR COUNTY FA-

CILITIES, AND A STATEMENT OF THE EXTENT TO WHICH THEY WILL OR MAY BE USED TO IMPLEMENT THE COMPREHENSIVE PLAN. THE COUNCIL SHALL APPROVE THE REPORT IF IT IS IN ACCORDANCE WITH ITS COMPREHENSIVE PLAN. THE REPORT, WHEN APPROVED BY THE COUNCIL, SHALL BE IMPLEMENTED BY THE COUNTY. EACH REPORT NOT APPROVED BY THE COUNCIL SHALL BE RETURNED TO THE COUNTY WITH A STATEMENT OF THE REASONS FOR THE COUNCIL'S FAILURE TO APPROVE IT.)

Subd. 2. [COUNCIL REVIEW.] (EACH METROPOLITAN COUNTY, AS A PART OF ITS SOLID WASTE PLAN, SHALL PREPARE AND SUBMIT TO THE COUNCIL FOR ITS APPROVAL, A REPORT INCLUDING: A DESCRIPTION OF THE COUNTY HAZARDOUS WASTE ORDINANCE, THE COUNTY HAZARDOUS WASTE GENERATOR LICENSING PROCEDURES, PROPOSED PROCEDURES FOR IMPLEMENTING THE SYSTEM, AND AN ESTIMATE OF THE TOTAL NUMBER OF GENERATORS. COUNCIL APPROVAL OR DISAPPROVAL OF THE REPORT SHALL BE CONSISTENT WITH THIS SECTION.) *The council shall review each master plan or revision thereto to determine whether it is consistent with the council's policy plan. If it is not consistent, the council shall return the plan with its comments to the county for revision and resubmittal. Any county solid or hazardous waste plan or report approved by the council prior to the effective date of this act shall remain in effect until a new master plan is submitted to and approved by the council in accordance with this section.*

Subd. 3. [ANNUAL REPORT.] *Each metropolitan county shall prepare and submit annually to the council a report containing information, as the council may prescribe in this policy plan, concerning solid and hazardous waste generation, collection, and processing within the county. The report shall include a schedule of rates and charges in effect or proposed for the use of any waste facility owned or operated by or on its behalf, together with a statement of the basis for such charges.*

Sec. 15. Minnesota Statutes, 1975 Supplement, Section 473.811, is amended to read:

473.811 [METROPOLITAN COUNTIES; FACILITIES; ORDINANCES; ENFORCEMENT.] Subdivision 1. [ACQUISITION.] To accomplish the purpose specified in section 473.803, each metropolitan county may acquire by purchase, lease, gift or condemnation as provided by law, upon such terms and conditions as it shall determine, including contracts for deed and conditional sales contracts, (SOLID) waste (DISPOSAL SITES OR) facilities or properties for waste facilities which are in accordance with regulations adopted by the agency, the (COMPREHENSIVE) policy plan adopted by the council and the county (REPORT) master plan as approved by the council, and may

improve or construct improvements on any (SITE) *property or facility* so acquired. Each metropolitan county is authorized to levy a tax in anticipation of need for expenditure for the acquisition and betterment of (SOLID) waste (DISPOSAL SITES OR) facilities. If such a tax is levied in anticipation of need, the purpose must be specified in a resolution of the county directing that the levy and the proceeds of the tax may be used only for that purpose. Until so used, the proceeds shall be retained in a separate fund or invested in the same manner as surplus in a sinking fund may be invested under section 475.66. The right of condemnation shall be exercised in accordance with chapter 117. A metropolitan county may acquire property for and operate a (SOLID) waste (DISPOSAL SITE OR) facility within the boundaries of any city or town in the metropolitan area, without complying with the provisions of any zoning ordinance adopted after April 15, 1969.

Subd. 2. [FINANCING.] Each metropolitan county may by resolution authorize the issuance of bonds to provide funds for the acquisition or betterment of *waste facilities or property or property rights* (, BUILDINGS, STRUCTURES AND EQUIPMENT) for a (SOLID) waste (DISPOSAL SITE OR) facility, or for refunding any outstanding bonds issued for any such purpose, and may pledge to the payment of (SUCH) *the* bonds and the interest thereon, its full faith, credit and taxing powers, or the proceeds of any designated tax levies, or the gross or net revenues or charges to be derived from any (SUCH SITE OR) facility operated by or for the county, or any combination thereof. Taxes levied for the payment of (SUCH) *the* bonds and interest shall not reduce the amounts of other taxes which the county is authorized by law to levy. No election shall be required to authorize the issuance of (ANY SUCH) *the* bonds. Except as otherwise provided, (SUCH) *the* bonds shall be issued and sold in accordance with the provisions of chapter 475.

Subd. 3. [OPERATION.] Each metropolitan county may operate and maintain (SOLID) waste (DISPOSAL SITES AND) facilities, and for this purpose may employ all necessary personnel, may adopt regulations governing (THE) operation (THEREOF), and may establish and collect reasonable, non-discriminatory rates and charges for the use (THEREOF) of *the facilities* by any local government unit or person, estimated to be sufficient, with any other moneys appropriated for (SUCH) *the* purpose, to pay all costs of acquisition, operation and maintenance (THEREOF). *Each metropolitan county may use itself or sell all or any part of materials or energy recovered from solid or hazardous waste to private interests or public agencies for consumption or reuse by them. Section 471.345 and Laws 1951, Chapter 556, as amended shall not apply to the sale of the materials or energy provided that the dealings of each county shall be on a competitive basis so as not to create an unfair or unreasonable advantage or restraint of trade on the part of the county.*

Subd. 4. [CONTRACTS.] Each metropolitan county may contract for the use of existing public or private waste facilities or with any person for the operation and maintenance (BY SUCH PERSON) of any (SOLID) waste (DISPOSAL SITE OR) facility owned by (IT) the county. (SUCH) The contract shall provide for the operation and maintenance of (SUCH SITE OR) the facility in accordance with any regulations, criteria, and standards of the (POLLUTION CONTROL) agency, the metropolitan council and the county relating thereto.

Subd. 5. [ORDINANCES.] Each metropolitan county may (ALSO) adopt ordinances governing the (OPERATION) collection of solid waste (HAULERS, DISPOSAL SITES, OR FACILITIES IN THE COUNTY BY ANY LOCAL GOVERNMENT UNIT OR PERSON). The (REGULATION) ordinances shall not prevent the hauling of solid waste from one county to another. (SUCH ORDINANCES SHALL BE CONSISTENT WITH APPLICABLE REGULATIONS ADOPTED BY THE POLLUTION CONTROL AGENCY OR THE METROPOLITAN COUNCIL. THE COUNTY MAY PRESCRIBE A PENALTY FOR THE VIOLATION OF ANY SUCH ORDINANCE NOT EXCEEDING THE MAXIMUM WHICH MAY BE SPECIFIED FOR A MISDEMEANOR. ANY SUCH ORDINANCE ENACTED SHALL BE PUBLISHED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 375.51. A) Each municipality and town within (A METROPOLITAN COUNTY MAY) the metropolitan area shall adopt an ordinance governing the collection of solid waste within its boundaries. If the county within which it is located has adopted an ordinance, the municipality or town shall adopt either the county ordinance by reference or a more strict ordinance (THAN THE COUNTY'S TO REGULATE SOLID WASTE HAULERS MAKING PICKUPS WITHIN ITS BOUNDARIES). A hauler who qualified under the ordinance of the municipality where he is making pickups may transport solid waste on streets and highways in other municipalities within the county without conforming to their ordinances.

*Each metropolitan county shall by ordinance establish and from time to time revise rules, regulations, and standards for waste facilities within the county, relating to location, sanitary operation, periodic inspection and monitoring, maintenance, termination and abandonment, and other pertinent matters. The ordinance shall require permits or licenses for waste facilities and shall require that such facilities be registered with a county office.*

*Each metropolitan county shall by ordinance establish and revise rules, regulations, and standards for hazardous waste management relating to (a) the identification of hazardous waste, (b) the labeling and classification of hazardous waste, (c) the handling, collection, transportation and storage of hazardous waste, (d) the ultimate disposal site of hazardous waste, and (e)*

*other matters necessary for the public health, welfare and safety. The county shall require permits or licenses for the generation, collection, and processing of hazardous waste and shall require registration with a county office.*

*Any ordinance enacted under this subdivision shall embody regulations, standards, and requirements adopted by the agency and goals, policies, criteria, and standards adopted by the council and shall be consistent with the county master plan approved by the council. Issuing, denying, modifying, imposing conditions upon, or revoking hazardous waste permits or licenses, and county hazardous waste regulations, shall be subject to review, denial, suspension, and reversal by the agency. The agency shall after written notification have 15 days to review, suspend, modify, or reverse the action of the county. After this period, the action of the county board shall be final subject to appeal to the district court in the manner provided in section 115.05. Any ordinance enacted shall be published in accordance with the provisions of section 375.51.*

Subd. 5a. [ENFORCEMENT.] Each metropolitan county shall be responsible for insuring that (NONCONFORMING SOLID) waste (DISPOSAL SITES AND) facilities, solid waste collection operations licensed or regulated by the county and hazardous waste generation, collection, and processing operations are brought into conformance with, or terminated and abandoned in accordance with, applicable county ordinances; rules, regulations and requirements of the (POLLUTION CONTROL) agency; and goals, policies, criteria, and standards of the council. Counties may provide by ordinance that operators or owners or both of (REAL PROPERTY BEING USED FOR SOLID WASTE DISPOSAL PURPOSES) such facilities or operations shall be responsible to the county for satisfactorily performing (SUCH TERMINATING AND ABANDONMENT) the procedures required. (COUNTIES MAY FURTHER PROVIDE THAT, IN THE EVENT SUCH) If operators or owners or both fail to perform (SUCH TERMINATION AND ABANDONMENT ACTIVITIES), the county may recover the costs incurred by the county in completing (THE SATISFACTORY DISCHARGE OF SUCH TERMINATION AND ABANDONMENT ACTIVITIES) the procedures in a civil action in any court of competent jurisdiction or, in the discretion of the board, the costs may be (LEVIED AGAINST SAID OPERATORS OR OWNERS OR BOTH, PERSONALLY, OR AGAINST ANY REAL OR PERSONAL PROPERTY INVOLVED) certified to the county auditor as a special tax against the land. The ordinances may be enforced by action in district court. The county may prescribe a criminal penalty for the violation of any ordinance enacted under this section not exceeding the maximum which may be specified for a misdemeanor.

Subd. 6. [GRANTS AND LOANS.] Each metropolitan county may accept gifts, may apply for and accept grants or

loans of money or other property from the United States, the state, the metropolitan council, any local government unit, or any person, (FOR SOLID WASTE DISPOSAL) to accomplish the purposes specified in sections 473.801 to 473.823 and section 18 of this act, may enter into any agreement required in connection therewith, and may hold, use, and dispose of (SUCH) the money or property in accordance with the terms of the gift, grant, loan or agreement relating thereto.

Subd. 7. [JOINT ACTION.] Each metropolitan county and local government unit may act under the provisions of section 471.59 or any other appropriate law providing for joint or cooperative action between governmental units, to accomplish any purpose specified in sections 473.801 to 473.823 and section 18 of this act.

Subd. 8. [SALE OR LEASE.] Each metropolitan county may sell or lease any facilities or property or property rights (, LAND, BUILDINGS, STRUCTURES OR EQUIPMENT) previously used or acquired (FOR SOLID WASTE DISPOSAL) to accomplish the purposes specified by sections 473.801 to 473.823 and section 18 of this act. Such property may be sold in the manner provided by section 458.196. Each metropolitan county may convey to or permit the use of any such property by a local government unit, with or without compensation, without submitting the matter to the voters of the county. No real property or property rights (OR LAND, IMPROVED OR UNIMPROVED,) acquired pursuant to this section, may be disposed of in any manner unless and until the county shall have submitted to the agency and the metropolitan council for review and comment the terms on and the use for which the property will be disposed of. The agency and the council shall review and comment on the proposed disposition within 60 days after (IT) each has received the data relating thereto from the county.

Subd. 9. [SOLID AND HAZARDOUS WASTE FUND.] All moneys received by any metropolitan county from any source specified in sections 473.801 to (473.811) 473.823 and section 18 of this act shall be paid into the county treasury, placed in a special fund designated as the county solid and hazardous waste (DISPOSAL) fund, and used only for the purposes authorized in those sections, as appropriated by the county board, subject to any lawful restrictions, conditions, or pledges applicable thereto.

Sec. 16. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.813] [CITIES, COUNTIES, TOWNS; SOLID WASTE CONTRACTS.] *Subdivision 1. Notwithstanding any contrary provision of law or charter, and in addition to the powers or authority granted by any other law or charter, a city, county, or town in the metropolitan area may directly negotiate and enter into contracts, for a term not to exceed 30 years, for the delivery*

*of solid waste to a waste facility and the processing of solid waste. Contracts made by direct negotiations shall be approved by resolution adopted by the governing body of the city, county, or town.*

*Subd. 2. Before a city, county, or town may enter into any contract pursuant to subdivision 1, which contract is for a period of more than five years, the city, county, or town shall submit the proposed contract and a description of the proposed activities under the contract to the council for review and approval. The council shall approve the proposed contract if it determines that the contract will not adversely affect collection rates and charges during the term of the contract and that the contract is consistent with the council's plan, permits issued under section 473.823, and county reports or master plans approved by the council. The council may consolidate its review of contracts submitted under this section with its review of related permit applications submitted under section 473.823 and for this purpose may delay the review required by this section.*

Sec. 17. Minnesota Statutes, 1975 Supplement, Section 473.823, is amended to read:

473.823 [POLLUTION CONTROL AGENCY; REGULATIONS AND PERMITS.] Subdivision 1. *By April 1, 1977, the (POLLUTION CONTROL) agency, to abate or prevent pollution of air and waters of the state in the metropolitan area, shall adopt regulations relating to the location and operation of (SOLID) waste (DISPOSAL SITES AND) facilities in the metropolitan area and regulations having the force of law for the identification, labeling, classification, storage, collection, treatment, and disposal of hazardous waste. In adopting (SUCH) the regulations the agency shall consider applicable air and water pollution standards, land and water use, soil conditions, geography, topography, ground water pollution, natural drainage, prevailing weather conditions, the costs of acquisition and operation of (SUCH SITES AND) facilities, and any other factors it may deem relevant. (SUCH) The regulations shall be adopted in accordance with chapter 15. The regulations, to the extent practicable, shall encourage resource recovery and attempt to reduce the metropolitan area's reliance on direct disposal and landfill.*

Subd. 2. *In the metropolitan area, no metropolitan county or commission, local government unit or person shall commence (OPERATION AND NO METROPOLITAN COUNTY, LOCAL GOVERNMENT UNIT OR PERSON SHALL) or continue operation of any (SOLID) waste (DISPOSAL SITE OR) facility, unless a permit for the operation thereof has been issued by the (POLLUTION CONTROL) agency, or unless the (SITE OR) facility is approved for temporary operation by the (POLLUTION CONTROL) agency prior to the issuance of a permit.*

Subd. 3. *The (POLLUTION CONTROL) agency may prescribe permit and permit application forms, and may request*

applicants to submit in writing all information deemed relevant by the agency. *The agency shall request applicants to submit all information deemed relevant by the council to its review, including without limitation information relating to the geographic areas and population served, the need, the effect on existing facilities and services, the anticipated public cost and benefit, and anticipated rates and charges, the manner of financing, the effect on metropolitan plans and development programs, the supply of waste, anticipated markets for any product, and alternative means of disposal or energy production.* The agency, or any employee or agent thereof, when authorized by it, may examine any books, papers, records or memoranda of the applicant pertaining to its (SOLID) waste (DISPOSAL SITE OR) facility, and may enter on any property, public or private, for the purpose of obtaining information, conducting surveys or making investigations relative to the location or operation of a (SOLID) waste (DISPOSAL SITE OR) facility. The agency may issue permits for the operation of (SOLID) waste (DISPOSAL SITES AND) facilities by any metropolitan county or commission, local government unit or person where the operation thereof is consistent with applicable regulations adopted by the agency pursuant to subdivision 1, provided that no permit may be issued for the operation of a (SOLID) waste (DISPOSAL SITE OR) facility in the metropolitan area which is not in accordance with the metropolitan council's (COMPREHENSIVE) *solid and hazardous waste policy plan*. The metropolitan council shall determine whether a permit is in accordance with *the goals, policies, standards, and criteria in its (COMPREHENSIVE) policy plan. In making its determination, the council shall consider the area-wide need and benefit of the applicant facility and may consider, without limitation, the effect of the applicant facility on existing and planned waste facilities described in a waste control commission development program or county report or master plan. If the council determines that a permit is in accordance with its policy plan, the council shall approve the permit. If the council determines that a permit is not in accordance with its policy plan, it may either disapprove the permit, or it may approve the permit subject to certain conditions necessary to satisfy criteria and standards in its policy plan, including restrictions on the geographic territory from which a waste facility used primarily, for resource recovery may draw its waste.* For (THIS) the purpose of this review and approval by the council, the agency shall send a copy of each permit application and any supporting information furnished by the applicant to the metropolitan council within 15 days after receipt of the application and all other information requested from the applicant. Within (45) 60 days after the application and supporting information are received by the council, (IT) *unless a time extension is authorized by the agency, the council shall issue to the agency in writing its determination whether the permit is (IN ACCORDANCE WITH ITS COMPREHENSIVE PLAN) disapproved, approved, or approved with conditions.* If the council does not issue its determination to the agency within the (45) 60 day period, the permit shall be deemed to be in accordance with the council's (COMPREHENSIVE) *policy plan.*

Subd. 4. Regulations adopted pursuant to subdivision 1 may be enforced by the (POLLUTION CONTROL) agency in the manner provided in section (115.17) 115.071.

(SUBD. 4A. NO PERMIT MAY BE ISSUED FOR THE OPERATION OF A HAZARDOUS WASTE TREATMENT OR DISPOSAL SITE, SYSTEM OR FACILITY IN THE METROPOLITAN AREA WHICH DOES NOT COMPLY WITH THE METROPOLITAN COUNCIL'S COMPREHENSIVE PLAN. A COPY OF EACH PERMIT APPLICATION AND ANY SUPPORTING INFORMATION FURNISHED BY THE APPLICANT SHALL BE SENT TO THE METROPOLITAN COUNCIL WITHIN 15 DAYS AFTER RECEIPT OF THE APPLICATION AND ALL OTHER INFORMATION REQUESTED FROM THE APPLICANT WITHIN 45 DAYS AFTER THE APPLICATION AND SUPPORTING INFORMATION ARE RECEIVED BY THE COUNCIL, IT SHALL ISSUE TO THE POLLUTION CONTROL AGENCY IN WRITING ITS DETERMINATION WHETHER THE PERMIT COMPLIES WITH ITS COMPREHENSIVE PLAN. IF THE COUNCIL DOES NOT ISSUE ITS DETERMINATION TO THE AGENCY WITHIN THE 45 DAY PERIOD, THE PERMIT SHALL BE DEEMED TO BE IN ACCORDANCE WITH THE COUNCIL'S COMPREHENSIVE PLAN.)

Sec. 18. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.825] [DISCLOSURE.] *For the purpose of the regulations, plans, and reports required or authorized by section 473.149 and sections 473.801 to 473.823 and this section, each generator of hazardous waste and each owner or operator of a collection service or waste facility annually shall make the following information available to the agency, council, and metropolitan counties; a schedule of rates and charges in effect or proposed for a collection service or the processing of waste delivered to a waste facility and a description, in aggregate amounts indicating the general character of the solid and hazardous waste collection and processing system, of the types and the quantity, by types, of waste generated, collected, or processed. The county, council, and agency shall act in accordance with the provisions of section 116.075, subdivision 2, with respect to information for which confidentiality is claimed.*

Sec. 19. Minnesota Statutes, 1975 Supplement, Sections 473.121, Subdivision 30; 473.149, Subdivision 2; 473.815, and 473.821, are repealed.

Sec. 20. *This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.*

Sec. 21. *This act is effective on the day following final enactment."*

Further strike the title and insert

“A bill for an act relating to metropolitan government; regulating waste; amending Minnesota Statutes 1974, Chapter 473, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 473.121, Subdivisions 27, 29, 31, and by adding subdivisions; 473.149, Subdivision 1, and by adding subdivisions; 473.801, Subdivision 2, and by adding a subdivision; 473.802; 473.803; 473.811; and 473.823; repealing Minnesota Statutes, 1975 Supplement, Sections 473.121, Subdivision 30; 473.149, Subdivision 2; 473.815; and 473.821.”

With the recommendation that when so amended the bill do pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1876, A bill for an act relating to transportation; providing for rail transportation improvements throughout the state; creating the Minnesota rail line improvement fund; authorizing the development of a state plan for rail transportation and a feasibility study of rail line acquisition by the state or by a political subdivision of the state; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

“Section 1. [LEGISLATIVE PURPOSE.] The legislature finds and determines that integrated transportation systems, including railways, highways and airways, are necessary in order to meet the economic and energy needs of the citizens of the state, both now and in the future. The legislature finds that a portion of the present railroad system in the state does not provide adequate service to citizens of the state. The legislature further finds and determines that it is in the best interest of the state to establish and fund a rail service improvement program and to establish a railroad planning process in order to preserve and improve essential rail service in the state.

Sec. 2. [CITATION.] This act may be cited as “the Minnesota rail service improvement act”.

Sec. 3. [DEFINITIONS.] Subdivision 1. “Department” means the state planning agency.

Subd. 2. “Rail line” means railroad roadbeds, track, track structure, and other appurtenances of railroad right-of-way.

Subd. 3. "Rail service" means rail transportation and local rail service.

Subd. 4. "Rail user" means shippers, consignors or other business entities.

Sec. 4. [MINNESOTA RAIL SERVICE IMPROVEMENT FUND.] The Minnesota rail service improvement fund is hereby created as a special account in the state treasury. All moneys received for rail service improvement shall be deposited in this fund, except as provided in section 8, subdivision 5, of this act.

Sec. 5. [RAIL SERVICE IMPROVEMENT PROGRAM.] Subdivision 1. There is created the rail service improvement program to provide assistance for improvement of rail service in the state.

Subd. 2. The department shall identify those rail lines which, if improved, would otherwise provide faster and more reliable transportation service to the citizens of the state.

Subd. 3. The department shall have all the powers necessary and convenient to implement the rail service improvement program, including but not limited to the following:

(a) Develop criteria for determining priorities for the allocation of funds or in kind contributions to railroads. In determining priorities, the considerations of the department shall include, but shall not be limited to, the economic and social benefits to the state and to the area being served.

(b) Disburse state funds and federal funds whenever applicable.

(c) Adopt rules necessary to carry out the purposes of this act.

Sec. 6. [FUNDS OF POLITICAL SUBDIVISIONS.] The governing body of any political subdivision of the state may with the approval of the department appropriate money for rail service improvement and may participate in a state rail service improvement program.

Sec. 7. [COOPERATION BETWEEN STATES.] The department may cooperate with other states in connection with the rail service improvement program and the railroad planning process. In carrying out the authority conferred by this section, the department may enter into contractual arrangements with other states.

Sec. 8. [APPROPRIATION.] Subdivision 1. There is appropriated from the general fund of the state to the Minnesota

rail service improvement fund the sum of \$3,000,000 to be used exclusively for rehabilitation of rail lines through contracts. The participants in these contracts shall be railroads, rail users and the department, and may be political subdivisions of the state and the federal government. In such contracts, participation by all parties shall be voluntary.

Subd. 2. In making each contract the department is encouraged to stipulate minimum operating standards for rail lines when improved, including speed, freight-carrying capacity. The department may stipulate minimum operating standards concerning frequency of service.

Subd. 3. In making contracts, the department may require a portion of the total assistance for improving a rail line to be loaned to the railroad by rail users. The department may also require the railroad to reimburse rail users on the basis of use of the line and the revenues produced.

Subd. 4. In the use of funds appropriated herein, the department may determine the circumstances under which and the terms and conditions under which all or any portion of state funds allocated will be repaid by the railroads. Reimbursement may be made as a portion of the increased revenue derived from the improved rail line. Whenever feasible, reimbursements shall be deposited in the Minnesota rail service improvement fund for rehabilitating other rail lines throughout the state.

Subd. 5. A contract between a railroad and the department which does not require repayment to the rail line improvement fund may require that the railroad establish and maintain a separate railroad fund for improvement of rail lines, to which a portion of the increase in revenue derived from the improved rail line shall be credited, solely for the purpose of improving other rail lines in Minnesota. The terms and conditions for use of moneys in the railroad fund shall be stipulated in the contract. The contract shall also stipulate a penalty for use of such funds in a manner other than as set forth in the contract. The railroad shall report to the department at such times as the department requires, concerning the disbursement of funds and the general status of rail line improvements.

Subd. 6. None of the moneys appropriated in this section shall cancel but shall be available until expended.

Sec. 9. [ACCEPTANCE OF FEDERAL FUNDS.] The department is authorized to exercise those powers necessary for the state to qualify for, accept, and disburse any federal funds that may be made available pursuant to the provisions of the federal rail revitalization and regulatory reform act of 1976, including authority to:

(a) Establish an adequate plan for rail services in the state as part of an overall planning process for all transportation services in the state, including a suitable process for updating, revising, and amending the plan.

(b) Administer and coordinate the plan with other state agencies, and provide for the equitable distribution of resources.

(c) Develop, promote, and support safe, adequate and efficient rail transportation services; employ qualified personnel; maintain adequate programs of investigation, research, promotion and development, with provisions for public participation; and take all practical steps to improve transportation safety and reduce transportation-related energy utilization and pollution.

(d) Adopt and maintain adequate procedures for financial control, accounting and performance evaluation in order to assure proper use of state and federal funds.

(e) Do all things otherwise necessary to maximize federal assistance to the state under the federal rail revitalization and regulatory reform act of 1976 or other relevant federal legislation.

Sec. 10. [EXAMINATION OF POLICIES.] The department shall examine policies of regulation and taxation of the state affecting railroad transportation services and costs to users of railroad service including, but not limited to, (1) the railroad gross earnings tax; (2) special assessments for public improvements made adjacent to railroad rights-of-way with respect to benefit, if any, to the railroad therefrom; (3) the use of public funds for the cost of maintaining highway-railroad grade crossing protection devices and signals; and, (4) laws and regulations that may not be appropriate to present circumstances, and shall submit its recommendations for improving, reforming and changing regulatory or taxation policies to the legislature and the governor not later than January 15, 1977.

Sec. 11. [ACCESS TO INFORMATION.] The department is authorized to request any railroad to provide such data and information as are necessary for the purposes of this act. Railroads operating within the state shall provide such information within 60 days of the date of the request. Should the railroad fail to provide such information, the department is hereby granted subpoena power for securing these data. The department shall exercise all necessary caution to avoid disclosure of confidential information supplied under this section.

Sec. 12. [ADMINISTRATIVE COST.] There is appropriated from the general fund of the state to the department the sum of \$150,000 for the purpose of administering the rail service improvement program. None of the moneys expended shall cancel but shall be available until expended.

Sec. 13. [EFFECTIVE DATE.] This act is effective the day following final enactment.”.

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2188, A bill for an act relating to motor vehicles; defining powers of the registrar of motor vehicles; providing for the appointment of private deputy registrars; providing for the appointment of a county license bureau director as deputy registrar; amending Minnesota Statutes 1974, Section 373.35, Subdivision 1; and Minnesota Statutes, 1975 Supplement, Section 168.33, Subdivision 2; repealing Minnesota Statutes 1974, Section 373.36.

Reported the same back with the following amendments:

Page 2, after line 1, add a sentence to read: “*As of the effective date of this act, the registrar may appoint, and for cause discontinue, a deputy registrar for any city as the public interest and convenience may require, without regard to whether the county auditor of the county in which the city is situated has been appointed as the deputy registrar for the county or has been discontinued as the deputy registrar for the county, and without regard to whether the county in which the city is situated has established a county license bureau which issues motor vehicle licenses as provided in section 373.32.*”.

Page 2, line 2, before “*The*” insert “*Effective August 1, 1976,*”.

Page 2, line 2, delete “*at his pleasure*” and insert “*for cause*”.

Page 2, line 10, after the period insert a new sentence to read: “*Any person appointed as a deputy registrar for any city shall be a resident of the county in which the city is situated.*”.

Page 2, line 11, strike “*at his pleasure*” and insert “*for cause*”.

Page 2, line 14, after “*appoint*” insert “*, and for cause discontinue,*”.

Page 2, line 16, after the period insert a new sentence to read: “*Notwithstanding any other provision, a person other than a county auditor or a director of a county license bureau, who was appointed by the registrar before August 1, 1976, as a deputy registrar for any city, may continue to serve as deputy registrar and may be discontinued for cause only by the registrar.*”.

Page 3, after line 22, add a new section to read:

"Sec. 2. Minnesota Statutes 1974, Section 168.33, Subdivision 7, is amended to read:

Subd. 7. [FEES.] The registrar shall charge and receive for each application presented through the United States mail or at a state office a filing fee of (50 CENTS) \$1. Such fee shall be in addition to all other statutory fees and taxes."

Page 3, line 26, strike "board" and insert "auditor".

Page 3, line 26, strike "appoint a" and insert "serve as the".

Page 3, strike line 27.

Page 3, line 28, strike all of the language up to the period and insert ", or if he chooses not to serve as the director, he shall appoint any other county officer or employee, or any other person, to serve as the director upon the terms and conditions he deems advisable".

Page 4, line 6, delete "at his pleasure" and insert "for cause".

Renumber the remaining sections accordingly.

Further amend the title as follows:

Line 7, delete "Section" and insert "Sections 168.33, Subdivision 7; and".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2326, A bill for an act relating to highway traffic regulations; driving restrictions on certain juveniles; repealing Minnesota Statutes 1974, Section 169.131.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

## RECESS

## RECONVENED

The House reconvened and was called to order by the Speaker.

## REPORTS OF STANDING COMMITTEES, Continued

Norton from the Committee on Appropriations to which was referred:

H. F. No. 2331, A bill for an act relating to education; authorizing Independent School District No. 625 to issue bonds for the purpose of correcting cash flow problems and for other purposes; requiring a tax levy in certain years to eliminate the operating debt of the district; appropriating money.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 608, 1382, 1953, 1677, 1878, 1885, 2083, 1827, 1929, 2197, 108, 1932, 1959, 2011, 1462, 2188, 2326 and 2331 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 830, 1794 and 1383 were read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Adams, L.; Carlson, L.; Reding; Samuelson and Casserly introduced:

H. F. No. 2383, A bill for an act relating to appropriations; providing funding for the continued operation of detached worker programs for assistance to young people.

The bill was read for the first time and referred to the Committee on Appropriations.

Menning, Esau, Birnstihl, Beauchamp and Johnson, D., introduced:

H. F. No. 2384, A bill for an act relating to the Minnesota state historical society; interpretive centers; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations.

Berglin, Clark, Clawson, Rice and Nelson introduced:

H. F. No. 2385, A bill for an act relating to public welfare; establishing a study commission to review the general work assistance programs; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations.

Mann, Setzepfandt, Eken and Haugerud introduced:

H. F. No. 2386, A bill for an act relating to livestock sanitation; providing indemnification to owners of condemned cattle by reason of being nonreactors to the brucellosis test, or by reason of being exposed to brucellosis and not eligible for test; authorizing indemnity to owners of grade bulls slaughtered because of certain other dangerous diseases; amending Minnesota Statutes 1974, Section 35.09, Subdivision 2, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Appropriations.

Nelson, Berglin, Rice, Ulland and Petrafeso introduced:

H. F. No. 2387, A bill for an act relating to welfare; excluding certain payments made to members of Indian tribes from resources considered in determining eligibility for general assistance; amending Minnesota Statutes 1974, Section 256D.08, Subdivision 1.

The bill was read for the first time and referred to the Committee on Appropriations.

Voss, Norton, Samuelson, McCarron and Wieser introduced:

H. F. No. 2388, A bill for an act relating to state government; providing for removal of officers who misappropriate state funds; amending Minnesota Statutes 1974, Section 10.31.

The bill was read for the first time and referred to the Committee on Appropriations.

McEachern, Evans, Brinkman, Sieben, M., and Setzepfandt introduced:

H. F. No. 2389, A bill for an act relating to intoxicating liquor; restrictions upon places of sale; amending Minnesota Statutes 1974, Sections 340.07, Subdivision 13; and 340.353, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Berglin; Carlson, L.; Johnson, C.; Niehaus and Petrafeso introduced:

H. F. No. 2390, A bill for an act relating to education; hyperactive children; restricting the administering of drugs in the public schools to affect behavior of children; requiring schools to label foods in the school lunch that are free of artificial colors and flavors.

The bill was read for the first time and referred to the Committee on Education.

Wieser, Haugerud, Sherwood, Hanson and Fjoslien introduced:

H. F. No. 2391, A bill for an act relating to game and fish; regulating the shining of wild animals; amending Minnesota Statutes 1974, Section 100.29, Subdivision 10.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Knickerbocker and Novak introduced:

H. F. No. 2392, A bill for an act relating to ethics in government; changing the definition of "lobbyist" to not exclude public officials; amending Minnesota Statutes 1974, Section 10A.01, Subdivision 11.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Voss, McCarron, Faricy, Jaros and Hanson introduced:

H. F. No. 2393, A bill for an act relating to elections; political parties; requiring public schools to allow the use of buildings for political party meetings.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Vento; Anderson, I.; Johnson, D.; St. Onge and Tomlinson introduced:

H. F. No. 2394, A bill for an act relating to elections; removing exemption of certain counties from permanent voter registration system; amending Minnesota Statutes, 1975 Supplement, Section 201.021.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Clawson, Parish, McCarron, Philbrook and Laidig introduced:

H. F. No. 2395, bill for an act relating to elections; providing for the affidavits of candidacy of candidates for judicial office; amending Laws 1975, Chapter 5, Section 12, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Reding, Munger and Neisen introduced:

H. F. No. 2396, A bill for an act relating to the operation of state government; authorizing the director of the energy agency to appoint a personal secretary; amending Minnesota Statutes 1974, Section 116H.03, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Evans, Peterson, Wigley, Zubay and Biersdorf introduced:

H. F. No. 2397, A bill for an act relating to unemployment compensation; prohibiting payment of benefits to persons voluntarily terminating employment without good cause; amending Minnesota Statutes, 1975 Supplement, Section 268.09, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Osthoff; Sieben, H.; Sarna; Metzen and Biersdorf introduced:

H. F. No. 2398, A bill for an act relating to the designer selection board; defining terms; prescribing the powers and duties of the board; amending Minnesota Statutes 1974, Sections 16.822, Subdivision 5, and by adding a subdivision; 16.823, Subdivision 4; and 16.826, Subdivisions 2 and 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

St. Onge; Jaros; Anderson, I.; Eken and Laidig introduced:

H. F. No. 2399, A bill for an act relating to Indian affairs; renaming the board on Indian affairs; providing a change in membership for the board; changing the duties of the board; amending Minnesota Statutes 1974, Section 3.922, as amended.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Ketola, Doty, Sherwood, Reding and Zubay introduced:

H. F. No. 2400, A bill for an act relating to public officers; requiring a published list of boards and committees; notifying the public of vacancies and qualifications of candidates; providing for public hearing before appointment; authorizing review of functions of existing boards and committees; establishing a study commission.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kaley, Friedrich, Graba, Haugerud and Searle introduced:

H. F. No. 2401, A bill for an act relating to environmental protection; providing that the commissioner of economic development be a permanent member of the environmental quality council; amending Minnesota Statutes 1974, Section 116C.03, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Berglin, Kahn, Skoglund, Clark and Byrne introduced:

H. F. No. 2402, A bill for an act relating to public welfare; establishing programs for displaced homemakers; establishing multipurpose service programs; defining terms; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Luther; Dieterich; Carlson, L.; Pahl and McCollar introduced:

H. F. No. 2403, A bill for an act relating to medical malpractice; restricting contingency fee contracts in medical malpractice cases; providing for the award of arbitration costs; requiring affidavit of payments received from health insurers; establishing distribution of medical malpractice awards; requiring certain reports to the commissioner of insurance.

The bill was read for the first time and referred to the Committee on Judiciary.

Jude, Arlandson, Evans, Vanasek and Carlson, L., introduced:

H. F. No. 2404, A bill for an act relating to hospitalization and commitment; establishing guidelines for physician's statement; providing probable cause for commitment hearing; providing for termination of criminal jurisdiction; providing definitions; amending Minnesota Statutes 1974, Sections 253A.02, by adding subdivisions; 253A.04, Subdivision 3; 253A.07, Subdivisions 1, 2, 8, 13, 14 and 30; 253A.17, Subdivision 7.

The bill was read for the first time and referred to the Committee on Judiciary.

Dieterich, Jude, Dahl, Lindstrom and Savelkoul introduced:

H. F. No. 2405, A bill for an act relating to commitment and discharge of inebriate persons; limiting length of commitment for inebriates; amending Minnesota Statutes 1974, Section 253A.07, Subdivision 25; Minnesota Statutes, 1975 Supplement, Sections 253A.07, Subdivision 17; and 253A.15, Subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Corbid introduced:

H. F. No. 2406, A bill for an act relating to the Middle River-Snake River watershed district; providing for taxes.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

McEachern, Vanasek, Dahl, Volk and Clawson introduced:

H. F. No. 2407, A bill for an act relating to metropolitan revenue distribution; changing the method of computing the taxable valuation of certain governmental units; amending Minnesota Statutes 1974, Section 473F.08, Subdivision 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Savelkoul introduced:

H. F. No. 2408, A bill for an act relating to the city of Albert Lea; providing that public housing property owned and operated by nonprofit organizations in that city be exempt from property taxation.

The bill was read for the first time and referred to the Committee on Taxes.

Jude, by request, introduced:

H. F. No. 2409, A bill for an act relating to taxation; adjusting population limits for communities exempt from levy limits; amending Minnesota Statutes, 1975 Supplement, Section 275.59.

The bill was read for the first time and referred to the Committee on Taxes.

Kroening, Moe, Petrafeso, Knickerbocker and Anderson, I., introduced:

H. F. No. 2410, A bill for an act relating to taxation; providing for state reimbursement of taxing districts for tax reduction granted to Title II and certain other property; amending Minnesota Statutes 1974, Chapter 273, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 276.04.

The bill was read for the first time and referred to the Committee on Taxes.

Friedrich; Johnson, C.; Savelkoul; White and Mann introduced:

H. F. No. 2411, A bill for an act relating to taxation; providing that gross receipts from the sale of sod be exempt from sales tax; amending Minnesota Statutes 1974, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Clawson, Volk, Mann, Johnson, C., and White introduced:

H. F. No. 2412, A bill for an act relating to taxation; extending a senior citizen's tax credit to certain joint owners and part owners; amending Minnesota Statutes 1974, Sections 273.011, Subdivision 2; 273.012, by adding a subdivision; and Minnesota Statutes, 1975 Supplement, Section 273.012, Subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Evans, Ulland, Begich, Spanish and Reding introduced:

H. F. No. 2413, A bill for an act relating to railroads; allowing reduced rates for transportation of solid waste material for re-processing; amending Minnesota Statutes 1974, Section 218.021, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

Vanasek; Anderson, I.; Sieloff; McCollar and Jopp introduced:

H. F. No. 2414, A bill for an act relating to motor vehicles; motor vehicle excise tax on vehicles purchased for resale; use of motor vehicles bearing motor vehicle dealer plates; amending Minnesota Statutes 1974, Sections 168.27, Subdivision 5; 297B.01, Subdivision 6; and Chapter 297B, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

#### HOUSE ADVISORY BILLS

Pursuant to Rule 5.3, the following House Advisory Bill was introduced:

Suss, Petrafeso, Carlson, R., and Johnson, C., introduced:

H. A. B. No. 62, Providing a study of governance of post-secondary vocational education.

The bill was referred to the Committee on Education.

#### 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 Files, herewith returned:

H. F. No. 369, A bill for an act relating to the legislature; providing for the filing of state documents with the legislature; establishing duties of legislative reference library; amending Minnesota Statutes 1974, Sections 3.195; and 3.302, Subdivision 3.

H. F. No. 1104, A bill for an act relating to highway traffic regulations; equipment on certain vehicles; requiring tires on certain vehicles to meet requirements of the commissioner of public safety; prohibiting the sale, other than to a dealer, of certain vehicles with unsafe tires; and prescribing penalties.

H. F. No. 1191, A bill for an act relating to the city of Austin; membership of new police and firemen in the public employees retirement association.

H. F. No. 1721, A bill for an act relating to education; vocational-technical institutes; providing for student associations.

H. F. No. 1829, A bill for an act relating to insurance; regulation of insurance premium finance companies; maintenance of records; charging examination fees; requiring reports; amending Minnesota Statutes 1974, Section 59A.06.

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. 719, A bill for an act relating to real estate; providing for the extent of a lien; amending Minnesota Statutes 1974, Section 514.03, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Jopp moved that the House concur in the Senate amendments to H. F. No. 719 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 719, A bill for an act relating to real estate; providing for the extent of a lien; amending Minnesota Statutes 1974, Section 514.03, Subdivision 3.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, L.	Carlson, R.	Ewald	Johnson, D.	Laidig
Adams, S.	Casserly	Fariy	Jopp	Langseth
Albrecht	Clark	Fjoslien	Jude	Lemke
Anderson, G.	Clawson	Forsythe	Kahn	Lindstrom
Anderson, I.	Corbid	Friedrich	Kaley	Luther
Arlandson	Dahl	Fudro	Kalis	Mangan
Beauchamp	Dean	Fugina	Kelly, R.	Mann
Begich	DeGroat	George	Kelly, W.	McCarron
Berg	Dieterich	Graba	Kempe, A.	McCaughey
Berglin	Doty	Hanson	Kempe, R.	McCollar
Biersdorf	Eckstein	Haugerud	Ketola	McEachern
Birnstihl	Eken	Heinitz	Knickerbocker	Menning
Braun	Enebo	Hokanson	Knoll	Metzen
Byrne	Erickson	Jacobs	Kostohryz	Moe
Carlson, A.	Esau	Jensen	Kroening	Neisen
Carlson, L.	Evans	Johnson, C.	Kvam	Nelsen

Nelson	Philbrook	Schulz	Smith	Wenstrom
Niehaus	Pleasant	Schumacher	Smogard	Wenzel
Norton	Prahl	Searle	Suss	White
Novak	Reding	Setzepfandt	Swanson	Wieser
Osthoff	Rice	Sherwood	Tomlinson	Wigley
Parish	St. Onge	Sieben, H.	Ulland	Williamson
Patton	Samuelson	Sieben, M.	Vanasek	Zubay
Pehler	Sarna	Sieloff	Vento	Speaker Sabo
Peterson	Savelkoul	Simoneau	Volk	
Petrafeso	Schreiber	Skoglund	Voss	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 357, 995, 1740, 1796 and 1841.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1816, 1825, 1839, 1848 and 1865.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1763, 1764 and 2030.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1635, 1868 and 2068.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1866, 1973, 1974 and 2034.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 674.

PATRICK E. FLAHAVER, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 357, A bill for an act relating to the university of Minnesota board of regents; providing for student or recent graduate members; amending Minnesota Statutes 1974, Chapter 137, by adding a section.

The bill was read for the first time and referred to the Committee on Higher Education.

S. F. No. 995, A bill for an act relating to agriculture; regulating pesticides; providing a penalty; amending Minnesota Statutes 1974, Sections 21.47, Subdivisions 8 and 9; and 21.49, Subdivision 1; repealing Minnesota Statutes 1974, Sections 18.031; 18.032, Subdivisions 1 to 5, 7, and 8; 18.0321 to 18.036; 18A.01; 18A.02, Subdivisions 1, 2, 4, and 5; 18A.03 to 18A.11; 24.069; 24.071; 24.072, Subdivisions 1, 3, and 5; 24.0721 to 24.077; Minnesota Statutes, 1975 Supplement, Sections 18.032, Subdivision 6; 18A.02, Subdivision 3; and 24.072, Subdivisions 2 and 4.

The bill was read for the first time.

Schulz moved that S. F. No. 995 and H. F. No. 903, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1740, A bill for an act relating to counties; authorizing county boards to establish personnel departments; providing for county personnel administration on a integrated, merit basis.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1796, A bill for an act relating to welfare; excluding certain payments made to members of Indian tribes from resources considered in determining eligibility for general assis-

tance; amending Minnesota Statutes 1974, Section 256D.03, Subdivision 1.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 1841, bill for an act relating to state agencies; providing for an open appointment process; requiring reports from appointing authorities and the secretary of state.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1816, A bill for an act relating to game and fish; authorizing additional moose seasons; amending Minnesota Statutes, 1975 Supplement, Section 100.27, Subdivision 2.

The bill was read for the first time.

Braun moved that S. F. No. 1816 and H. F. No. 1878, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1825, A bill for an act relating to crimes; prohibiting altering or removing a manufacturer's identification mark on personal property; providing penalties; amending Minnesota Statutes, 1975 Supplement, Section 609.52, Subdivision 2; repealing Minnesota Statutes 1974, Section 609.655.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

S. F. No. 1839, A bill for an act relating to judgments; providing for enforcement of foreign judgments in courts of this state.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 1848, A bill for an act relating to insurance; including surety bonds within the scope of the Minnesota insurance guaranty association act; amending Minnesota Statutes 1974, Sections 60C.02, Subdivisions 1 and 2; 60C.03, Subdivision 4; 60C.04; 60C.09, Subdivision 1; 60C.14, Subdivision 2.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 1865, A bill for an act relating to insurance; providing a countersignature commission; amending Minnesota Statutes 1974, Section 60A.17, Subdivision 3.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 1763, A bill for an act relating to motor vehicle sales finance companies; establishing fees and permitting refunds of fees; requiring written agreements to extend, defer or renew contracts; amending Minnesota Statutes 1974, Sections 168.67; and 168.74.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 1764, A bill for an act relating to safe deposit companies; exempting savings associations from licensing and bonding requirements; deleting a limitation on examination fees; amending Minnesota Statutes 1974, Sections 55.06, Subdivision 1; and 55.095.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 2030, A bill for an act relating to elections; providing for the affidavits of candidacy of candidates for judicial office; amending Laws 1975, Chapter 5, Section 12, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 1635, A bill for an act relating to real estate; changing the name of register of deeds and office of register of deeds to county recorder and office of county recorder.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1868, A bill for an act relating to certain counties; requiring the filing of certain surveys with the county surveyor; amending Minnesota Statutes, 1975 Supplement, Section 389.08.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 2068, A bill for an act authorizing the conveyance by the state of a certain easement over certain lands in the county of Washington.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1866, A bill for an act relating to Blue Earth county; welfare board; authorizing the welfare board to maintain certain contingency funds.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1973, A bill for an act relating to courts; time limitations on actions when party is outside the state; amending Minnesota Statutes 1974, Section 541.13.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 1974, A bill for an act relating to courts; lapse of causes of action arising outside the state; amending Minnesota Statutes 1974, Section 541.14.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 2034, A bill for an act relating to natural resources; authorizing the marking and designation of canoe and boating routes on the Straight river; amending Minnesota Statutes 1974, Section 85.32, Subdivision 1.

The bill was read for the first time.

Biersdorf moved that S. F. No. 2034 and H. F. No. 2083, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 674, A bill for an act relating to administrative procedure; requiring agency estimates of the cost of proposed rules to local public bodies; delaying the effective date of rules involving costs to local public bodies; amending Minnesota Statutes, 1975 Supplement, Section 15.0412, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Governmental Operations.

#### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Volk reported on the progress of S. F. No. 1206, now in Conference Committee.

Pursuant to Joint Rule 13, Dieterich reported on the progress of H. F. No. 1519, now in Conference Committee.

#### CONSENT CALENDAR

H. F. No. 2292, A bill for an act relating to Independent School Districts No. 834, No. 832 and No. 833; instruction to pupils from other districts; authorizing the districts to enter into agreements for the furnishing of instruction to non-resident pupils.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kalis	Neisen	Sherwood
Adams, L.	Eckstein	Kelly, R.	Neisen	Sieben, H.
Adams, S.	Eken	Kelly, W.	Neison	Sieben, M.
Albrecht	Enebo	Kempe, A.	Niehaus	Sieloff
Anderson, G.	Erickson	Kempe, R.	Norton	Simoneau
Anderson, I.	Esau	Ketola	Novak	Skoglund
Arlandson	Evans	Knickerbocker	Osthoff	Smith
Beauchamp	Ewald	Knoll	Parish	Smogard
Begich	Farcy	Kostohryz	Patton	Suss
Berg	Fjoslien	Kroening	Pehler	Swanson
Berglin	Forsythe	Kvam	Peterson	Tomlinson
Biersdorf	Friedrich	Laidig	Petraleso	Ulland
Birnstihl	Fugina	Langseth	Philbrook	Vanasek
Braun	George	Lemke	Pleasant	Vento
Byrne	Graba	Lindstrom	Prahl	Volk
Carlson, A.	Hanson	Luther	Reding	Voss
Carlson, L.	Haugerud	Mangan	Rice	Wenstrom
Carlson, R.	Heimitz	Mann	St. Onge	Wenzel
Casserly	Hokanson	McCarron	Samuelson	White
Clark	Jacobs	McCauley	Sarna	Wieser
Clawson	Jensen	McCollar	Savelkoul	Wigley
Corbid	Johnson, C.	McEachern	Schreiber	Williamson
Dahl	Johnson, D.	Menning	Schulz	Zubay
Dean	Jopp	Metzen	Schumacher	Speaker Sabo
DeGroat	Jude	Moe	Searle	
Dieterich	Kaley	Munger	Setzepfandt	

The bill was passed and its title agreed to.

H. F. No. 1847, A bill for an act relating to dentistry; providing for registration of dental assistants; changing the membership of the board of dentistry; providing for continuing education; amending Minnesota Statutes 1974, Sections 150A.01, by adding a subdivision; 150A.06, Subdivision 6, and by adding subdivisions; 150A.08; 150A.09, Subdivisions 1 and 2; and 150A.10, Subdivision 2; and amending Minnesota Statutes, 1975 Supplement, Section 150A.02, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 3, as follows:

Those who voted in the affirmative were:

Abeln	Anderson, G.	Begich	Birnstihl	Carlson, A.
Adams, L.	Anderson, I.	Berg	Braun	Carlson, L.
Adams, S.	Arlandson	Berglin	Brinkman	Carlson, R.
Albrecht	Beauchamp	Biersdorf	Byrne	Casserly

Clark	Graba	Laidig	Pehler	Smith
Clawson	Hanson	Langseth	Peterson	Smogard
Corbid	Heinitz	Lemke	Petrafeso	Suss
Dahl	Hokanson	Lindstrom	Philbrook	Swanson
Dean	Jacobs	Luther	Pleasant	Tomlinson
DeGroat	Jensen	Mangan	Prahl	Ulland
Dieterich	Johnson, D.	Mann	Reding	Vanasek
Doty	Jopp	McCarron	Rice	Vento
Eckstein	Jude	McCauley	St. Onge	Volk
Eken	Kahn	McCollar	Sarna	Voss
Enebo	Kaley	Menning	Savelkoul	Wenstrom
Erickson	Kalis	Metzen	Schreiber	Wenzel
Esau	Kelly, R.	Moe	Schulz	White
Evans	Kelly, W.	Munger	Schumacher	Wieser
Ewald	Kempe, A.	Neisen	Searle	Wigley
Faricy	Kempe, R.	Nelsen	Setzpfandt	Williamson
Fjoslien	Ketola	Nelson	Sherwood	Zubay
Forsythe	Knickerbocker	Niehaus	Sieben, H.	Speaker Sabo
Friedrich	Knoll	Norton	Sieben, M.	
Fudro	Kostohryz	Novak	Sieloff	
Fugina	Kroening	Osthoff	Simoneau	
George	Kvam	Parish	Skoglund	

Those who voted in the negative were:

Haugerud      Johnson, C.      McEachern

The bill was passed and its title agreed to.

## CALENDAR

H. F. No. 1702, A bill for an act relating to protection of the environment; prohibiting sale of pressurized containers using certain chlorofluorocarbon propellants; requiring warning labels; prescribing penalties.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 104, and nays 22, as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Graba	Lindstrom	Parish
Adams, L.	Dahl	Hanson	Luther	Patton
Anderson, G.	Dean	Hokanson	Mangan	Pehler
Anderson, I.	DeGroat	Jacobs	Mann	Peterson
Arlandson	Dieterich	Johnson, D.	McCarron	Petrafeso
Beauchamp	Doty	Jude	McCauley	Philbrook
Berg	Eken	Kahn	McCollar	Pleasant
Berglin	Enebo	Kaley	McEachern	Prahl
Braun	Esau	Kelly, W.	Menning	Rice
Brinkman	Evans	Kempe, A.	Moe	St. Onge
Byrne	Ewald	Kempe, R.	Munger	Samuelson
Carlson, A.	Faricy	Ketola	Neisen	Sarna
Carlson, L.	Fjoslien	Knickerbocker	Nelsen	Savelkoul
Carlson, R.	Friedrich	Knoll	Nelson	Schulz
Casserly	Fudro	Kroening	Norton	Setzpfandt
Clark	Fugina	Laidig	Novak	Sherwood
Clawson	George	Langseth	Osthoff	Sieben, H.

Sieben, M.	Smith	Vanasek	Wenstrom	Williamson
Sieloff	Smogard	Vento	Wenzel	Zubay
Simoneau	Swanson	Volk	White	Speaker Sabo
Skoglund	Ulland	Voss	Wieser	

Those who voted in the negative were:

Adams, S.	Eckstein	Johnson, C.	Niehaus	Suss
Albrecht	Erickson	Kalis	Reding	Wigley
Begich	Forsythe	Kvam	Schreiber	
Biersdorf	Haugerud	Lemke	Schumacher	
Birnstihl	Jensen	Metzen	Searle	

The bill was passed and its title agreed to.

H. F. No. 910, A bill for an act relating to crimes; specifying the acts constituting arson and the possession of certain explosives; providing penalties; amending Minnesota Statutes 1974, Chapters 299F, by adding sections; and 609, by adding sections; repealing Minnesota Statutes 1974, Sections 299F.81; 609.555; 609.56; 609.565; 609.57; 609.575; and 609.61.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kahn	Moe	Searle
Adams, L.	Doty	Kaley	Munger	Setzepfandt
Adams, S.	Eckstein	Kalis	Neisen	Sherwood
Albrecht	Eken	Kelly, R.	Nelsen	Sieben, H.
Anderson, G.	Enebo	Kelly, W.	Nelson	Sieben, M.
Anderson, I.	Erickson	Kempe, A.	Niehaus	Sieloff
Arlandson	Esau	Kempe, R.	Norton	Simoneau
Beauchamp	Evans	Ketola	Novak	Skoglund
Begich	Ewald	Knickerbocker	Osthoff	Smith
Berg	Faricy	Knoll	Parish	Smogard
Berglin	Fjoslien	Kostohryz	Patton	Suss
Biersdorf	Forsythe	Kroening	Pehler	Swanson
Birnstihl	Friedrich	Kvam	Peterson	Ulland
Braun	Fudro	Laidig	Petraleso	Vanasek
Brinkman	Fugina	Langseth	Philbrook	Vento
Byrne	George	Lemke	Pleasant	Voss
Carlson, A.	Graba	Lindstrom	Prahl	Wenstrom
Carlson, L.	Hanson	Luther	Reding	Wenzel
Carlson, R.	Haugerud	Mangan	Rice	White
Casserly	Heinitz	Mann	St. Onge	Wieser
Clark	Hokanson	McCarron	Samuelson	Wigley
Clawson	Jacobs	McCauley	Sarna	Williamson
Corbid	Jensen	McCollar	Savelkoul	Zubay
Dahl	Johnson, C.	McEachern	Schreiber	Speaker Sabo
Dean	Johnson, D.	Menning	Schulz	
DeGroat	Jude	Metzen	Schumacher	

The bill was passed and its title agreed to.

H. F. No. 1337, A bill for an act authorizing the city of Shakopee to issue general obligation revenue bonds for the purpose of financing improvements to, and refunding bonds payable from the revenues of, its light and power system.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 93, and nays 23, as follows:

Those who voted in the affirmative were:

Adams, L.	Enebo	Ketola	Novak	Sieloff
Anderson, I.	Evans	Knickerbocker	Osthoff	Simoneau
Arlandson	Ewald	Knoll	Parish	Skoglund
Beauchamp	Faricy	Kostohryz	Patton	Smith
Begich	Friedrich	Kroening	Pehler	Smogard
Berg	Fudro	Langseth	Peterson	Suss
Berglin	Fugina	Lemke	Petraseso	Swanson
Brinkman	George	Lindstrom	Philbrook	Vanasek
Byrne	Graba	Luther	Prahl	Vento
Carlson, L.	Hanson	Mangan	Reding	Voss
Carlson, R.	Haugerud	Mann	Rice	Wenstrom
Casserly	Hokanson	McCarron	St. Onge	Wenzel
Clark	Jacobs	McCollar	Samuelson	White
Clawson	Johnson, C.	Metzen	Sarna	Wieser
Corbid	Johnson, D.	Moe	Schumacher	Wigley
Dahl	Kahn	Munger	Setzepfandt	Zubay
Dieterich	Kalis	Neisen	Sherwood	Speaker Sabo
Doty	Kelly, R.	Nelson	Sieben, H.	
Eken	Kelly, W.	Norton	Sieben, M.	

Those who voted in the negative were:

Adams, S.	Carlson, A.	Esau	Laidig	Schulz
Albrecht	Dean	Heinitz	Nelsen	Searle
Anderson, G.	DeGroat	Jensen	Niehaus	Ulland
Biersdorf	Eckstein	Kaley	Savelkoul	
Braun	Erickson	Kvam	Schreiber	

The bill was passed and its title agreed to.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the motion of Brinkman to recommend passage of S. F. No. 886.

There were yeas 67, and nays 42.

Those who voted in the affirmative were:

Adams, L.	Adams, S.	Albrecht	Anderson, G.	Anderson, I.
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Arlandson	Esau	Kalis	Metzen	Searle
Begich	Evans	Kelly, W.	Moe	Setzepfandt
Biersdorf	Ewald	Knickerbocker	Munger	Smith
Braun	Fjoslien	Kvam	Nelsen	Ulland
Brinkman	Forsythe	Laidig	Niehaus	Voss
Carlson, A.	Friedrich	Langseth	Patton	Wenstrom
Carlson, L.	Fudro	Lemke	Pehler	Wenzel
Dahl	Heinitz	Luther	Peterson	Wigley
Dean	Jacobs	Mann	Pleasant	Williamson
DeGroat	Johnson, C.	McCarron	Reding	Speaker Sabo
Eckstein	Jopp	McCauley	St. Onge	
Eken	Jude	McEachern	Savelkoul	
Erickson	Kaley	Menning	Schreiber	

Those who voted in the negative were:

Beauchamp	Faricy	Ketola	Novak	Smogard
Berg	Fugina	Knoll	Parish	Swanson
Berglin	Hanson	Kostohryz	Petraffeso	Tomlinson
Carlson, R.	Hokanson	Kroening	Prahl	Vento
Clark	Jensen	Lindstrom	Rice	Volk
Corbid	Johnson, D.	Mangan	Schumacher	White
Dieterich	Kahn	Neisen	Sherwood	
Doty	Kelly, R.	Nelson	Simoneau	
Enebo	Kempe, A.	Norton	Skoglund	

The motion prevailed.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. Nos. 2077, 2103, 1999 and 790 which it recommended to pass.

S. F. Nos. 1551, 886 and 375 which it recommended to pass.

H. F. Nos. 995, 1897, 437, 2216, 1076 and 1957 upon which it recommended progress.

S. F. No. 749 upon which it recommended progress.

H. F. No. 1326 upon which it recommended progress retaining its place on General Orders.

H. F. No. 1558 which it recommended re-referral to the Committee on Local and Urban Affairs.

H. F. No. 1735 upon which it recommended progress until Wednesday, March 3, 1976.

S. F. No. 840 upon which it recommended progress until Tuesday, March 2, 1976.

H. F. No. 1814 which it recommended be placed at the bottom of General Orders.

H. F. No. 1892 upon which it recommended to pass with the following amendments:

Offered by Faricy:

Page 1, line 25, after "council" add "*and only if the legislature is convened*".

Offered by Fjoslien:

Page 2, line 25, strike "*shall*" and insert "*may*".

H. F. No. 1996 upon which it recommended to pass with the following amendment offered by Suss:

Page 1, line 13, strike "NON-CURRICULAR" and insert "EXTRA CURRICULAR".

Page 3, line 4, strike "of" and insert "or".

Page 3, line 15, after "*activities*" insert "*are not offered for school credit, cannot be counted toward graduation and*".

Page 3, strike lines 17 and 18.

Page 3, line 19, strike "(b)" and insert "(a)".

Page 3, line 22, strike "(c)" and insert "(b)".

Page 3, line 26, strike "(d)" and insert "(c)".

Page 3, line 32, strike "*non-curricular*" and insert "*extra curricular*".

Page 4, line 1, strike "*Non-curricular*" and insert "*Extra curricular*".

Page 4, line 5, strike "*Non-curricular*" and insert "*Extra curricular*".

Page 4, line 14, strike "; and" and insert a period.

Page 4, strike lines 15 to 18.

Page 4, line 20, strike "*non-curricular*" and insert "*extra curricular*".

Page 4, line 20, after the comma insert "*these activities shall be self-sustaining with all expenses, except direct salary costs and indirect costs of the use of school facilities, met by dues, admissions or other student fund-raising events; moreover,*".

Page 4, line 24, strike "*non-curricular*" and insert "*extra curricular*".

Page 4, line 28, strike "*non-curricular*" and insert "*extra curricular*".

Page 4, line 28, after the comma insert "*any or all costs of these activities may be provided from school revenues and*".

Page 4, line 32, strike "*non-curricular*" and insert "*extra curricular*".

Page 5, line 1, strike "*of*" and insert "*or*".

Further, amend the title as follows:

Page 1, line 5, strike "*non-curricular*" and insert "*extra curricular*".

Page 1, line 6, strike "*non-curricular*" and insert "*extra curricular*".

H. F. No. 2039 upon which it recommended to pass with the following amendment offered by Heinitz:

Page 1, line 15, delete "*If the*".

Page 1, delete lines 16 to 23.

Page 2, delete line 1.

Page 2, line 2, delete "*payee.*" and insert "*Any guardian or conservator of a patient or resident or, in the absence of a guardian or conservator, an interested person, may seek enforcement of these rights on behalf of a patient or resident.*".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

## MOTIONS AND RESOLUTIONS

Mann moved that the name of Eckstein be added as an author on H. F. No. 2386. The motion prevailed.

St. Onge moved that the names of Smogard, Biersdorf and Anderson, G., be stricken and the names of Osthoff, Fudro and Ewald be added as authors on H. F. No. 1170. The motion prevailed.

McCollar moved that the name of Doty be added as an author on H. F. No. 1173. The motion prevailed.

Anderson, I., moved that S. F. No. 1383 be unofficially engrossed to include committee amendments and printed for the House. The motion prevailed.

Johnson, D.; Kahn; Clark; Berglin and Byrne introduced:

House Resolution No. 27, A house resolution congratulating Cindy Nelson on her success at the Winter Olympics in Innsbruck, Austria.

The resolution was referred to the Committee on Rules and Legislative Administration.

Hanson, Faricy, Norton and Dieterich introduced:

House Resolution No. 28, A house resolution congratulating the Central girls basketball team for winning the "First Official Class AA Girls State High School Basketball Tournament" on February 21, 1976.

The resolution was referred to the Committee on Rules and Legislative Administration.

Setzepfandt introduced:

House Resolution No. 29, A house resolution congratulating the Redwood Falls girls basketball team for winning the "First Official Class A Girls State High School Basketball Tournament" on February 21, 1976.

The resolution was referred to the Committee on Rules and Legislative Administration.

#### ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Thursday, February 26, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## SEVENTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 26, 1976

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kaley	Nelsen	Sieben, H.
Adams, L.	Eckstein	Kalis	Nelson	Sieben, M.
Adams, S.	Enebo	Kelly, R.	Niehaus	Sieloff
Albrecht	Erickson	Kempe, A.	Norton	Simoneau
Anderson, G.	Esau	Kempe, R.	Novak	Skoglund
Anderson, I.	Evans	Ketola	Osthoff	Smith
Arlandson	Ewald	Knickerbocker	Parish	Smogard
Beauchamp	Faricy	Knoll	Patton	Suss
Begich	Fjoslien	Kostohryz	Pehler	Swanson
Berg	Forsythe	Kroening	Peterson	Tomlinson
Berglin	Friedrich	Kvam	Petraleso	Ulland
Biersdorf	Fudro	Laidig	Philbrook	Vanasek
Birnstihl	Fugina	Lemke	Pleasant	Vento
Braun	George	Lindstrom	Prahl	Volk
Brinkman	Graba	Luther	Reding	Voss
Byrne	Hanson	Mangan	Rice	Wenstrom
Carlson, A.	Haugerud	Mann	St. Onge	Wenzel
Carlson, L.	Heinitz	McCarron	Samuelson	White
Carlson, R.	Hokanson	McCauley	Sarna	Wieser
Casserly	Jacobs	McCollar	Savelkoul	Wigley
Clark	Jensen	McEachern	Schreiber	Williamson
Clawson	Johnson, C.	Menning	Schulz	Zubay
Dahl	Johnson, D.	Metzen	Schumacher	Speaker Sabo
Dean	Jopp	Moe	Searle	
DeGroat	Jude	Munger	Setzpfandt	
Dieterich	Kahn	Neisen	Sherwood	

A quorum was present.

Corbid; Eken; Jaros; Kelly, W.; Langseth; Spanish and Stanton were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Erickson the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1929, 1953, 1959, 2083, 2197, 2326, 608, 1827, 1878, 1885, 1932, 2011, 2331, 108, 1382, 1677, 1892, 1996, 2039, 2188 and 1462 and S. F. Nos. 674, 1866, 1901, 1973, 1974, 2034, 1635, 1868, 2068, 1763, 1764, 2030, 357, 995, 1740, 1796 and 1841 have been placed in the members' files.

S. F. No. 995 and H. F. No. 903, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except H. F. No. 903, page 2, line 31, reads "*plants, persons, and animals and their inter-relationships.*" whereas, S. F. No. 995, page 2, line 31, reads "*plants, man, and animals and their inter-relationships.*"

## SUSPENSION OF RULES

Schulz moved that the rules be so far suspended that S. F. No. 995 be substituted for H. F. No. 903 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1816 and H. F. No. 1878, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 1878, page 1, line 22 reads: "(JANUARY) *September 1* (, 1975) and December 31 (, 1975) *in any*". Whereas S. F. No. 1816, page 1, line 22 reads in part: "January 1 (, 1975) and December 31 (, 1975) *in any*".

## SUSPENSION OF RULES

Braun moved that the rules be so far suspended that S. F. No. 1816 be substituted for H. F. No. 1878, and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2034 and H. F. No. 2083, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Biersdorf moved that S. F. No. 2034 be substituted for H. F. No. 2083 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 2044, A bill for an act relating to cooperative associations; providing for changes in the electing of directors; amending Minnesota Statutes 1974, Sections 308.09, Subdivision 1; and 308.11.

Reported the same back with the following amendments:

Page 2, line 27, after the period insert "*If any member of an association is a family farm corporation within the meaning of section 500.24, subdivision 1 (c), or an authorized farm corporation within the meaning of section 500.24, subdivision 1 (d), the member may elect or appoint any one stockholder of such corporation residing on or actively operating the farm who shall be eligible for election to the board of directors.*".

Page 2, line 28, after "person" insert "*, family farm corporation, or an authorized farm corporation,*".

Page 2, line 30, after "or" and before "more" insert "*, in the case of associations wholly constituted of other cooperative associations, one or*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

H. F. No. 2079, A bill for an act relating to agriculture; changing the duty of the commissioner of agriculture in establishing standards, grades, and price differentials for milk and cream from mandatory to permissive; amending Minnesota Statutes 1974, Section 32.401, Subdivision 1.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

H. F. No. 2105, A bill for an act relating to county agricultural societies; authorizing the renewal of the period of corporate existence of certain agricultural societies whose period of duration has expired; validating acts done and contracts made subsequent to the expiration of the corporate existence.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 2094, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIII, Section 3; allowing the status of the University of Minnesota to be provided by law.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 424, A bill for an act relating to tort liability of cities, counties, towns, public authorities, certain public corporations, school districts and political subdivisions of the state; amending Minnesota Statutes 1974, Section 466.05, Subdivision 1.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2022, A bill for an act relating to real property; title registration; providing for the issuance of duplicate certificates of title to replace lost or destroyed duplicate certificates; prescribing fees of the registrar; amending Minnesota Statutes 1974, Sections 508.44 and 508.82.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2169, A bill for an act relating to torts; defining the state's liability for torts.

Reported the same back with the following amendments:

Page 1, after line 4, insert new sections to read:

"Section 1. [TORT LIABILITY.] Subdivision 1. Except as otherwise provided, the state is subject to liability for its torts and those of its employees acting within the scope of their employment.

Subd. 2. This act applies to claims arising from events occurring after July 31, 1976.

Sec. 2. [DEFINITIONS.] Subdivision 1. "Employee" means every officer, employee or servant, whether elected, appointed or otherwise and whether or not compensated or part-time, who is authorized to perform any act or service; provided, however, that the term does not include an independent contractor.

Subd. 2. "Scope of Employment" means that the employee was acting on behalf of the state in the performance of duties or tasks lawfully assigned to him by competent authority. An employee shall not be considered to be acting within his "scope of employment" in the event of malfeasance in office or willful or wanton neglect of duty.

Subd. 3. "State" means all departments, boards, offices, agencies and commissions within the executive branch of state government financed in whole or in part with monies appropriated by the legislature and includes but is not limited to the university of Minnesota, state universities and community colleges. The term does not include municipalities as defined in section 466.01, subdivision 1."

Page 2, line 2, after "animal" insert "in its natural state".

Page 2, after line 2, insert a new clause to read:

"(f) Any claim based on the condition of unimproved real property owned by the state. For purposes of this subdivision, unimproved real property means land which the state has not improved and has no statutory duty to improve or make safe and appurtenances, fixtures and attachments to land which the state has neither affixed nor improved. The clearing of land, removal of refuse and creation of trails or paths without artificial surfaces shall not be considered improvements to real property."

Renumber the remaining clause.

Page 2, line 5, after "The" insert "total" and after "state" insert "and its employees acting within the scope of their employment".

Page 2, line 25, after "person" insert "whether plaintiff, defendant or third party plaintiff or defendant," and after "state" insert "or its employee acting within the scope of his employment".

Page 2, line 27, after "state" insert "and any state employee from whom the claimant will seek damages".

Page 2, line 27, delete "60" and insert "180".

Page 2, line 29, after "thereof," insert "the names of any state employees known to be involved".

Page 3, line 14, delete "officer,".

Page 3, line 14, delete "or agent".

Page 3, line 16, delete "officer,".

Page 3, line 16, delete "or agent".

Page 3, after line 27, insert new sections to read:

"Sec. 5. [LIABILITY INSURANCE.] The state may procure insurance against liability of the state and its employees for damages resulting from its torts and those of its employees; including torts specified in section 3 for which the state is immune from liability; and the insurance may provide protection in excess of the limit of liability imposed by section 3. Any independent board or commission of the state having authority to disburse funds for a particular function without approval of the state may procure liability insurance with respect to the field of its operation. The procurement of such insurance constitutes a waiver of the defense of governmental immunity to the extent of the liability stated in the policy but has no effect on the liability of the state and its employees beyond the coverage so provided.

Sec. 6. [INDEMNIFICATION.] The state shall defend, save harmless, and indemnify any state employee against any tort claim or demand, whether groundless or otherwise, arising out of an alleged act or omission if the employee provides complete disclosure and cooperation in the defense of the claim or demand and if, except for elected employees, the employee's appointing authority certifies that the employee was acting within the scope of his employment as defined in section 2. Any independent board or commission of the state having authority to disburse funds for a particular function without approval of the state may similarly defend, save harmless, and indemnify its employees against tort claims or demands."

Page 3, line 28, delete "attorney general" and insert "state".

Page 3, line 31, delete "attorney general" and insert "state".

Page 4, line 11, after "state" insert "or its employees acting within the scope of their employment".

Page 4, line 12, after "years" insert "of the happening of the event. Provided, however, that no action may be maintained unless the notice requirements of section 3 have been met".

Page 4, line 14, after "state" insert "or its employees acting within the scope of their employment".

Page 4, line 14, after "general" insert "and any employee named as a defendant. The time within which to serve an answer upon the plaintiff shall be 40 days from the date of such service".

Page 4, line 15, delete "and" and insert a period.

Page 4, delete lines 16 and 17.

Renumber the sections in sequence.

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 2044, 2079, 2105, 424 and 2022 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 995, 1816 and 2034 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Patton, Kalis, Petrafeso, Schreiber and Norton introduced:

H. F. No. 2415, A bill for an act relating to highways; appropriating money to the highway department study commission.

The bill was read for the first time and referred to the Committee on Appropriations.

Haugerud, Norton, Voss and Searle introduced:

H. F. No. 2416, A bill for an act relating to historic sites; establishing a state interpretive center system consisting of sites throughout the state which are of interest for their historic or environmental significance.

The bill was read for the first time and referred to the Committee on Appropriations.

Skoglund, Munger, Forsythe, Hanson and Metzen introduced:

H. F. No. 2417, A bill for an act relating to waste control; appropriating money for certain demonstration projects on the proper disposal of motor vehicle waste, abandoned motor vehicles and other scrap metal.

The bill was read for the first time and referred to the Committee on Appropriations.

Beauchamp, Graba, Samuelson, Swanson and Schumacher introduced:

H. F. No. 2418, A bill for an act relating to welfare; providing transportation aids to certain deaf or blind students; amending Minnesota Statutes 1974, Section 248.02.

The bill was read for the first time and referred to the Committee on Appropriations.

Zubay, Peterson, Albrecht, Nelson and McCauley introduced:

H. F. No. 2419, A bill for an act relating to labor and industry; appropriating money for enforcement of fair labor standards.

The bill was read for the first time and referred to the Committee on Appropriations.

Moe; Knoll; Carlson, A.; McCarron and Nelson introduced:

H. F. No. 2420, A bill for an act relating to the administration of criminal justice; transferring primary investigatory jurisdiction in correctional institutions to the bureau of criminal apprehension; providing that the attorney general shall prosecute all criminal offenses arising on the premises of correctional institutions; amending Minnesota Statutes 1974, Sections 8.01; 299C.03; 387.03; and 388.05.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Jensen, Simoneau, Suss, Clark and Kempe, R., introduced:

H. F. No. 2421, A bill for an act relating to education; teachers' contracts; providing a probationary period for superintendents and a limitation on continuing contracts for superintendents; amending Minnesota Statutes 1974, Section 125.12, Subdivision 3; and Minnesota Statutes, 1975 Supplement, Section 125.12, Subdivision 4.

The bill was read for the first time and referred to the Committee on Education.

Nelson, Rice and Berglin introduced:

H. F. No. 2422, A bill for an act relating to special school district No. 1 of the city of Minneapolis; providing for the election of certain members of the school board according to districts; amending Laws 1959, Chapter 462, Section 3, Subdivision 1, as amended.

The bill was read for the first time and referred to the Committee on Education.

Johnson, C.; Albrecht; Setzepfandt; Kvam and Berg introduced:

H. F. No. 2423, A bill for an act relating to education; state aids; authorizing transportation aid for pupils of adjacent districts in a joint educational program; amending Minnesota Statutes, 1975 Supplement, Section 124.223.

The bill was read for the first time and referred to the Committee on Education.

Smith, Samuelson and Anderson, I., introduced:

H. F. No. 2424, A bill for an act relating to game and fish; migratory waterfowl hunting hours; amending Minnesota Statutes 1974, Section 100.27, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Friedrich, Kaley, Lemke, Zubay and Munger introduced:

H. F. No. 2425, A bill for an act relating to natural resources; authorizing the designation of the Zumbro river as a canoe and boating route; amending Minnesota Statutes 1974, Section 85.32, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Suss, Prahl, Abeln, Norton and Kempe, A., introduced:

H. F. No. 2426, A bill for an act relating to financial institutions; permitting the establishment and operation of electronic funds transfer facilities; permitting the operation of point-of-sale terminals by financial institutions and other persons; prescribing the powers and duties of the commissioner of banks in relation to funds transfer facilities; protecting the privacy and security of customers of financial institutions who use electronic funds transfer facilities; prescribing penalties.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

St. Onge, Prahl, George, McCollar and Sieloff introduced:

H. F. No. 2427, A bill for an act relating to automobile insurance; requiring certain disclosures; prohibiting certain rate classifications; amending Minnesota Statutes 1974, Chapter 65B, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Knickerbocker and Tomlinson introduced:

H. F. No. 2428, A bill for an act relating to elections; providing for the maintenance of voter registration files; amending Minnesota Statutes 1974, Section 201.081, Subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Suss, Beauchamp, Patton, Setzepfandt and Parish introduced:

H. F. No. 2429, A bill for an act relating to retirement; including employees of soil and water conservation districts in membership in the public employees retirement association; amending Minnesota Statutes, 1975 Supplement, Section 353.01, Subdivision 6; and Minnesota Statutes 1974, Chapter 353, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pleasant, Savelkoul, Kvam, Adams, L., and Heinitz introduced:

H. F. No. 2430, A bill for an act relating to unemployment compensation; providing for an eight week disqualification period for involuntary termination; providing for complete disqualification for fraud or misrepresentation in application for or receipt of benefits; providing for a mandatory review after receipt of 13 weeks of benefits; amending Minnesota Statutes 1974, Chapter 268, by adding a section; Minnesota Statutes, 1975 Supplement, Section 268.09, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Johnson, C.; Haugerud; Wieser; Menning and Evans introduced:

H. F. No. 2431, bill for an act relating to unemployment compensation; providing that an individual who has voluntarily left or indefinitely separated from employment with a school and is hired for the next school year by another school may not collect benefits during the period between successive school years; amending Minnesota Statutes, 1975 Supplement, Section 268.08, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kostohryz; Fugina; Carlson, R.; Kroening and McCarron introduced:

H. F. No. 2432, A bill for an act relating to state government; requiring a public employer who employs a member of a state board, committee, council, commission, authority or task force to be reimbursed for expenses incurred in releasing the employee for such service; amending Minnesota Statutes 1974, Chapter 15, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Knoll; Clark; Carlson, A.; Rice and Fudro introduced:

H. F. No. 2433, A bill for an act relating to retirement; purchase of military service credit in the teachers retirement fund; amending Minnesota Statutes 1974, Section 354.53, Subdivision 3; and Minnesota Statutes, 1975 Supplement, Section 354.53, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Moe, Parish, Enebo and Sabo introduced:

H. F. No. 2434, A bill for an act relating to retirement; distribution of state aid to policemen's relief associations; amending Minnesota Statutes 1974, Sections 69.011, Subdivisions 1, 2, and 4; 69.021, Subdivisions 5, 6, and 7; and 69.031, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Begich introduced:

H. F. No. 2435, A bill for an act directing the sale of a certain parcel of tax forfeited land in St. Louis county.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Evans, Setzepfandt, Mann, Albrecht and Wigley introduced:

H. F. No. 2436, A bill for an act relating to unemployment compensation; prohibiting interns 22 years of age or older from receiving unemployment compensation benefits; amending Minnesota Statutes, 1975 Supplement, Section 268.04, Subdivision 12.

The bill was read for the first time and referred to the Committee on Governmental Operations.

McCauley, Novak, Heinitz, Clark and Niehaus introduced:

H. F. No. 2437, A bill for an act relating to the licensing of hotels, resorts and restaurants; exempting hotels, resorts, restaurants, and similar establishments from regulation by the state board of health in cities of the first and second class; amending Minnesota Statutes 1974, Chapter 157, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Carlson, R.; Sherwood; Esau and Nelson introduced:

H. F. No. 2438, A bill for an act relating to intoxicating liquors; requiring a health warning on all advertisements for and containers of intoxicating liquors and fermented malt beverages; amending Minnesota Statutes 1974, Section 340.46; and Chapter 340, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

St. Onge introduced:

H. F. No. 2439, A bill for an act relating to education; authorizing the withholding of copies of official transcripts when students have outstanding financial obligations; amending Minnesota Statutes 1974, Chapter 136, by adding a section.

The bill was read for the first time and referred to the Committee on Higher Education.

Eken and St. Onge introduced:

H. F. No. 2440, A bill for an act relating to the administration of justice; authorizing judicially imposed fees for county law libraries; amending Minnesota Statutes 1974, Sections 140.26; 140.30; 140.31; and Chapter 140, by adding a section.

The bill was read for the first time and referred to the Committee on Judiciary.

Ketola, Knoll and Sieloff introduced:

H. F. No. 2441, A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted and obsolete references and text; reenacting certain laws inadvertently repealed; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1974, Chapter 359, by adding a section; Sections 9.031, Subdivision 3; 15.50, Subdivision 2; 16.02, Subdivision 14; 16.13; 16.872, Subdivision 2; 16A.125, Subdivision 6; 30.464, Subdivision 1; 30.467; 30.469; 38.02, Subdivision 2; 43.07, Subdivision 1; 72A.25, Subdivision 3; 86.41; 110.53; 116F.08; 121.85; 121.86; 121.88; 123.32, Subdivision 7; 144.01; 144.63, Subdivision 2; 144.952, Subdivision 1; 151.02; 155.04; 156.11; 176.471, Subdivision 3; 205.10, as amended; 216.25; 239.46; 246.02, Subdivision 4; 248.07, Subdivision 4; 253A.02, Subdivision 18; 256.863; 256.935, Subdivision 1; 256D.21; 268.10, Subdivision 8; 270.10, Subdivision 1; 271.10, Subdivision 2; 275.127; 291.33, Subdivision 1; 298.281, Subdivision 5; 306.38, Subdivision 2; 309.52, Subdivision 1a; 319A.11, Subdivision 2; 341.05, Subdivision 2; 341.06; 341.07; 341.08; 341.09, Subdivisions 2 and 3; 341.12; 341.13; 341.15; 345.38, Subdivision 1; 355.80; 363.10; 366.10; 368.01, Subdivision 25; 375A.09, Subdivision 4; 414.07, Subdivision 2; 414.08; 430.031, Subdivision 4; 462A.04, Subdivision 1; 472.03, Subdivision 2; 481.15, Subdivision 2; 487.03, Subdivision 2; 490.12, Subdivision 5; 490.16, Subdivision 6; 532.38; 546.09; 546.10; 562.04; 617.41; Minnesota Statutes, 1975 Supplement, Sections 15.162, Subdivision 1; 15.163, Subdivision 2; 15.166, Subdivisions 1 and 2; 15.167; 43.12, Subdivision 23; 43.43, Subdivision 2; 82.18; 116A.01, Subdivision 1a; 116A.20, Subdivision 1; 116A.24, Sub-

division 1; 121.87, Subdivision 1; 123.36, Subdivision 10; 124.03, Subdivision 1; 124.212, Subdivision 8a; 127.25, Subdivision 3; 136A.233, Subdivision 1; 144.53; 147.01; 148.03; 148.181, Subdivision 1; 148.52; 148.67; 150A.02, Subdivision 1; 153.02; 154.22; 156.01, Subdivision 1; 210A.09; 273.138, Subdivision 3; 298.281, Subdivision 1; 325.942, Subdivision 1; 326.04; 326.17; 326.241, Subdivision 1; 326.541; 341.01; 341.04; 341.05, Subdivision 1; 341.10; 341.11; 354A.12; 386.63, Subdivision 1; 473.204, Subdivision 2; 473.823, Subdivision 4; 488A.01, Subdivision 5; 500.24, Subdivision 2; 501.81, Subdivision 3; Laws 1975, Chapter 271, Section 3; reenacting Laws 1969, Chapters 1123, as amended; 1126, Section 2, as amended; and 1137, as amended; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivision 1a; 123.31, as amended; 239.45; and 366.182; Laws 1975, Chapters 46; Section 11; 162, Section 28; and 342, Section 1; Laws 1976, Chapter 2, Section 152.

The bill was read for the first time and referred to the Committee on Judiciary.

Ketola, Knoll and Sieloff introduced:

H. F. No. 2442, A bill for an act relating to Minnesota Statutes; restoring certain erroneously omitted language; amending Laws 1975, Chapter 347, Section 3.

The bill was read for the first time and referred to the Committee on Judiciary.

Lindstrom, Parish, Ketola, Carlson, L., and Evans introduced:

H. F. No. 2443, A bill for an act relating to estates; clarifies aspects of the law concerning administration of estates; harmonizes relevant registered land law with probate code; modifies document verification requirements; changes notice requirements; eliminates de novo appeals from probate court; authorizes the probate court to waive inheritance tax liens in supervised administrations; eliminates notice to attorney general for certain charitable devises; amending Minnesota Statutes 1974, Sections 524.1-310; 524.3-505; 524.3-1003; 524.3-1007; 524.3-1201; 525.72; amending Minnesota Statutes, 1975 Supplement, Sections 501.79, Subdivision 2; 508.68; 524.1-401; 524.3-301; 524.3-306; 524.3-310; 524.3-403; 524.3-603; 524.3-715; 524.3-801; 524.3-803; 524.3-806; 524.3-1204; 524.4-204; and 525.31.

The bill was read for the first time and referred to the Committee on Judiciary.

Lindstrom; Anderson, I.; Haugerud; Vanasek and Kvam introduced:

H. F. No. 2444, A bill for an act relating to highway traffic regulations; driving under the influence of drugs or alcoholic beverages; providing for the revocation of a driver's license or permit by the commissioner of public safety upon receipt of chemical test that person's blood contains .10 percent or more by weight of alcohol; providing procedural safeguards; prescribing penalties; and appropriating money; amending Minnesota Statutes 1974, Chapter 169, by adding a section.

The bill was read for the first time and referred to the Committee on Judiciary.

Petrafeso and Arlandson introduced:

H. F. No. 2445, A bill for an act relating to courts; abolishing the clerk fee in Hennepin county municipal court for a tag; amending Minnesota Statutes 1974, Section 488A.03, Subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Skoglund, Simoneau, Metzen, Hanson and Suss introduced:

H. F. No. 2446, A bill for an act relating to commerce; consumer services; providing for investigation of accusations against attorneys.

The bill was read for the first time and referred to the Committee on Judiciary.

Prahl, Vento, Tomlinson, Fugina and DeGroat introduced:

H. F. No. 2447, A bill for an act relating to real estate; limiting assertion of interests in tax forfeited real estate.

The bill was read for the first time and referred to the Committee on Judiciary.

Sieloff introduced:

H. F. No. 2448, A bill for an act relating to real property; service of notice upon record title owners in tax sales and mortgage foreclosures; amending Minnesota Statutes 1974, Sections 281.23, Subdivision 5; and 580.03.

The bill was read for the first time and referred to the Committee on Judiciary.

Prahl, Enebo, Norton, Moe and Casserly introduced:

H. F. No. 2449, A bill for an act relating to private pensions; prohibiting the use of pension funds for certain purposes; providing civil liability for violation; and voiding clauses in pension plans authorizing such prohibited uses.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Schreiber, Suss, Sabo, Voss and McCarron introduced:

H. F. No. 2450, A bill for an act relating to metropolitan government; permitting loans from the metropolitan council to purchase highway right-of-ways; providing an appropriation; amending Minnesota Statutes 1974, Chapter 473, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Berglin, Casserly, Clark, McEachern and Pleasant introduced:

H. F. No. 2451, A bill for an act relating to public indebtedness; imposing conditions for the issuance of certain obligations; requiring notice be published in certain publications; amending Minnesota Statutes 1974, Section 475.60, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Arlandson and Petrafeso introduced:

H. F. No. 2452, bill for an act relating to state government; providing for the taking of a special city census for the determination of state grants.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Pehler and Patton introduced:

H. F. No. 2453, A bill for an act relating to the city of St. Cloud; providing for the establishment of a housing and community development agency; modifying the powers of the housing and redevelopment authority therein; granting powers and duties to the housing finance agency; providing penalties.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Peterson, Mann and Kalis introduced:

H. F. No. 2454, A bill for an act relating to the city of Fairmont; authorizing a solid waste disposal and resource recovery facility; granting the city the powers of a county under Minnesota Statutes 1974, Chapter 400.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Heinitz, Pleasant, Swanson, Parish and Schreiber introduced:

H. F. No. 2455, A bill for an act relating to the city of Minneapolis; providing that the Hennepin county assessor assume the powers and duties of the city assessor.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Munger, Jaros, Doty and Ulland introduced:

H. F. No. 2456, A bill for an act relating to the city of Duluth; authorizing residential property rehabilitation loans.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Arlandson; Dieterich; Adams, S.; Casserly and Abeln introduced:

H. F. No. 2457, A bill for an act relating to taxation; providing that certain income tax payments may be designated to be paid to the state arts board; appropriating money; amending Minnesota Statutes 1974, Chapter 290, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Kvam, Fudro, Schulz, Vanasek and Brinkman introduced:

H. F. No. 2458, A bill for an act relating to taxation; providing for a deduction from gross income for amounts paid for post secondary school expenses; amending Minnesota Statutes 1974, Section 290.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Luther, Philbrook, Novak, Sieben, M., and Adams, L., introduced:

H. F. No. 2459, A bill for an act relating to taxation; imposing a property tax on residential leasehold interests; amending Minnesota Statutes 1974, Sections 273.13, by adding a subdivision; 278.01; Chapter 276, by adding a section; and Minnesota Statutes, 1975 Supplement, Sections 274.01; 290A.03, Subdivisions 8 and 13; 290A.04, Subdivision 1; 290A.05; 290A.07, Subdivision 2; 290A.09; 290A.10; and 290A.19.

The bill was read for the first time and referred to the Committee on Taxes.

Prahl, Sieloff, Vento, Fugina and DeGroat introduced:

H. F. No. 2460, A bill for an act relating to taxation; providing for the property tax liability of property that loses exempt status; amending Minnesota Statutes 1974, Section 272.02, Subdivision 4.

The bill was read for the first time and referred to the Committee on Taxes.

Evans, Jopp, Kalis, Setzepfandt and Anderson, G., introduced:

H. F. No. 2461, A bill for an act relating to motor vehicles; authorizing the issuance of temporary vehicle permits for certain specified purposes; amending Minnesota Statutes 1974, Sections 168.091, Subdivision 1; and 168.092, Subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation.

Vento introduced:

H. F. No. 2462, A bill for an act relating to drivers' licenses; providing for the issuance, by the department of public safety, of nonqualification certificates; removing age requirements to qualify; amending Minnesota Statutes 1974, Section 171.07, Subdivision 3.

The bill was read for the first time and referred to the Committee on Transportation.

Kvam, Fudro, Nelsen, Wigley and Lemke introduced:

H. F. No. 2463, A bill for an act relating to highway traffic regulations; defining terms; authorizing flashing lights on certain vehicles; authorizing certain vehicles to be equipped with a flashing amber lamp and to display the lighted lamp under certain conditions; amending Minnesota Statutes 1974, Sections 169.01, by adding a subdivision; and 169.64, Subdivision 3, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation.

Savelkoul, Friedrich, Haugerud and Lemke introduced:

H. F. No. 2464, A bill for an act relating to motor vehicle carriers; providing for anti-monopoly licensing procedures; amending Minnesota Statutes 1974, Chapter 221, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 221.296, Subdivision 4.

The bill was read for the first time and referred to the Committee on Transportation.

Voss, Patton, Vanasek and Forsythe introduced:

H. F. No. 2465, A bill for an act relating to highway traffic regulation; eye-protective devices for motorcyclists; amending Minnesota Statutes, 1975 Supplement, Section 169.974, Subdivision 4.

The bill was read for the first time and referred to the Committee on Transportation.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

A message from the Senate relating to S. F. No. 733, and an accompanying Conference Committee report, was reported to the House.

Brinkman moved that the message from the Senate relating to S. F. No. 733 be laid over until Monday, March 1, 1976. 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. 1057, A bill for an act relating to education; school districts; Independent School District No. 518; powers and duties; requiring a public hearing and providing for an election before closing a schoolhouse; amending Minnesota Statutes 1974, Section 123.36, by adding a subdivision.

PATRICK E. FLAHAVER, Secretary of the Senate

Menning moved that the House refuse to concur in the Senate amendments to H. F. No. 1057, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

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. 951, A bill for an act relating to education; state colleges; authorizing the state college board to enter into reciprocity agreements with foreign institutions; amending Minnesota Statutes 1974, Section 136.111, Subdivisions 1 and 2.

PATRICK E. FLAHAVER, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Johnson, C., moved that the House concur in the Senate amendments to H. F. No. 951 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 951, A bill for an act relating to education; state universities; authorizing the state university board to enter into reciprocity agreements with educational institutions in other states and foreign countries; amending Minnesota Statutes 1974, Section 136.111, Subdivisions 1 and 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 113, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Kahn	Neisen	Sieben, H.
Adams, L.	Dieterich	Kaley	Nelsen	Sieben, M.
Adams, S.	Doty	Kalis	Nelson	Sieloff
Albrecht	Eckstein	Kelly, R.	Niehaus	Simoneau
Anderson, G.	Enebo	Kempe, A.	Novak	Skoglund
Anderson, I.	Erickson	Kempe, R.	Osthoff	Smogard
Arlandson	Esau	Ketola	Parish	Suss
Beauchamp	Evans	Knickerbocker	Patton	Swanson
Begich	Faricy	Knoll	Pehler	Tomlinson
Berg	Fjoslien	Kroening	Peterson	Ulland
Berglin	Forsythe	Kvam	Petrafeso	Vanasek
Biersdorf	Friedrich	Laidig	Philbrook	Vento
Birnstihl	Fudro	Luther	Pleasant	Volk
Braun	George	Mangan	Prahl	Voss
Brinkman	Graba	Mann	Reding	Wenstrom
Byrne	Hanson	McCarron	St. Onge	Wenzel
Carlson, L.	Heinitz	McCauley	Sarna	White
Carlson, R.	Hokanson	McCollar	Savelkoul	Wieser
Casserty	Jacobs	McEachern	Schulz	Wigley
Clark	Jensen	Menning	Schumacher	Zubay
Clawson	Johnson, C.	Metzen	Searle	Speaker Sabo
Dahl	Jopp	Moe	Setzepfandt	
Dean	Jude	Munger	Sherwood	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrent of the House is respectfully requested:

H. F. No. 945, A bill for an act relating to employment services; unemployment compensation; excluding and exempting family farm corporation officers from certain provisions; amending Minnesota Statutes 1974, Section 268.04, Subdivision 12, and by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Johnson, C., moved that the House concur in the Senate amendments to H. F. No. 945 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 945, A bill for an act relating to employment services; unemployment compensation; excluding and exempting family farm corporation officers from certain provisions; amending Minnesota Statutes, 1975 Supplement, Section 268.04, Subdivision 12, and by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 120, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kaley	Nelsen	Sieloff
Adams, L.	Doty	Kalis	Nelson	Simoneau
Adams, S.	Eckstein	Kelly, R.	Niehaus	Skoglund
Albrecht	Enebo	Kempe, A.	Novak	Smogard
Anderson, G.	Erickson	Kempe, R.	Osthoff	Suss
Anderson, I.	Esau	Ketola	Parish	Swanson
Arlandson	Evans	Knickerbocker	Patton	Tomlinson
Beauchamp	Faricy	Knoll	Pehler	Ulland
Begich	Fjoslien	Kostohryz	Peterson	Vanasek
Berg	Forsythe	Kroening	Petraieso	Vento
Berglin	Friedrich	Kvam	Philbrook	Volk
Biersdorf	Fudro	Laidig	Pleasant	Voss
Birnstihl	Fugina	Lemke	Prahl	Wenstrom
Braun	George	Lindstrom	Reding	Wenzel
Brinkman	Graba	Luther	Rice	White
Byrne	Hanson	Mangan	St. Onge	Wieser
Carlson, A.	Haugerud	Mann	Sarna	Wigley
Carlson, L.	Heinitz	McCarron	Savelkoul	Williamson
Carlson, R.	Hokanson	McCauley	Schreiber	Zubay
Casserly	Jacobs	McCollar	Schulz	Speaker Sabo
Clark	Jensen	McEachern	Schumacher	
Clawson	Johnson, C.	Menning	Setzepfandt	
Dahl	Jopp	Metzen	Sherwood	
Dean	Jude	Munger	Sieben, H.	
DeGroat	Kahn	Neisen	Sieben, M.	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 717, A bill for an act relating to optometric education; higher education coordinating commission; providing for a study of the availability of educational opportunities in optometry for Minnesota students.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Johnson, C., moved that the House concur in the Senate amendments to H. F. No. 717 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 717, A bill for an act relating to optometric and osteopathic education; higher education coordinating board; providing for a study of the availability of educational opportunities in optometry and osteopathy for Minnesota students.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kaley	Nelsen	Sherwood
Adams, L.	Doty	Kalis	Nelson	Sieben, H.
Adams, S.	Eckstein	Kelly, R.	Niehhaus	Sieben, M.
Albrecht	Enebo	Kempe, A.	Norton	Sieloff
Anderson, G.	Erickson	Kempe, R.	Novak	Simoneau
Anderson, I.	Esau	Ketola	Osthoff	Skoglund
Arlandson	Evans	Knickerbocker	Parish	Smogard
Beauchamp	Faricy	Knoll	Patton	Suss
Begich	Fjoslien	Kostohryz	Pehler	Swanson
Berg	Forsythe	Kroening	Peterson	Tomlinson
Berglin	Friedrich	Kvam	Petráfos	Ulland
Biersdorf	Fudro	Laidig	Philbrook	Vanasek
Birnstihl	George	Lemke	Pleasant	Vento
Braun	Graba	Lindstrom	Prahl	Volk
Brinkman	Hanson	Luther	Reding	Voss
Byrne	Haugerud	Mangan	Rice	Wenstrom
Carlson, A.	Heintz	Mann	St. Onge	Wenzel
Carlson, L.	Hokanson	McCarron	Samuelson	White
Carlson, R.	Jacobs	McCauley	Sarna	Wieser
Cassery	Jensen	McCollar	Savelkoul	Wigley
Clark	Johnson, C.	McEachern	Schreiber	Williamson
Clawson	Johnson, D.	Menning	Schulz	Zubay
Dahl	Jopp	Metzen	Schumacher	Speaker Sabo
Dean	Jude	Moe	Searle	
DeGroat	Kahn	Neisen	Setzepfandt	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1252, 1873 and 1949.

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. 1901.

PATRICK E. FLAHAVER, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 1252, A bill for an act relating to the blind; providing for vending stands and machines to be operated by the blind on property of state governmental subdivisions; amending Minnesota Statutes 1974, Section 248.07, Subdivision 7.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1873, A bill for an act relating to counties; authorizing counties to levy special assessments for county highway improvements within portions of unorganized townships; amending Minnesota Statutes 1974, Section 429.011, Subdivision 2a.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1949, A bill for an act relating to motor vehicles; authorizing the issuance of special license plates to physically handicapped persons; amending Minnesota Statutes, 1975 Supplement, Section 168.021, Subdivisions 1 and 2.

The bill was read for the first time.

Erickson moved that S. F. No. 1949 and H. F. No. 2103, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1901, A bill for an act relating to cooperative associations; providing for changes in the electing of directors; amending Minnesota Statutes 1974, Sections 308.09, Subdivision 1; and 308.11.

The bill was read for the first time.

Braun moved that S. F. No. 1901 and H. F. No. 2044, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, McCarron reported on the progress of H. F. No. 943, now in Conference Committee.

Pursuant to Joint Rule 13, Clawson reported on the progress of H. F. No. 1199, now in Conference Committee.

Pursuant to Joint Rule 13, Osthoff reported on the progress of S. F. No. 570, now in Conference Committee.

Pursuant to Joint Rule 13, Patton reported on the progress of S. F. No. 919, now in Conference Committee.

Pursuant to Joint Rule 13, Sherwood reported on the progress of S. F. No. 1308, now in Conference Committee.

### CONSIDERATION UNDER RULE 1.10

Pursuant to Rule 1.10, Norton requested immediate consideration of H. F. No. 2331.

H. F. No. 2331 was reported to the House.

Savelkoul moved to amend H. F. No. 2331 as follows:

Page 7, line 3, after the period insert: "A portion of the funds appropriated shall be expended by the legislative auditor for purposes of recommending a uniform reporting system and consistent means of administration in other school districts in order to prevent other school districts from engaging in the practice of borrowing funds necessary to meet current operating expenses."

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 42, and nays 71, as follows:

Those who voted in the affirmative were:

Albrecht	Esau	Kaley	Nelsen	Setzepfandt
Biersdorf	Evans	Kalis	Niehaus	Swanson
Braun	Ewald	Kempe, R.	Patton	Ulland
Carlson, A.	Fjoslien	Kvam	Pehler	Wieser
Dean	Forsythe	Laidig	Peterson	Wigley
DeGroat	Friedrich	Mann	Pleasant	Zubay
Doty	Heinitz	McCauley	Savelkoul	
Eckstein	Hokanson	Menning	Schreiber	
Erickson	Jopp	Neisen	Searle	

Those who voted in the negative were:

Abeln	Byrne	Fugina	Kahn	Moe
Adams, L.	Carlson, L.	George	Kelly, R.	Nelson
Anderson, G.	Carlson, R.	Graba	Kempe, A.	Norton
Anderson, I.	Casserly	Hanson	Knoll	Novak
Arlandson	Clark	Haugerud	Kostohryz	Osthoff
Beauchamp	Clawson	Jacobs	Kroening	Parish
Begich	Dahl	Jensen	Lindstrom	Petrafeso
Berg	Dieterich	Johnson, C.	Luther	Philbrook
Berglin	Enebo	Johnson, D.	Mangan	Prahl
Birnstihl	Farcy	Jude	Metzen	Reding

Rice	Sieben, H.	Smith	Vento	Speaker Sabo
St. Onge	Sieben, M.	Smogard	Volk	
Samuelson	Sieloff	Suss	Voss	
Schulz	Simoneau	Tomlinson	Wenzel	
Schumacher	Skoglund	Vanasek	White	

The motion did not prevail and the amendment was not adopted.

Peterson moved to amend H. F. No. 2331 as follows:

Page 7, strike lines 1 through 7 and insert the following:

"Sec. 10. [PAYMENT OF AUDIT] All costs incurred by the legislative auditor in performance of the duties required by this act shall be borne in their entirety by Independent School District No. 625."

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment.

Savelkoul moved that those not voting be excused from voting.

The motion did not prevail.

The roll being called, there were yeas 60, and nays 61, as follows:

Those who voted in the affirmative were:

Adams, S.	Esau	Kalis	Neisen	Setzepfandt
Albrecht	Evans	Kempe, R.	Nelsen	Sherwood
Anderson, G.	Ewald	Ketola	Niehaus	Sieben, H.
Begich	Fjoslien	Knickerbocker	Novak	Sieben, M.
Biersdorf	Forsythe	Kvam	Peterson	Smogard
Braun	Friedrich	Laidig	Philbrook	Swanson
Carlson, A.	Heinitz	Lemke	Reding	Ulland
Dean	Jacobs	Mann	Savelkoul	Voss
DeGroat	Jensen	McCauley	Schreiber	Wenstrom
Doty	Jopp	McCollar	Schulz	Wieser
Eckstein	Jude	Menning	Schumacher	Wigley
Erickson	Kaley	Moe	Searle	Zubay

Those who voted in the negative were:

Abeln	Carlson, R.	Hanson	Luther	Petraleso
Adams, L.	Casserly	Hokanson	Mangan	Prahl
Anderson, I.	Clark	Johnson, C.	McCarron	Rice
Arlandson	Clawson	Johnson, D.	Metzen	St. Onge
Beauchamp	Dieterich	Kahn	Munger	Samuelson
Berg	Enebo	Kelly, R.	Nelson	Sarna
Berglin	Faricy	Kempe, A.	Norton	Sieloff
Birnstihl	Fudro	Knoll	Osthoff	Simoneau
Brinkman	Fugina	Kostohryz	Parish	Skoglund
Byrne	George	Kroening	Patton	Smith
Carlson, L.	Graba	Lindstrom	Pehler	Suss

Tomlinson  
Vanasek

Vento

Volk

White

Speaker Sabo

The motion did not prevail and the amendment was not adopted.

Carlson, A., offered an amendment to H. F. No. 2331.

#### POINT OF ORDER

Sieloff raised a point of order pursuant to Rule 3.9 that the Carlson, A., amendment was out of order. The Speaker ruled the point of order well taken and the Carlson, A., amendment out of order.

Adams, S. was excused for the remainder of today's session.

H. F. No. 2331, A bill for an act relating to education; authorizing Independent School District No. 625 to issue bonds for the purpose of correcting cash flow problems and for other purposes; requiring a tax levy in certain years to eliminate the operating debt of the district; appropriating money.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 75, and nays 49, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Ketola	Norton	Sieben, M.
Adams, L.	Enebo	Knoll	Novak	Sieloff
Anderson, I.	Faricy	Kostohryz	Osthoff	Skoglund
Arlandson	Fudro	Kroening	Parish	Smith
Beauchamp	Fugina	Lindstrom	Patton	Smogard
Begich	George	Luther	Pehler	Suss
Berg	Graba	Mangan	Petrafeso	Tomlinson
Byrne	Hanson	McCarron	Philbrook	Vanasek
Carlson, L.	Hokanson	McCollar	Reding	Vento
Carlson, R.	Jacobs	McEachern	Rice	Volk
Casserly	Johnson, C.	Metzen	St. Onge	Voss
Clark	Johnson, D.	Moe	Samuelson	Wenzel
Clawson	Kahn	Munger	Sarna	White
Dahl	Kelly, R.	Neisen	Schumacher	Williamson
Dieterich	Kempe, A.	Nelson	Sieben, H.	Speaker Sabo

Those who voted in the negative were:

Albrecht	Erickson	Jopp	McCauley	Setzepfandt
Anderson, G.	Esau	Jude	Menning	Sherwood
Biersdorf	Evans	Kaley	Nelsen	Simoneau
Birnstihl	Ewald	Kalis	Niehau	Swanson
Braun	Fjoslien	Kempe, R.	Peterson	Ulland
Brinkman	Forsythe	Knickerbocker	Pleasant	Wenstrom
Carlson, A.	Friedrich	Kvam	Prahl	Wieser
Dean	Haugerud	Laidig	Savelkoul	Wigley
DeGroat	Heinitz	Lemke	Schreiber	Zubay
Eckstein	Jensen	Mann	Schulz	

The bill was passed and its title agreed to.

Fudro was excused for the remainder of today's session.

### CALENDAR

S. F. No. 830 was reported to the House and given its third reading.

### UNANIMOUS CONSENT

Pehler requested unanimous consent to offer an amendment. The request was granted.

Pehler moved to amend S. F. No. 830, as follows:

Strike everything after the enacting clause and insert "Section 1. [62A.151] [COVERAGE FOR SERVICES PROVIDED BY FREE STANDING AMBULATORY SURGICAL CENTERS OR FACILITIES OFFERING AMBULATORY MEDICAL SERVICE 24 HOURS A DAY SEVEN DAYS A WEEK.] No policy or plan of health, medical, hospitalization, or accident and sickness insurance regulated under chapter 62A, or subscriber contract provided by a nonprofit health service plan corporation regulated under chapter 62C shall be issued, renewed, continued, delivered, issued for delivery or executed in this state, or approved for issuance or renewal in this state by the commissioner of insurance unless the policy, plan or contract specifically provides coverage for a health care treatment or service rendered by a free standing ambulatory surgical center or facilities offering ambulatory medical service 24 hours a day seven days a week, which are not part of a hospital, but

have been reviewed and approved by the state board of health to provide the treatment or service, on the same basis as coverage provided for the same health care treatment or service rendered by a hospital.”.

The motion prevailed and the amendment was adopted.

S. F. No. 830, A bill for an act relating to health care; requiring certain insurance policies and health care plans to provide benefits for health care services rendered in free standing ambulatory surgical centers.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kaley	Neisen	Sherwood
Adams, L.	Eckstein	Kalis	Nelsen	Sieben, H.
Albrecht	Enebo	Kelly, R.	Nelson	Sieben, M.
Anderson, G.	Ericksen	Kempe, A.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, R.	Norton	Skoglund
Arlandson	Evans	Ketola	Novak	Smogard
Beauchamp	Ewald	Knickerbocker	Osthoff	Suss
Begich	Faricy	Knoll	Parish	Swanson
Berg	Fjoslien	Kostohryz	Patton	Tomlinson
Berglin	Forsythe	Kroening	Pehler	Ulland
Biersdorf	Friedrich	Kvam	Peterson	Vanasek
Birnstihl	Fugina	Laidig	Petrafeso	Vento
Braun	George	Lemke	Philbrook	Volk
Brinkman	Graba	Lindstrom	Prahl	Voss
Byrne	Hanson	Luther	Reding	Wenstrom
Carlson, A.	Haugerud	Mangan	Rice	Wenzel
Carlson, L.	Heinitz	Mann	St. Onge	White
Carlson, R.	Hokanson	McCarron	Samuelson	Wieser
Casserly	Jacobs	McCauley	Sarna	Wigley
Clark	Jensen	McCollar	Savelkoul	Williamson
Clawson	Johnson, C.	McEachern	Schreiber	Zubay
Dahl	Johnson, D.	Menning	Schulz	Speaker Sabo
Dean	Jopp	Metzen	Schumacher	
DeGroat	Jude	Moe	Searle	
Dieterich	Kahn	Munger	Setzpfandt	

The bill was passed, as amended, and its title agreed to.

H. F. No. 1892, A bill for an act relating to civil defense; requiring the executive council to declare an emergency when a disaster has occurred or is imminent; requiring the division of emergency service to assist in the provision of relief measures when a disaster occurs and to coordinate interjurisdictional disaster planning; amending Minnesota Statutes 1974, Sections 12.01; 12.02, Subdivision 1; 12.03; and Chapters 9, by adding a section; and 12, by adding sections.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 103, and nays 13, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kelly, R.	Neisen	Sieben, M.
Adams, L.	Eckstein	Kempe, A.	Nelsen	Simoneau
Albrecht	Enebo	Kempe, R.	Norton	Skoglund
Anderson, G.	Esau	Ketola	Novak	Smith
Anderson, I.	Evans	Knickerbocker	Osthoff	Smogard
Arlandson	Ewald	Knoll	Parish	Suss
Beauchamp	Farcy	Kostohryz	Patton	Swanson
Begich	Fjoslien	Kroening	Pehler	Tomlinson
Berg	Forsythe	Laidig	Philbrook	Ulland
Biersdorf	Graba	Lemke	Reding	Vento
Birnstihl	Hanson	Lindstrom	Rice	Volk
Braun	Heinitz	Luther	St. Onge	Voss
Brinkman	Hokanson	Mangan	Sarna	Wenstrom
Byrne	Jacobs	Mann	Savelkoul	Wenzel
Carlson, L.	Jensen	McCarron	Schreiber	White
Carlson, R.	Johnson, C.	McCauley	Schulz	Wieser
Casserly	Johnson, D.	McCollar	Schumacher	Wigley
Clark	Jopp	McEachern	Searle	Williamson
Clawson	Jude	Menning	Setzepandt	Speaker Sabo
Dahl	Kahn	Metzen	Sherwood	
Dieterich	Kalis	Munger	Sieben, H.	

Those who voted in the negative were:

Carlson, A.	George	Kvam	Peterson	Zubay
DeGroat	Haugerud	Moe	Petrafeso	
Fugina	Kaley	Niehaus	Prahl	

The bill was passed and its title agreed to.

H. F. No. 1996, A bill for an act relating to education; requiring school boards to take control of all co-curricular school activities; changing the method of accounting for co-curricular and extra-curricular activities; describing co-curricular and extra-curricular activities; amending Minnesota Statutes 1974, Section 123.38, Subdivisions 1, 2 and 3, and by adding subdivisions.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Anderson, G.	Beauchamp	Berglin	Braun
Adams, L.	Anderson, I.	Begich	Biersdorf	Brinkman
Albrecht	Arlandson	Berg	Birnstihl	Byrne

Carlson, A.	Graba	Kvam	Parish	Smith
Carlson, L.	Hanson	Laidig	Patton	Smogard
Carlson, R.	Haugerud	Lemke	Pehler	Suss
Casserly	Heinitz	Lindstrom	Peterson	Swanson
Clark	Hokanson	Luther	Petrafeso	Tomlinson
Dahl	Jacobs	Mangan	Philbrook	Ulland
Dean	Jensen	Mann	Prahl	Vanasek
DeGroat	Johnson, C.	McCarron	Reding	Vento
Dieterich	Johnson, D.	McCauley	St. Onge	Volk
Doty	Jopp	McCollar	Samuelson	Voss
Eckstein	Jude	McEachern	Sarna	Wenstrom
Enebo	Kahn	Menning	Savelkoul	Wenzel
Erickson	Kaley	Metzen	Schreiber	White
Esau	Kalis	Moe	Schulz	Wieser
Evans	Kelly, R.	Munger	Schumacher	Wigley
Ewald	Kempe, A.	Neisen	Setzepfandt	Williamson
Faricy	Kempe, R.	Nelsen	Sherwood	Zubay
Fjoslien	Ketola	Nelson	Sieben, H.	Speaker Sabo
Forsythe	Knickerbocker	Niehaus	Sieben, M.	
Friedrich	Knoll	Norton	Sieloff	
Fugina	Kostohryz	Novak	Simoneau	
George	Kroening	Osthoff	Skoglund	

The bill was passed and its title agreed to.

H. F. No. 2077, A bill for an act relating to drivers' licenses; classifications thereof; specifying the types of vehicles that may be driven by the holder of the various classes of licenses; providing that a class C license is valid for the operation of special mobile equipment used primarily for the construction or maintenance of streets and highways; providing a change in the weight limitation for class C licenses; amending Minnesota Statutes 1974, Section 171.02, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Hanson	Kostohryz	Niehaus
Adams, L.	Dahl	Haugerud	Kroening	Norton
Albrecht	Dean	Heinitz	Kvam	Novak
Anderson, G.	DeGroat	Hokanson	Laidig	Osthoff
Anderson, I.	Dieterich	Jacobs	Lemke	Parish
Arlandson	Doty	Jensen	Luther	Patton
Beauchamp	Eckstein	Johnson, C.	Mangan	Pehler
Begich	Enebo	Johnson, D.	Mann	Peterson
Berg	Erickson	Jopp	McCarron	Petrafeso
Berglin	Esau	Jude	McCauley	Philbrook
Biersdorf	Evans	Kahn	McCollar	Pleasant
Birnstihl	Ewald	Kaley	McEachern	Prahl
Braun	Faricy	Kalis	Menning	Reding
Byrne	Fjoslien	Kelly, R.	Metzen	St. Onge
Carlson, A.	Forsythe	Kempe, A.	Moe	Samuelson
Carlson, L.	Friedrich	Kempe, R.	Munger	Sarna
Carlson, R.	Fugina	Ketola	Neisen	Savelkoul
Casserly	George	Knickerbocker	Nelsen	Schreiber
Clark	Graba	Knoll	Nelson	Schulz

Schumacher	Sieloff	Swanson	Voss	Williamson
Searle	Simoneau	Tomlinson	Wenstrom	Zubay
Setzepfandt	Skoglund	Ulland	Wenzel	Speaker Sabo
Sherwood	Smith	Vanasek	White	
Sieben, H.	Smogard	Vento	Wieser	
Sieben, M.	Suss	Volk	Wigley	

The bill was passed and its title agreed to.

S. F. No. 1551, A bill for an act relating to highways; designating and describing the route of the Viking Trail; amending Minnesota Statutes 1974, Section 161.14, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kaley	Munger	Setzepfandt
Adams, L.	Eckstein	Kalis	Neisen	Sherwood
Albrecht	Enebo	Kelly, R.	Nelsen	Sieben, H.
Anderson, G.	Erickson	Kempe, A.	Nelson	Sieben, M.
Anderson, I.	Esau	Kempe, R.	Niehaus	Sieloff
Arlandson	Evans	Ketola	Norton	Simoneau
Beauchamp	Ewald	Knickerbocker	Novak	Skoglund
Begich	Faricy	Knoll	Osthoff	Smith
Berg	Fjoslien	Kostohryz	Parish	Smogard
Berglin	Forsythe	Kroening	Patton	Suss
Biersdorf	Friedrich	Kvam	Pehler	Swanson
Birnstihl	Fugina	Laidig	Peterson	Tomlinson
Braun	George	Lemke	Petrafaso	Ulland
Byrne	Graba	Lindstrom	Philbrook	Vanasek
Carlson, A.	Hanson	Luther	Pleasant	Vento
Carlson, L.	Haugerud	Mangan	Prahl	Volk
Carlson, R.	Heinitz	Mann	Reding	Wenstrom
Casserly	Hokanson	McCarron	St. Onge	Wenzel
Clark	Jacobs	McCauley	Samuelson	White
Clawson	Jensen	McCollar	Sarna	Wieser
Dahl	Johnson, C.	McEachern	Savelkoul	Wigley
Dean	Johnson, D.	Menning	Schreiber	Williamson
DeGroat	Jude	Metzen	Schumacher	Zubay
Dieterich	Kahn	Moe	Searle	Speaker Sabo

Those who voted in the negative were:

Schulz

The bill was passed and its title agreed to.

H. F. No. 1999, A bill for an act relating to game and fish; providing temporary permits for handicapped hunters; amending Minnesota Statutes, 1975 Supplement, Section 98.48, Subdivision 12.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kaley	Nelsen	Sieben, H.
Adams, L.	Eckstein	Kalis	Nelson	Sieben, M.
Albrecht	Enebo	Kelly, R.	Niehaus	Sieloff
Anderson, G.	Erickson	Kempe, A.	Norton	Simoneau
Anderson, I.	Esau	Kempe, R.	Novak	Skoglund
Arlandson	Evans	Ketola	Osthoff	Smith
Beauchamp	Ewald	Knickerbocker	Parish	Smogard
Begich	Faricy	Knoll	Patton	Suss
Berg	Fjoslien	Kostohryz	Pehler	Swanson
Berglin	Forsythe	Kroening	Peterson	Tomlinson
Biersdorf	Friedrich	Kvam	Petraleso	Ulland
Birnsthil	Fugina	Laidig	Philbrook	Vanasek
Braun	George	Lemke	Pleasant	Vento
Brinkman	Graba	Lindstrom	Prahl	Volk
Byrne	Hanson	Luther	Reding	Voss
Carlson, A.	Haugerud	Mangan	St. Onge	Wenstrom
Carlson, L.	Heinitz	Mann	Samuelson	Wenzel
Carlson, R.	Hokanson	McCauley	Sarna	White
Casserly	Jacobs	McCollar	Savelkoul	Wieser
Clark	Jensen	McEachern	Schreiber	Wigley
Clawson	Johnson, C.	Menning	Schulz	Williamson
Dahl	Johnson, D.	Metzen	Schumacher	Zubay
Dean	Jopp	Moe	Searle	Speaker Sabo
DeGroat	Jude	Munger	Setzepfandt	
Dieterich	Kahn	Neisen	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 2039, A bill for an act relating to health care; clarifying and expanding the patients' bill of rights; requiring certain notices; providing penalties; amending Minnesota Statutes 1974, Sections 144.651 and 144.652.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, A.	Evans	Johnson, C.	Kvam
Adams, L.	Carlson, L.	Ewald	Johnson, D.	Laidig
Albrecht	Carlson, R.	Faricy	Jopp	Lemke
Anderson, G.	Casserly	Fjoslien	Jude	Lindstrom
Anderson, I.	Clark	Forsythe	Kahn	Luther
Arlandson	Clawson	Friedrich	Kahn	Mangan
Beauchamp	Dahl	Fugina	Kalis	Mann
Begich	Dean	George	Kelly, R.	McCarron
Berg	DeGroat	Graba	Kempe, A.	McCauley
Berglin	Dieterich	Hanson	Kempe, R.	McCollar
Biersdorf	Doty	Haugerud	Ketola	McEachern
Birnsthil	Eckstein	Heinitz	Knickerbocker	Menning
Braun	Enebo	Hokanson	Knoll	Metzen
Brinkman	Erickson	Jacobs	Kostohryz	Moe
Byrne	Esau	Jensen	Kroening	Munger

Neisen	Peterson	Savelkoul	Simoneau	Volk
Nelsen	Petrafeso	Schreiber	Skoglund	Voss
Nelson	Philbrook	Schulz	Smith	Wenstrom
Niehaus	Pleasant	Schumacher	Smogard	Wenzel
Norton	Prahl	Searle	Suss	White
Novak	Reding	Setzepfandt	Swanson	Wieser
Osthoff	Rice	Sherwood	Tomlinson	Wigley
Parish	St. Onge	Sieben, H.	Ulland	Williamson
Patton	Samuelson	Sieben, M.	Vanasek	Zubay
Pehler	Sarna	Sieloff	Vento	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 790, A bill for an act relating to public welfare; providing visitation rights to unmarried minor children for grandparents in certain cases.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kaley	Nelsen	Sieben, M.
Adams, L.	Eckstein	Kalis	Nelson	Sieloff
Albrecht	Enebo	Kelly, R.	Niehaus	Simoneau
Anderson, G.	Erickson	Kempe, A.	Norton	Skoglund
Anderson, I.	Esau	Kempe, R.	Novak	Smith
Arlandson	Evans	Ketola	Osthoff	Smogard
Beauchamp	Ewald	Knickerbocker	Parish	Suss
Begich	Fariy	Knoll	Patton	Swanson
Berg	Fjoslien	Kroening	Pehler	Tomlinson
Berglin	Forsythe	Kvam	Peterson	Ulland
Biersdorf	Friedrich	Laidig	Petrafeso	Vanasek
Birnstihl	Fugina	Lemke	Philbrook	Vento
Braun	George	Lindstrom	Pleasant	Volk
Brinkman	Graba	Luther	Prahl	Voss
Byrne	Hanson	Mangan	Reding	Wenstrom
Carlson, A.	Haugerud	Mann	Rice	Wenzel
Carlson, L.	Heimitz	McCarron	St. Onge	White
Carlson, R.	Hokanson	McCauley	Samuelson	Wieser
Casserly	Jacobs	McCollar	Sarna	Wigley
Clark	Jensen	McEachern	Schulz	Williamson
Clawson	Johnson, C.	Menning	Schumacher	Zubay
Dahl	Johnson, D.	Metzen	Searle	Speaker Sabo
Dean	Jopp	Moe	Setzepfandt	
DeGroat	Jude	Munger	Sherwood	
Dieterich	Kahn	Neisen	Sieben, H.	

The bill was passed and its title agreed to.

Johnson, C., was excused for the remainder of today's session.

S. F. No. 886, A bill for an act relating to commerce; providing for recovery of an amount equal to twice the amount of interest paid on an usurious contract held by financial institutions; amending Minnesota Statutes 1974, Chapter 334, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 40, and nays 72, as follows:

Those who voted in the affirmative were:

Albrecht	Esau	Jopp	McEachern	Reding
Arlandson	Evans	Jude	Menning	St. Onge
Brinkman	Fjoslien	Kaley	Metzen	Savelkoul
Dahl	Forsythe	Kalis	Nelsen	Schreiber
Dean	Friedrich	Knickerbocker	Niehaus	Searle
DeGroat	Graba	Kvam	Patton	Setzepfandt
Eckstein	Haugerud	Mann	Peterson	Wieser
Erickson	Heinitz	McCauley	Pleasant	Wigley

Those who voted in the negative were:

Adams, L.	Doty	Kostohryz	Pehler	Smith
Anderson, G.	Enebo	Kroening	Petrafero	Smogard
Anderson, I.	Faricy	Laidig	Philbrook	Swanson
Beauchamp	Fugina	Lindstrom	Prahl	Ulland
Begich	George	Luther	Rice	Vanasek
Berglin	Hanson	Mangan	Samuelson	Vento
Birnstihl	Hokanson	McCarron	Sarna	Volk
Braun	Jensen	McCollar	Schulz	Wenstrom
Byrne	Johnson, D.	Moe	Schumacher	Wenzel
Carlson, A.	Kahn	Neisen	Sherwood	White
Carlson, L.	Kelly, R.	Nelson	Sieben, H.	Williamson
Carlson, R.	Kempe, A.	Norton	Sieben, M.	Speaker Sabo
Clark	Kempe, R.	Novak	Sieloff	
Clawson	Ketola	Osthoff	Simoneau	
Dieterich	Knoll	Parish	Skoglund	

The bill was not passed.

S. F. No. 375, A bill for an act relating to city and town government; excluding statutory cities from the application of certain city laws; modifying the application of other laws to conform to the present classification of cities; amending various statutes to reflect the conversion of villages and boroughs to statutory cities; repealing various obsolete provisions of municipal laws; amending Minnesota Statutes 1974, Sections 144.154; 145.01; 205.07, Subdivision 1; 205.10; 205.11; 205.13; 205.14, Subdivision 3; 205.15; 205.16; 205.17, Subdivisions 1 and 3; 205.20, Subdivisions 1 and 4; 329.09; 366.10; 410.05, Subdivision 1; 412.02, Subdivision 5; 412.022, Subdivision 1; 412.023, Subdivision 5; 412.131; 412.171; 412.191, Subdivision 1; 412.311; 412.571, Subdivisions 1, 4 and 5; 413.02, Subdivisions 1 and 2; 415.11, Subdivision 1; 427.09; 427.10; 427.11; 427.12; 429.111; 437.02; 440.11; 440.135, Subdivision 1; 446.04, Subdivision 1; 447.05; 451.06; 451.09; 452.01, Subdivision 1; 455.01; 455.05; 455.13; 455.23; 455.26; 455.27; 455.28; 455.29; 455.30; 455.32; 456.32; 457.13; 458.09, Subdivision 1; 458.20; 458.25; 458.46; 463.04; 465.26; 465.70; 465.71; 471.38, Subdivision 1; Chapters 205, by adding a section; 410, by adding a section; and repealing

Minnesota Statutes 1974, Sections 118.05; 145.02; 197.64; 205.05; 205.06; 205.07, Subdivision 2; 205.08; 205.09; 205.091; 205.12; 274.013; 275.24; 275.36; 368.12; 368.50 to 368.84; 412.017; 412.022, Subdivisions 2 and 3; 412.191, Subdivision 5; 412.841; 415.031 to 415.07; 416.03; 416.04; 416.08 to 416.15; 418.13 to 418.15; 423.21; 426.09; 426.10; 426.15 to 426.18; 435.05; 435.41; 435.46; 436.02; 436.04; 437.01; 438.03; 438.04; 438.07; 440.12; 440.16 to 440.32; 440.39; 441.10 to 441.20; 441.265 to 441.46; 443.14 to 443.17; 443.20 to 443.25; 444.15; 446.03; 447.08; 447.09; 447.23; 448.04 to 448.16; 448.26 to 448.49; 449.04; 449.05; 449.07; 450.06 to 450.08; 452.01, Subdivision 2; 452.02 to 452.07; 452.18 to 452.20; 453.01 to 453.14; 454.01 to 454.045; 455.02 to 455.04; 455.06 to 455.11; 455.15 to 455.22; 456.01 to 456.15; 456.23; 457.02; 457.12; 458.26 to 458.31; 458.47 to 458.49; 459.08 to 459.13; 461.01; 461.07 to 461.11; 463.05; 465.06 to 465.08; 465.51; 465.52; 465.57; 465.59 to 465.63; 471.01 to 471.04; 471.05 to 471.14; 471.48; 645.44, Subdivision 3a; Chapter 460, as it appears in Minnesota Statutes 1945; Laws 1895, Chapter 239; Laws 1897, Chapter 85; Laws 1901, Chapter 379; Laws 1907, Chapter 22; Laws 1911, Chapter 53; Laws 1913, Chapters 7 and 47; Laws 1915, Chapters 125 and 230, Sections 2 and 3; Laws 1917, Chapter 190; Laws 1919, Chapter 424; Laws 1921, Chapter 30; Extra Session Laws 1935, Chapter 8; Laws 1937, Chapter 198; Laws 1941, Chapter 266, as amended; Laws 1947, Chapter 470 and Laws 1953, Chapter 697.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 118, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kelly, R.	Nelson	Sieben, H.
Adams, L.	Eckstein	Kempe, A.	Niehaus	Sieben, M.
Albrecht	Enebo	Kempe, R.	Norton	Sieloff
Anderson, G.	Erickson	Ketola	Novak	Simoneau
Anderson, I.	Esau	Knickerbocker	Osthoff	Skoglund
Arlandson	Evans	Knoll	Parish	Smith
Beauchamp	Faricy	Kostohryz	Patton	Smogard
Regich	Fjoslien	Kroening	Pehler	Suss
Berg	Forsythe	Laidig	Peterson	Swanson
Ferglin	Friedrich	Lemke	Petrafaso	Tomlinson
Birnstill	Fugina	Lindstrom	Philbrook	Ulland
Braun	George	Luther	Pleasant	Vanasek
Brinkman	Graba	Mangan	Prahl	Vento
Byrne	Hanson	Mann	Reding	Volk
Carlson, A.	Haugerud	McCarron	St. Onge	Voss
Carlson, L.	Heinitz	McCauley	Samuelson	Wenstrom
Carlson, R.	Hokanson	McCollar	Sarna	Wenzel
Casserly	Jacobs	McEachern	Savelkoul	White
Clark	Jensen	Menning	Schreiber	Wieser
Clawson	Jopp	Metzen	Schulz	Wigley
Dahl	Jude	Moe	Schumacher	Zubay
Dean	Kahn	Munger	Searle	Speaker Sabo
DeGroat	Kaley	Neisen	Setzepandt	
Dieterich	Kalis	Nelsen	Sherwood	

The bill was passed and its title agreed to.

Kroening and Sieben, H., were excused at 4:10 p.m. Wenstrom was excused at 4:35 p.m. Moe was excused at 5:10 p.m. Abeln, Birnstihl, Jensen, Kalis and White were excused at 5:30 p.m.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Speaker Pro Tempore Norton in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the motion of Carlson, A., to recommend re-referral of H. F. No. 1891 to the Committee on Judiciary.

The roll being called, there were yeas 17, and nays 82, as follows:

Those who voted in the affirmative were:

Albrecht	DeGroat	Friedrich	Petraleso	Wigley
Arlandson	Dieterich	Kaley	Prahl	
Carlson, A.	Fjoslien	Laidig	Savelkoul	
Dean	Forsythe	Peterson	Searle	

Those who voted in the negative were:

Abeln	Enebo	Knoll	Norton	Smogard
Adams, L.	Esau	Kostohryz	Novak	Suss
Anderson, G.	Evans	Kvam	Osthoff	Swanson
Anderson, I.	Ewald	Lemke	Parish	Tomlinson
Beauchamp	Graba	Lindstrom	Patton	Vanasek
Begich	Hanson	Luther	Pehler	Vento
Berg	Haugerud	Mangan	Philbrook	Volk
Braun	Hokanson	Mann	Reding	Voss
Brinkman	Jensen	McCauley	St. Onge	Wenstrom
Byrne	Johnson, D.	McCollar	Samuelson	Wenzel
Carlson, L.	Jude	McEachern	Sarna	White
Carlson, R.	Kahn	Menning	Schumacher	Wieser
Casserly	Kalis	Metzen	Setzpfandt	Zubay
Clark	Kelly, R.	Munger	Sieben, M.	Speaker Sabo
Clawson	Kempe, A.	Neisen	Sieloff	
Dahl	Kempe, R.	Nelsen	Simoneau	
Eckstein	Ketola	Niehaus	Smith	

The motion did not prevail.

Pursuant to Rule 1.6, a roll call was taken on the motion of Wenzel to recommend passage of H. F. No. 1891.

The roll being called, there were yeas 79, and nays 34, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Knoll	Novak	Sieloff
Adams, L.	Erickson	Kvam	Osthoff	Simoneau
Anderson, G.	Esau	Lemke	Parish	Smith
Anderson, I.	Evans	Lindstrom	Patton	Smogard
Beauchamp	Ewald	Luther	Pehler	Suss
Begich	Fjoslien	Mangan	Philbrook	Swanson
Berg	Graba	Mann	Pleasant	Tomlinson
Braun	Heinitz	McCarron	Reding	Vanasek
Brinkman	Jacobs	McCauley	Rice	Vento
Carlson, L.	Johnson, D.	McCollar	St. Onge	Volk
Carlson, R.	Jude	McEachern	Samuelson	Voss
Casserly	Kalis	Menning	Sarna	Wenstrom
Clark	Kelly, R.	Metzen	Savelkoul	Wenzel
Clawson	Kempe, A.	Neisen	Schumacher	White
Dahl	Kempe, R.	Nelsen	Setzepfandt	Speaker Sabo
Doty	Ketola	Norton	Sieben, M.	

Those who voted in the negative were:

Albrecht	Dieterich	Jensen	Moe	Searle
Arlandson	Enebo	Jopp	Munger	Sherwood
Berglin	Forsythe	Kahn	Nelson	Skoglund
Byrne	Friedrich	Kaley	Niehaus	Ulland
Carlson, A.	Hanson	Knickerbocker	Peterson	Wigley
Dean	Haugerud	Kostohryz	Petráfos	Zubay
DeGroat	Hokanson	Laidig	Prahl	

The motion prevailed.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 995 offered by Voss:

Page 2, strike lines 25 through 32.

Page 3, strike lines 1 through 12.

Renumber the remaining sections.

Further amend the title as follows:

Line 4, strike "requiring that the state and its".

Strike lines 5 and 6.

Line 7, strike everything before "amending".

Line 9, after "Subdivision 4" added by the first Voss amendment delete ", and by adding a" and insert a semicolon.

Line 10, delete "subdivision;".

The roll being called, there were yeas 71, and nays 42, as follows:

Those who voted in the affirmative were:

Adams, L.	Eckstein	Kalis	Metzen	Schumacher
Albrecht	Enebo	Ketola	Neisen	Searle
Anderson, G.	Erickson	Knickerbocker	Nelsen	Setzepfandt
Arlandson	Esau	Knoll	Niehaus	Sieloff
Beauchamp	Evans	Kostohryz	Patton	Simoneau
Begich	Ewald	Kvam	Pehler	Smogard
Biersdorf	Forsythe	Lemke	Peterson	Voss
Birnstihl	Friedrich	Lindstrom	Petrafeso	White
Braun	George	Mangan	Philbrook	Wieser
Brinkman	Graba	Mann	Pleasant	Wigley
Carlson, R.	Haugerud	McCarron	Prahl	Zubay
Dahl	Jacobs	McCauley	St. Onge	
Dean	Jensen	McCollar	Samuelson	
DeGroat	Jopp	McEachern	Schreiber	
Doty	Kaley	Menning	Schulz	

Those who voted in the negative were:

Abeln	Clawson	Kahn	Osthoff	Vanasek
Anderson, I.	Dieterich	Kelly, R.	Parish	Vento
Berg	Faricy	Kempe, A.	Reding	Volk
Berglin	Fjoslien	Laidig	Sarna	Wenzel
Byrne	Fugina	Luther	Sherwood	Williamson
Carlson, A.	Hanson	Munger	Sieben, M.	Speaker Sabo
Carlson, L.	Hokanson	Nelson	Skoglund	
Casserly	Johnson, D.	Norton	Suss	
Clark	Jude	Novak	Tomlinson	

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. No. 1891 which it recommended to pass.

H. F. No. 995 upon which it recommended progress with the following amendments:

Offered by Voss:

Page 1, line 26, after "of" insert "*coal or*".

Page 2, line 12, after "coal" insert "*or peat*".

Page 2, line 17, after "*wastes*" insert "*or low or intermediate level wastes containing plutonium 239 or uranium 233*".

Page 2, after line 17, add a new section:

"Sec. 2. Minnesota 1974, Section 116H.02 is amended by adding a subdivision to read:

*Subd. 10. "Other energy supplier" means any entity other than a petroleum supplier, coal supplier, or utility which proposes to construct a large energy facility in Minnesota.*

Page 2, line 20, strike "10" and insert "11".

Page 2, after line 24, add a new section:

"Sec. 4. Minnesota Statutes 1974, Section 116H.13, Subdivision 4 is amended to read:

Subd. 4. After promulgation of the criteria for assessment of need, any utility, coal supplier (OR), petroleum supplier or other energy supplier shall apply for a certificate of need to construct a new large energy facility. The application shall be on forms and in a manner established by the director. In reviewing each application the director shall hold at least one public hearing pursuant to chapter 15."

Renumber the remaining sections.

Further amend the title as follows:

Page 1, line 9, strike "a subdivision;" and insert "subdivisions;".

Page 1, line 9, after "116H.13," insert "Subdivision 4, and".

Page 1, line 10, strike first "subdivision;".

Offered by Voss:

Page 2, strike lines 25 through 32.

Page 3, strike lines 1 through 12.

Renumber the remaining sections.

Further amend the title as follows:

Line 4, strike "requiring that the state and its".

Strike lines 5 and 6.

Line 7, strike everything before "amending".

Line 9, after "Subdivision 4" added by the first Voss amendment delete ", and by adding a" and insert a semicolon.

Line 10, delete "subdivision;"

Offered by Voss:

Page 3, strike lines 13 through 27.

Renumber the remaining sections.

Further amend the title as follows:

Line 10, strike "and 12.21, by adding a subdivision;"

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

### MOTIONS AND RESOLUTIONS

Fugina moved that the name of Munger be added as an author on H. F. No. 1382. The motion prevailed.

McCarron moved that the name of Meier be stricken and the name of Sarna be added as an author on H. F. No. 790. The motion prevailed.

Evans moved that H. F. No. 2194 be recalled from the Committee on Crime Prevention and Corrections and be re-referred to the Committee on Judiciary. The motion prevailed.

Kalis introduced:

House Resolution No. 30, A house resolution expressing congratulations, and commending Minnesota Bicentennial Mother of the Year, Lillie Ziegler.

The resolution was referred to the Committee on Rules and Legislative Administration.

Wigley introduced:

House Concurrent Resolution No. 21, A house concurrent resolution designating September 13 to 19, 1976 as Minnesota Farm-fest Week.

The resolution was referred to the Committee on Rules and Legislative Administration.

## ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1057:

Menning, Johnson, C., and Esau.

## ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 11:30 a.m., Friday, February 27, 1976. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 11:30 a.m., Friday, February 27, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## SEVENTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, FEBRUARY 27, 1976

The House convened at 11:30 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Eckstein	Kalis	Niehaus	Sieben, M.
Adams, L.	Eken	Kelly, R.	Norton	Sieloff
Adams, S.	Enebo	Kelly, W.	Novak	Simoneau
Albrecht	Erickson	Kempe, A.	Osthoff	Skoglund
Anderson, G.	Esau	Kempe, R.	Parish	Smith
Anderson, I.	Evans	Ketola	Patton	Smogard
Arlandson	Ewald	Knickerbocker	Pehler	Suss
Begich	Faricy	Knoll	Peterson	Swanson
Berg	Fjoslien	Kostohryz	Petrafeso	Tomlinson
Biersdorf	Forsythe	Kvam	Philbrook	Ulland
Birnstihl	Friedrich	Laidig	Pleasant	Vanasek
Braun	Fudro	Langseth	Prahl	Vento
Brinkman	Fugina	Lemke	Reding	Volk
Byrne	Graba	Luther	Rice	Voss
Carlson, A.	Hanson	Mann	St. Onge	Wenstrom
Carlson, L.	Haugerud	McCarron	Samuelson	Wenzel
Carlson, R.	Heinitz	McCauley	Sarna	White
Cassery	Hokanson	McCollar	Savelkoul	Wieser
Clark	Jacobs	McEachern	Schreiber	Wigley
Corbid	Jensen	Menning	Schulz	Williamson
Dahl	Johnson, D.	Moe	Schumacher	Zubay
Dean	Jopp	Munger	Searle	Speaker Sabo
DeGroat	Jude	Neisen	Setzepfandt	
Dieterich	Kahn	Nelsen	Sherwood	
Doty	Kaley	Nelson	Sieben, H.	

A quorum was present.

Berglin; Jaros; Johnson, C.; Kroening; Lindstrom; Metzen; Spanish and Stanton were excused. Beauchamp and Mangan were excused until 12:55 p.m. Clawson was excused until 1:40 p.m. George was excused until 2:20 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Esau the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2079, 2105, 424, 2022, 2044 and 995 and S. F. Nos. 1252, 1873, 1949 and 1383 have been placed in the members' files.

S. F. No. 1901 and H. F. No. 2044, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kelly, W., moved that S. F. No. 1901 be substituted for H. F. No. 2044 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1949 and H. F. No. 2103, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Erickson moved that S. F. No. 1949 be substituted for H. F. No. 2103 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1882, A bill for an act relating to agriculture; dairy promotion act; eliminating the bloc voting provision for referendums on final promotion orders; amending Minnesota Statutes 1974, Section 32B.04, Subdivision 4.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1989, A bill for an act relating to commerce; regulating the sale of motor vehicle fuel; providing a penalty; amending Minnesota Statutes 1974, Chapter 325, by adding sections.

Reported the same back with the following amendments:

Page 2, line 1, after "shall" insert "*directly or indirectly*".

Page 2, line 2, after "*quality*" insert "*, where the effect of such discrimination may be to lessen competition, or to injure, destroy or prevent competition with any person who either grants or*

*knowingly receives the benefit of such discrimination, or with customers of either of them."*

Page 2, line 9, delete "Price".

Page 2, delete lines 10 and 11.

Page 2, line 12, delete "business are permitted." and insert "Nothing herein shall prevent price changes from time to time in response to changing conditions, affecting the market for or the marketability of the products concerned, such as, but not limited to, actual or imminent deterioration of products, distress sales under court process, or sales in good faith in discontinuance of business in the products concerned."

Page 2, line 15, after "shall" insert "knowingly".

Page 2, line 16, after "induce" insert "or receive".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1911, A bill for an act relating to elections; requiring the secretary of state to prescribe forms and uniform methods for the reporting of election returns; amending Minnesota Statutes 1974, Section 204.18, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 204A.46, is amended by adding a subdivision to read:

*Subd. 5. On or before July 1 of each year in which there is to be a statewide general election, the secretary of state shall prescribe the form and method by which election returns for the statewide primary and general elections will be canvassed by precinct, county and state election officials. Notwithstanding the provisions of sections 206.185, subdivision 5, and 206.21, subdivisions 1 and 2, precinct summary statements shall be submitted by the election judges in every precinct.*

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 204A.51, is amended to read:

204A.51 [COUNTY CANVASSING BOARD.] Subdivision 1. [MEMBERSHIP.] The county canvassing board shall consist of the county auditor, the clerk of the district court, two members of the county board to be selected by the board from among its members who are not candidates for nomination or election to any office, and the mayor or president of the most populous municipality in the county. If any of these persons fail or refuse to serve on the canvassing board and in the absence of any selection by the county board from among its own members, the county auditor shall appoint a qualified voter of the county who may not hold or be a candidate for any public office, to take the place of the person on the canvassing board. Three members shall constitute a quorum and when sworn shall have the power to act.

Subd. 2. [COUNTY CANVASS, PRIMARY ELECTION INFORMATION REQUIRED.] The board shall meet at the auditor's office at 10:00 a.m. on or before the third day after the primary election, take the oath of office, and publicly canvass the returns of the election made to the county auditor. The board shall complete the canvass by the evening of the sixth day following the election, and it shall forthwith make the following report and file the same with the county auditor:

(a) A statement for each political party showing the names of all candidates thereof voted for at the primary election, the number of votes received by each, in each precinct and in the county, and for what office;

(b) A statement showing the names of candidates of each political party who are nominated;

(c) A statement of the total number of persons who voted at the election in the county, and in each precinct, and the number of ballots counted in each precinct, and in the county; (AND)

(d) *A statement of the number of persons registering to vote on election day and the number of persons registered prior to election day; and*

((D)) (e) A statement of the votes received by each of the nonpartisan candidates in each precinct in the county and the names of the nonpartisan candidates nominated. If any candidates receive an equal number of votes for the same nomination, the canvassing board shall determine the tie by lot. Upon completion of the canvass, the county auditor shall forthwith certify to the secretary of state the vote, as shown by the report of the county canvassing board, for all candidates to be voted for in more than one county, and he shall mail or deliver to each nominee who is to be voted for in his county only, a notice of his nomination and that his name will be placed upon the general election ballot.

If the difference between the votes of two or more candidates for legislative office which lies within a single county is 100 or less and the difference determines one or more nominations, the canvassing board shall recount the votes. A recount shall not delay any other part of the report of the board and shall be reported and certified as soon as possible. Time for notice of a contest of an election which is recounted shall begin to run upon completion of the recount and canvass for that office.

Subd. 3. [COUNTY CANVASS, GENERAL ELECTION, INFORMATION REQUIRED.] The canvassing board shall meet at the auditor's office on or before the third day after the general election, take the oath of office, and publicly canvass the returns of the general election made to the county auditor. The board shall complete the canvass without unnecessary delay, and it shall forthwith make the following report and file the same with the county auditor:

(a) A statement of the number of persons who voted at the election in each precinct in the county and the total number of persons who voted at the election in the county; and the number of white, pink, and canary ballots counted in each precinct in the county, and the total number of white, pink, and canary ballots counted in the county;

(b) *A statement of the number of persons registering to vote on election day and the number of persons registered prior to election day;*

((B)) (c) A statement of the names of all candidates for state offices, representatives and senators in the legislature, representatives and senators in congress, judges of the district court, and county offices; and the number of votes received by each in each precinct and in the whole county;

((C)) (d) A statement of the total number of votes counted for and against any proposed change of county lines or county seat; and

((D)) (e) A statement of the number of votes counted for and against any constitutional amendment or other proposition in any precinct, and the total number of votes counted therefor in the county.

If the difference between the votes of the candidates for legislative office which lies within a single county is 100 votes or less the canvassing board shall recount the votes. A recount shall not delay any other part of the report of the board and shall be reported and certified as soon as possible. Time for notice of a contest of an election which is recounted shall begin to run upon completion of the recount and canvass for that office.

In case of a tie, the canvassing board shall determine the results by lot. Upon completion of the canvass, the board shall declare the person receiving the highest number of votes for each county office duly elected thereto; and when the county constitutes or contains a senatorial or representative district in the legislature, it shall declare the person receiving the highest number of votes for each office in the legislature duly elected.

Subd. 4. [COUNTY CANVASS, RETURNS, TO SECRETARY.] Two copies of each of the statements required in this section shall be made and certified under the official seal of the auditor; each enclosed in an envelope directed to the secretary of state, with the auditor's name and official address and the words, "Election Returns," endorsed thereon, and forwarded by different mails (WITHIN FIVE DAYS OF EACH OTHER). If neither copy is received by the secretary of state within (20) 10 days after the election, he shall immediately notify the auditor of that fact, and the auditor shall transmit another copy thereof to the secretary by special messenger deputed by him."

Further amend the title as follows:

Page 1, line 4, after "returns;" delete the remainder of the title and insert "requiring certain information in returns and canvasses; and imposing certain duties on canvassing officers; amending Minnesota Statutes, 1975 Supplement, Sections 204A.46, by adding a subdivision; and 204A.51."

With the recommendation that when so amended the bill do pass and be placed upon the Consent Calendar.

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1912, A bill for an act relating to elections; affecting the place and time of voter registration; amending Minnesota Statutes 1974, Section 201.091, Subdivision 6.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 2002, A bill for an act relating to elections; preparation of ballots; amending Minnesota Statutes 1974, Section

208.04; repealing Minnesota Statutes 1974, Sections 208.21 to 208.35.

Reported the same back with the following amendments:

Page 1, after line 6, insert a section to read:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 202A.32, Subdivision 1, is amended to read:

202A.32 [NOMINATING PETITIONS' FILED WITH SECRETARY OF STATE, TIME.] Subdivision 1. [FILING, ACKNOWLEDGMENT OF FILING, FEE.] Nominating petitions for names to be placed on the state white ballot shall be filed with the secretary of state when to be voted for in more than one county, and with the county auditor when to be voted for in a single county. The secretary of state or the county auditor shall give or send to the person filing a nominating petition an acknowledgment thereof on the same day it is received, and he shall file and preserve the nominating petitions, subject to public inspection. No filing of any nominating petition is effective unless at the time thereof the prescribed fee is paid or tendered. *The nominating petitions filed with the secretary of state, shall be inspected by the secretary of state to verify that all signatures on the petition for nomination are persons residing within the district or political division from which the candidate is presented.*

*The nominating petitions filed with the county auditor shall be inspected in like manner, by the county auditor."*

Renumber remaining sections accordingly.

Page 1, line 9, before "When" insert "*Subdivision 1.*".

Page 1, line 13, after the period insert "*The secretary of state shall certify the names of all duly nominated presidential and vice presidential candidates to the county auditors of the several counties.*".

Page 1, line 13, after "auditor" insert "*, subject to the rules of the secretary of state,*".

Page 2, line 2, strike "be as".

Page 2, strike lines 3 to 11.

Page 2, after line 16, insert "*Subd. 2. The rules for preparation and delivery of presidential ballots shall be the same as the rules for white ballots under section 203A.31, subdivision 3a. The state shall reimburse the counties for the cost of the preparation of the presidential ballot.*".

Further amend the title as follows:

Page 1, line 2, after "ballots;" insert "verification of names on nominating petitions;"

Page 1, line 3, after "208.04" insert "; and Minnesota Statutes, 1975 Supplement, Section 202A.32, Subdivision 1".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1910, A bill for an act relating to health care; providing for establishment and administration of certain plans of health insurance to make minimum health care benefits available to all persons in the state; creating a comprehensive health care association; requiring review of hospital and insurance premium rates; providing protection against catastrophic health care expenses; appropriating money; amending Minnesota Statutes 1974, Sections 60A.15, Subdivision 1; 62A.02, Subdivisions 1 and 3; 62C.15, Subdivision 2; 70A.02, Subdivision 2; and 144.653, Subdivision 1.

Reported the same back with the following amendments:

Page 3, line 6, before "*limited*" insert "(1)".

Page 3, line 6, before the period, insert ", (2) *automobile medical payment coverage, (3) supplemental to liability insurance, or (4) sold by fraternal and provides payments on a per diem, daily indemnity or nonexpense incurred basis.*"

Page 4, line 3, delete "*health and accident*" and insert "*accident and health*".

Page 5, line 21, delete "*eligible person*" and insert "*person who is eligible for coverage and*".

Page 6, line 12, delete "*or deductible*".

Page 9, line 17, before "*Any*" insert "*That part of*".

Page 9, line 19, delete "*charge*".

Page 9, after line 30, add another sentence to read: "*Except as provided in this subdivision, the coverage shall meet the requirements of subdivision 1.*"

Page 10, line 5, after the period, insert "*Except as provided in this subdivision, the coverage shall meet the requirements of subdivision 1.*".

Page 10, line 18, after the period insert "*The coverage shall include a limitation of \$1,000 per person on total annual out-of-pocket expenses for covered services. The coverage may be subject to a maximum lifetime benefit of not less than \$100,000.*".

Page 12, line 16, after "*hearing*" insert "*pursuant to the rule making procedures of chapter 15*".

Page 12, line 23, after "*hearing*" insert "*pursuant to the rule making procedures of chapter 15*".

Page 13, after line 29, insert a new subdivision to read:

"*Subd. 5. [OPEN MEETINGS.] All meetings of the association, its board, and any committees of the association shall comply with the provisions of Minnesota Statutes, Section 471-705.*".

Page 18, line 30, after "*plan*" insert "*if the person was treated for that condition in the 90 days immediately preceding the application*".

Page 27, delete lines 20 to 26.

Page 27, line 28, after "*hospitals*" insert "*by federal, state and local agencies*".

Page 27, line 29, delete "*regulations*" and insert "*rules*".

Page 28, line 9, after "*filing*" insert "*for nongroup policies*".

Page 28, line 29, after "*hearing*" insert "*, pursuant to contested case procedure of chapter 15,*".

Page 29, line 21, after "*group*" insert "*and nongroup*".

Page 29, line 24, after "*disapproval*" insert "*under the provisions of Minnesota Statutes, Section 62A.02, Subdivision 3*".

Page 29, line 26, after "*filing*" insert "*for nongroup subscriber contracts*".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Taxes.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2344, A bill for an act relating to physicians; requiring continuing medical education; providing for reporting of credit hours, granting of extensions, and discipline; defining terms.

Reported the same back with the following amendments:

Page 1, line 17, after "the" insert "Minnesota state".

Page 1, line 18, delete "currently engaged for a fee" and insert "engaging".

Page 1, line 20, after "state" insert ", except as a full time resident physician in an approved program of training".

Page 1, line 23, after "courses," insert "or".

Page 2, line 1, after "hospitals" insert ", educational institutions, government agencies, voluntary organizations,".

Page 2, line 3, after "50" insert "approved credit".

Page 2, line 3, after "of" insert "medical related".

Page 2, line 4, after "research," insert "medical".

Page 2, line 4, after "teaching," insert "scientific".

Page 2, after line 6, insert a new clause to read:

"(d) "Residency Program" means enrollment full time in a recognized program of graduate medical education."

Page 2, line 9, delete "proof" and insert "evidence".

Page 2, line 11, after "practice" insert "or to or from a residency program".

Page 2, line 12, after "board" insert "within 90 days of his status change".

Page 2, line 17, delete "on" and insert "with the year in which".

Page 2, line 22, delete "1979" and insert "1980".

Page 2, line 22, delete "two" and insert "three".

Page 2, line 27, after "physicians" insert "satisfactorily".

Page 2, line 31, delete "scope" and insert "general content".

Page 3, line 1, after "the" insert "continuing medical education".

Page 3, line 2, delete "and the" and insert a comma.

Page 3, line 2, after "patients" insert ", and emergency medical services".

Page 3, line 6, after "courses," insert "meetings, and other appropriate educational activities,".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 81, A bill for an act relating to real property; termination of contract for sale; providing differing times of notice in accordance with duration of contract; amending Minnesota Statutes 1974, Section 559.21.

Reported the same back with the following amendments:

Page 1, line 17, after "terminate" insert "(1)".

Page 1, line 18, delete "*contract has been in force three years or*".

Page 1, delete lines 19 to 22 and insert "*purchaser has paid less than 30 percent of the purchase price plus accrued interest thereon, (2) 45 days after service of such notice if the purchaser has paid 30 percent, or more, but less than 50 percent of the purchase price plus accrued interest thereon, (3) 60 days after service of such notice if the vendee has paid 50 percent, or more, of the purchase price plus accrued interest thereon,*".

Page 2, line 4, before the comma, strike "\$500" and insert "\$750".

Page 2, line 4, strike "\$100" and insert "\$200".

Page 2, line 4, after "is" strike "\$500" and insert "\$750".

Page 3, after line 26, insert a section to read:

"Sec. 2. [EFFECTIVE DATE.] *This act shall be effective for contracts executed after August 1, 1976.*"

Further amend the title as follows:

Page 1, line 4, delete "duration of contract" and insert "percentage of purchase price paid".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 1866, A bill for an act relating to tort liability; raising the liability limits of political subdivisions; limiting the liability of individuals employed by political subdivisions; amending Minnesota Statutes 1974, Section 466.04, Subdivision 1, and by adding subdivisions.

Reported the same back with the following amendments:

Page 2, after line 8, add the following section:

"Sec. 4. Minnesota Statutes 1974, Section 466.05, Subdivision 2, is amended to read:

Subd. 2. [EXCEPTIONS TO THE NOTICE REQUIREMENT.] Notice shall not be required to maintain an action for damages for or on account of any loss or injury within the scope of section 466.02 if such injury or loss:

(a) arises out of an intentional tort committed by an officer, employee or agent of the municipality; or

(b) involves a motor vehicle or other equipment owned by the municipality or operated by an officer, employee or agent of the municipality.

*Where no notice of claim is required under this chapter, no action shall be maintained unless the action is commenced within two years after the date of the incident, accident or transaction out of which the cause of action arises."*

Further amend the title as follows: Line 6, delete "Section" and insert "Sections".

Line 7, after "Subdivisions" insert "and 466.05, Subdivision 2".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 1349, A bill for an act relating to taxation; inheritance taxes; exemptions; amending Minnesota Statutes, 1973 Supplement, Section 291.05.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1974, Section 291.03, is amended to read:

291.03 [RATES.] When the property or any beneficial interest therein passes by any such transfer where the amount of the property shall exceed in value the exemption or exemptions hereinafter specified, where applicable, the tax hereby imposed shall be:

(1) Where the person entitled to any beneficial interest in such property shall be the (WIDOW) *surviving spouse*, minor or dependent child of the decedent, or any minor or dependent legally adopted child at the following prescribed rates:

1 1/2 percent on that part of the first \$25,000 which exceeds the applicable exemption or exemptions specified in section 291.05, clauses (3) through (7).

2 percent on the next \$25,000 or part thereof.

3 percent on the next \$50,000 or part thereof.

4 percent on the next \$50,000 or part thereof.

5 percent on the next \$50,000 or part thereof.

6 percent on the next \$100,000 or part thereof.

7 percent on the next \$100,000 or part thereof.

8 percent on the next \$100,000 or part thereof.

9 percent on the next \$500,000 or part thereof.

10 percent on the excess over \$1,000,000.

(2) Where the person or persons entitled to any beneficial interest in such property shall be the (HUSBAND,) adult child or other lineal descendant of the decedent, adult legally adopted child or issue, lineal ancestor of the decedent, stepchild as defined in section 291.005, or any child to whom such decedent for not less than ten years prior to such transfer stood in the mutually acknowledged relation of a parent; provided, such mutually acknowledged relationship began at or before the child's fifteenth birthday and was continuous for said ten years thereafter, or any lineal issue of such mutually acknowledged child, at the following prescribed rates:

2 percent on that part of the first \$25,000 which exceeds the applicable exemption or exemptions specified in section 291.05, clauses (3) through (7).

4 percent on the next \$25,000 or part thereof.

6 percent on the next \$50,000 or part thereof.

7 percent on the next \$100,000 or part thereof.

8 percent on the next \$200,000 or part thereof.

9 percent on the next \$600,000 or part thereof.

10 percent on the excess over \$1,000,000.

(3) Where the person or persons entitled to any beneficial interest in such property shall be the brother or sister or a descendant of a brother or sister of the decedent, a wife or widow of a son, or (THE) a husband or *widower* of a daughter of the decedent, at the following prescribed rates:

6 percent on that part of the first \$25,000 which exceeds the applicable exemption or exemptions specified in section 291.05, clauses (3) through (7).

8 percent on the next \$25,000 or part thereof.

10 percent on the next \$50,000 or part thereof.

12 percent on the next \$50,000 or part thereof.

14 percent on the next \$50,000 or part thereof.

16 percent on the next \$100,000 or part thereof.

18 percent on the next \$100,000 or part thereof.

20 percent on the next \$100,000 or part thereof.

22 percent on the next \$500,000 or part thereof.

25 percent on the excess over \$1,000,000.

(4) Where the person or persons entitled to any beneficial interest in such property shall be in any other degree of collateral consanguinity than is hereinbefore stated, or shall be a stranger in blood to the decedent, or shall be a body politic or corporate, at the following prescribed rates;

8 percent on that part of the first \$25,000 which exceeds the applicable exemption or exemptions specified in section 291.05, clauses (3) through (7).

10 percent on the next \$25,000 or part thereof.

12 percent on the next \$50,000 or part thereof.

14 percent on the next \$50,000 or part thereof.

16 percent on the next \$50,000 or part thereof.

18 percent on the next \$100,000 or part thereof.

20 percent on the next \$100,000 or part thereof.

22 percent on the next \$100,000 or part thereof.

26 percent on the next \$500,000 or part thereof.

30 percent on the excess over \$1,000,000.

Sec. 2. Minnesota Statutes 1974, Section 291.05, is amended to read:

291.05 [EXEMPTIONS.] The following exemptions from the tax are hereby allowed:

(1) Any devise, bequest, gift, or transfer to or for the use of the United States of America or any state or any political subdivision thereof for public purposes exclusively, and any devise, bequest, gift, or transfer to or for the use of any corporation, fund, foundation, trust, or association operated within this state for religious, charitable, scientific, literary, education or public cemetery purposes exclusively, including the encouragement of art and the prevention of cruelty to children or animals, no part of which devise, bequest, gift, or transfer inures to the profit

of any private stockholder or individual, and any bequest or transfer to a trustee or trustees exclusively for such purposes, shall be exempt. Any devise, bequest, gift, or transfer to an employee stock ownership trust as defined in section 290.01, subdivision (3) 25, shall be exempt. Where the beneficiaries of a stock ownership trust include the transferor, his spouse, children, grandchildren, parents, siblings or their children, the amount of the exemption shall be reduced by the product of multiplying said amount by their percentage interest in the trust.

Any devise, bequest, gift, or transfer, not to exceed \$1,000 made to a clergyman, the proceeds of which are to be used for religious purposes or rites designated by the testator, shall be exempt. Any devise, bequest, gift, or transfer to or for the use of any corporation, fund, foundation, trust, or association operated for religious, charitable, scientific, literary, education, or public cemetery purposes exclusively, including the encouragement of art, and the prevention of cruelty to children or animals, no part of which devise, bequest, gift, or transfer inures to the profit of any private stockholder or any individual, and any bequest or transfer to a trustee or trustees exclusively for such purposes, shall be exempt, if, at the date of the decedent's death, the laws of the state under the laws of which the transferee was organized or existing, either (1) did not impose a death tax of any character, in respect of property transferred to a similar corporation, fund, foundation, trust, or association, organized or existing under the laws of this state, or (2) contained a reciprocal provision under which transfers to a similar corporation, fund, foundation, trust, or association, organized or existing under the laws of another state were exempted from death taxes of every character if such other state allowed a similar exemption to a similar corporation, fund, foundation, trust, or association, organized under the laws of such state.

(2) The homestead of a decedent, and the proceeds thereof if sold during administration, transferred to the spouse or to any minor or dependent child of the decedent, or to any minor or dependent legally adopted child of the decedent, shall be exempt to the extent of (\$30,000) \$45,000 of the appraised value thereof.

Proceeds of any insurance policy issued by the United States and generally known as war risk insurance, United States government life insurance or national service life insurance payable upon the death of any person dying on or after June 24, 1950, shall be exempt.

Proceeds of life insurance issued pursuant to Public Law 89-214 and generally known as servicemen's group life insurance payable upon the death of any person on or after September 1, 1965, shall be exempt. Claims for refunds of inheritance tax paid on such proceeds shall be accepted by the commissioner if filed with him by December 31, 1970, or within 18 months after such payment, whichever is later.

Proceeds of payments from the United States railroad retirement fund; or from the United States as social security benefit, shall be exempt.

(3) (i) Property or any beneficial interest therein of the clear value of (\$30,000) \$60,000 transferred to the (WIDOW) *surviving spouse*, shall be exempt.

(ii) Provided, where the amount of family maintenance allowed by the probate court is less than the maximum deductible under the provisions of section 291.10, or if no such maintenance is allowed, there shall be allowed to the (WIDOW) *surviving spouse* an additional exemption equal in amount to the difference between the maximum deduction as provided by section 291.10 and the amount of such family maintenance allowed by the probate court. Further provided, where no probate proceedings are had there shall be allowed to the (WIDOW) *surviving spouse* an additional exemption equal to the maximum deduction allowed for family maintenance under the provisions of section 291.10.

(4) (i) Property or any beneficial interest therein of the clear value of (\$15,000) \$30,000 transferred to each minor or dependent child of the decedent, or any minor or dependent legally adopted child of the decedent, shall be exempt.

(ii) Provided, where the decedent left no (WIDOW) *surviving spouse* entitled to the exemption allowed by clause (3) of this section the exemption allowed by subparagraph (ii) of clause (3) shall be allowed to beneficiaries entitled to exemption under the provisions of this clause (4). In no event shall the aggregate amount of exemption so allowed be in excess of the additional amount that would have been allowed under subparagraph (ii) of clause (3) had such paragraph been applicable.

(5) Property or any beneficial interest therein of the clear value of \$6,000 transferred to (THE HUSBAND,) any adult child or other lineal descendant of the decedent, any adult legally adopted child, stepchild as defined in section 291.005, or any child to whom the decedent, for not less than ten years prior to his death, stood in the mutually acknowledged relation of a parent; provided, such mutually acknowledged relationship began at or before the child's fifteenth birthday, and was continuous for ten years thereafter, or any lineal issue of such adopted or mutually acknowledged child, or any lineal ancestor of the decedent, shall be exempt.

(6) Property or any beneficial interest therein of the clear value of \$1,500 transferred to any brother or sister or a descendant of a brother or sister of the decedent, a wife or widow of a son, or (THE) *a husband or widower* of a daughter of the decedent, shall be exempt.

(7) Property or any beneficial interest therein of the clear value of \$500 transferred to any person in any other degree of collateral consanguinity than is hereinbefore stated, or shall be a stranger in blood to the decedent, or shall be a body politic or corporate not exempt under this chapter, shall be exempt.

Sec. 3. Minnesota Statutes 1974, Section 291.10, is amended to read:

291.10 [MAINTENANCE OF FAMILY IN INHERITANCE TAX CASES.] In determining the value of any estate subject to an inheritance tax, the amount deducted for the maintenance of the family shall not be greater than the amount allowed (BY THE PROBATE COURT FOR ONE YEAR, AND WHICH IS REASONABLY REQUIRED OR ACTUALLY EXPENDED FOR THEIR SUPPORT DURING THE SETTLEMENT OF THE ESTATE) *under section 525.151*, not exceeding in any event the sum of (\$5,000) \$9,000.

Sec. 4. Minnesota Statutes 1974, Section 291.11, Subdivision 1, is amended to read as follows:

291.11 [TIME EFFECTIVE.] Subdivision 1. [UPON DEATH; TIME OF ASSESSMENT.] (a) All taxes imposed by this chapter shall take effect at and upon the death of the person from whom the transfer is made and shall be due and payable at the expiration of 12 months from such death, except as otherwise provided in this chapter. *Provided, that any taxpayer may choose to pay these taxes in five equal installments over a period of time not to exceed five years. When a taxpayer elects to pay the tax in installments, he shall notify the commissioner in writing no later than 12 months after the death of the person from whom the transfer is made, and any amounts of unpaid tax shall bear interest at a rate specified in section 270.75.*

(b) (A) False return—in the case of a false or fraudulent return with the intent to evade tax, any additional tax resulting therefrom may be assessed at any time.

(B) No return—in the case of failure to file a return, the tax may be assessed at any time.

(C) Omissions—in the case where there is omitted from the estate items subject to tax under this chapter the tax on such omitted items may be assessed at any time.

In determining the items omitted, there shall not be taken into account any item which has been disclosed in the return or in a statement attached to the return in a manner adequate to apprise the commissioner of the nature and amount of such item.

(c) Where, before the expiration of the time prescribed in this chapter for the determination or adjustment of the tax, the commissioner and the taxpayer shall consent in writing to the extension of time for such determination or adjustment the tax may be determined at any time prior to the expiration agreed upon and in the manner agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

(d) The estate tax prescribed in section 291.34, notwithstanding the period of limitations prescribed for determination of the inheritance tax in this chapter shall be determined by the commissioner not later than 90 days following the filing of the Minnesota estate tax return with the commissioner, together with a copy of the federal audit report or the closing letter accepting the federal return as originally filed.

Sec. 5. Minnesota Statutes 1974, Section 291.11, is amended by adding a subdivision to read:

*Subd. 10. The commissioner may extend the time for payment of the inheritance taxes provided by this chapter for a period not to exceed two years if the payment of the inheritance taxes would result in an undue hardship on the estate. The amount of tax which has been deferred under this section shall bear interest at the rate specified in section 270.75.*

Sec. 6. Minnesota Statutes 1974, Section 291.14, Subdivision 2, is amended to read:

Subd. 2. (1) Except as provided in clause (4) of this subdivision, where a lien for inheritance tax imposed under this chapter may be enforced against real property transferred to surviving joint tenants, or upon property transferred by a decedent during such decedent's lifetime, the surviving joint tenants or the transferees of the property so transferred by the decedent shall file on a form prescribed by the commissioner a schedule of non-probate assets listing the property or interest taxable. Any tax due on the transfer of such property or interest to the surviving joint tenants or to the transferees of the property so transferred by the decedent shall be reported on an inheritance tax return filed with the commissioner pursuant to section 291.09, and shall be a lien upon the interest of the surviving joint tenants or the transferees, until paid, and the surviving joint tenants or the transferees shall be personally liable for such tax to the extent of the value of such property.

(2) No lien shall be enforced against real property subject to the provision of clause (1) of this subdivision unless the state shall assert the same by filing a statement of such lien in the office of the register of deeds or registrar of titles in the county wherein such real estate may be situated within ten years from the date of recording a copy of the death record of the deceased

joint tenant or deceased transferor, together with a copy of the schedule of non-probate assets required to be filed with the commissioner pursuant to clause (1) of this subdivision, which copy shall have been duly acknowledged by the commissioner.

(3) Where the tax on property subject to the provisions of clause (1) of this subdivision has been paid, or if there is deposited with the commissioner cash in an amount equal to the tax which, in the judgment of the commissioner, may be due upon the transfer of such property, or if there is no tax required to be paid, the commissioner shall certify on an affidavit of survivorship-remainderman, described by the commissioner, that the lien has been satisfied or waived as the case may be. The affidavit so certified may be recorded as are other instruments affecting the title to real estate.

(4) (a) (i) When the decedent's death occurred subsequent to April 20, 1939, the provisions of this clause shall apply to the spouse, minor or dependent natural or adopted child of the decedent, or to the combination of classes of persons included herein,

(ii) When decedent's death occurred in the period beginning on April 21, 1939, and ending April 25, 1949, the provisions of this clause shall apply to the spouse, minor or dependent natural or adopted child or any other issue of the decedent, or to any combination of classes of persons included in this subparagraph (ii),

(b) Where the homestead is held in joint tenancy with the right of survivorship by the decedent and persons meeting the conditions described in (a) above, an affidavit in the form and manner prescribed by the commissioner, may be delivered to the register of deeds or the registrar of titles. Such affidavit shall declare

(i) that the surviving joint tenant or tenants were members of the classes described in (a) above at the date of decedent's death (if any of the surviving joint tenants were minors, state date of such minor's birth),

(ii) that the property described as the homestead was owned and occupied by the decedent as his principal dwelling place at date of death,

(iii) that the quantity of land included in such property is not in excess of (THE MAXIMUM AMOUNT ALLOWED FOR PURPOSES OF THE HOMESTEAD EXEMPTION BY SECTION 510.02) 120 acres, and not included in the laid out or platted portion of any city. If the land is within a laid out or platted portion of a city, its area shall not exceed one-half of an acre,

(iv) that the gross market value of such property at date of death was not in excess of (\$30,000) \$45,000,

(v) the affidavit to be delivered to the register of deeds or registrar of titles shall have attached thereto a certified copy of the death certificate with respect to the death of the deceased joint tenant.

The affidavit shall be in lieu of an affidavit of survivorship certified by the commissioner and shall extinguish the lien imposed on such property by clause (2) of this subdivision, and shall be recorded or filed as a document affecting the title to the real estate. The register of deeds or registrar of titles shall not be required to verify the declarations made in such affidavit.

(c) A copy of the affidavit (which need not bear a copy of the death certificate) shall be supplied to the register of deeds or registrar of titles; he will forward this copy to the commissioner at his office in St. Paul, Minnesota.

(d) Where it appears that a schedule of non-probate assets would otherwise not be required to be filed, the property, the lien on which has been extinguished in accordance with the provisions of paragraph (a) above, need not be reported on a schedule of non-probate assets.

Sec. 7. Minnesota Statutes, 1975 Supplement, Section 291.14, Subdivision 4, is amended to read:

Subd. 4. The lien of the state for inheritance taxes payable by a personal representative shall not extend to any right acquired by a bona fide purchaser, mortgagee, or lessee through any conveyance made by such personal representative, provided that such personal representative delivers to the register of deeds or registrar of titles, as the case may be, a declaration that the property described therein has been sold to a bona fide purchaser, or has been mortgaged or leased, as the case may be. The declaration so submitted shall have attached thereto a certified copy of letters evidencing the appointment of such personal representative. The register of deeds or registrar of titles shall submit a copy of such declaration to the commissioner at his office in St. Paul, Minnesota, without any requirement that the statements made therein by such personal representative have been verified. The lien so extinguished with respect to such bona fide purchaser, mortgagee or lessee shall not be reinstated or challenged by the commissioner.

Sec. 8. Minnesota Statutes, 1975 Supplement, Section 291.15, is amended to read:

291.15 [INTEREST.] If such tax is not paid within 12 months from the accruing thereof, or within five years from the accruing thereof for taxpayers who elect to pay the tax in installments, or if the taxpayer does not timely pay an installment when it comes due, interest shall be charged and collected thereon at the rate specified in section 270.75 from the due date until

the date the tax is paid. In the event a person or corporation upon proper authorization makes a payment to be applied against the tax thereafter, no interest shall accrue on the amount so paid. All payments shall be applied first to penalties, next to interest and then upon principal.

In the event that the amount applied against the tax exceeds the tax as determined by the commissioner of revenue, the commissioner shall upon proper application order the refundment without interest. The commissioner of finance shall cause such refund to be paid out of the proceeds of the tax imposed by chapter 291, and so much of said proceeds as are sufficient to make the refund are hereby appropriated.

Sec. 9. Minnesota Statutes 1974, Section 291.20, Subdivision 1, is amended to read:

**291.20 [SAFETY DEPOSIT COMPANIES NOT TO TRANSFER FUNDS.]** Subdivision 1. No person holding securities (OF) or assets belonging at the time of death of a decedent to him or to him and another or others as joint tenants, or having on deposit funds in excess of \$1,000 to the credit of a decedent, or to the decedent and another or others as joint tenants, or to the credit of the decedent as trustee for another or others, or renting a safe deposit box or other place of safekeeping to a decedent, individually or as joint tenant or tenant in common, shall deliver or transfer the same to any person, or permit any person to have access thereto, unless notice of the time and place of such intended transfer or access be served upon the county treasurer, personally or by representative, in which event the county treasurer, personally or by representative, may examine said securities, assets, funds or contents of such safe deposit box, at the time of such delivery, transfer or access. If, upon such examination the county treasurer or his representative shall for any cause deem it advisable that such securities, assets or funds should not be immediately delivered or transferred, or access to said safe deposit box or other place of safekeeping should not immediately be granted, he may forthwith notify in writing such person to defer delivery or transfer or access, as the case may be, for a period not to exceed ten days from the date of such notice, and thereupon it shall be the duty of the person notified to defer such delivery, transfer or access until the time stated in such notice or until prior revocation thereof. Failure to serve the notice first above mentioned, or to allow such examination, or to defer delivery or transfer of such securities, assets, or funds, or to refuse access to such safe deposit box or other place of safekeeping for the time stated in the second of such notices, shall render such person liable to the payment of the tax due, not exceeding \$1,000, upon the transfer of said securities, assets, or funds, or upon securities, assets, or moneys in such safe deposit box or other place of safekeeping, pursuant to the provisions of this act; provided, however, that nothing herein contained shall subject such per-

son to liability for the payment of any such tax unless such person had knowledge of the death of the decedent prior to such delivery or transfer of such securities, assets, or funds, or entry to said safe deposit box or other place of safekeeping. (NOTHING HEREIN CONTAINED SHALL APPLY WITH RESPECT TO NEGOTIABLE INSTRUMENTS ON WHICH SUCH PERSON IS OBLIGATED, NOR TO THE DELIVERY OR TRANSFER OF SECURITIES OR ASSETS STANDING IN THE NAME OF DECEDENT ALONE, EXCEPT CONTENTS OF SAFE DEPOSIT BOXES, TO HIS DULY QUALIFIED EXECUTOR, ADMINISTRATOR OR PERSONAL REPRESENTATIVE.) The word "person" as used herein shall include individual persons, safe deposit companies, banks, trust companies, savings and loan associations, partnerships and all other organizations.

Any person seeking access to any safe deposit box upon the death of any person who at the time of his death was a tenant thereof either individually or as joint tenant or tenant in common, or seeking to withdraw securities, assets or funds belonging to the decedent or which decedent had the right to withdraw, shall notify the person renting such safe deposit box or holding such securities, assets or funds of the decedent's death. Any person who wilfully fails to give the notice of the death of the decedent required by this paragraph with intent to evade taxes due hereunder shall be guilty of a misdemeanor. It shall be a complete defense to any prosecution under the provisions of this subdivision that no inheritance tax was due from the decedent's estate.

Sec. 10. Minnesota Statutes 1974, Section 291.20, Subdivision 4, is amended to read:

Subd. 4. Every corporation, partnership, association or individual required to pay benefits to the estate or to a beneficiary of a deceased employee or former employee under a pension, stock bonus or profit sharing plan taxable under section 291.065, or to a beneficiary under an individual retirement account described in section 408 of the internal revenue code, as amended, whether in the form of periodic payments or in a lump sum, and whether directly or through a trust or fund created by the employer for such purpose, shall give notice of such obligation to the commissioner within 30 days after the date of payment, or the date of initial payment if more than one payment is to be made either to the estate or to a named beneficiary of such deceased employee or deceased former employee. Such notice shall be given on the forms prescribed by the commissioner and such notice shall set forth such information as the commissioner shall prescribe.

Sec. 11. Minnesota Statutes 1974, Section 292.05, Subdivision 1, is amended to read:

292.05 [SPECIFIC EXEMPTIONS.] Subdivision 1. [PARTICULAR DONEES.] The following specific exemptions shall

be deducted in computing the amount of the gifts made to any single donee:

(1) \$10,000, if the donee is the (WIFE) *spouse* or minor or dependent child as defined in section 291.005, either by blood or by adoption, of the donor;

(2) \$5,000, if the donee is (THE HUSBAND,) an adult child, by blood or by adoption, other lineal descendant, a stepchild as defined in section 291.005, or any mutually acknowledged child of the donor, or lineal descendants of such adopted or mutually acknowledged children;

(3) \$3,000, if the donee is a lineal ancestor of the donor;

(4) \$1,000, if the donee is a class C donee, as specified in section 292.07;

(5) \$250, if the donee is a class D donee, as specified in section 292.07.

Sec. 12. Minnesota Statutes 1974, Section 292.07, Subdivision 3, is amended to read:

Subd. 3. [CREDITS.] A tax credit shall be allowed, in computing gift taxes due under this act, to the following donees in the following amounts:

(WIFE) *Spouse* of the donor . . . . . \$300

Minor child, dependent child as defined in section 291.005, or any minor legally adopted child of the donor . . . . . \$75

(HUSBAND,) An adult child, by blood or by adoption, other lineal descendant, a stepchild as defined in section 291.005, or any mutually acknowledged child of the donor, or lineal descendants of such adopted, dependent or mutually acknowledged children or of a stepchild . . . . . \$20

Lineal ancestors of the donor . . . . . \$60

Brother or sister of the donor, a descendant of such brother or sister, a (WIFE) *spouse* or (WIDOW) *surviving spouse* of a (SON) *child* of the donor (, AND THE HUSBAND OF A DAUGHTER OF THE DONOR) . . . . . \$30

Brother or sister of the father or mother of the donor, and a descendant of a brother or sister of the father or mother of the donor . . . . . \$40

All others . . . . . \$20

The credit provided by this subdivision shall be allowed once only with respect to gifts by the donor to the same donee, and shall apply only to offset tax which would otherwise be due on gifts made on or after January 1, 1959.

Sec. 13. Minnesota Statutes 1974, Section 292.07, Subdivision 5, is amended to read:

Subd. 5. [CLASSES OF DONEES DEFINED.] Class A donees shall include only the (WIFE) *spouse* and minor or dependent child, as defined in section 291.005, of the donor, and a minor or dependent legally adopted child of the donor. Class B donees shall include only the (HUSBAND OF THE DONOR,) adult child, stepchild as defined in section 291.005, or adult legally adopted child and the lineal issue of such stepchild or adopted child, lineal descendants and ancestors of the donor, any child of the donor to whom he or she has stood in the mutually acknowledged relation of parent for not less than ten years prior to the making of the gift if such relationship began at or before such child's fifteenth birthday and was continuous for ten years thereafter, and the lineal issue of such child. Class C donees shall include only a brother or sister of the donor, a descendant of such brother or sister (, A WIFE OR WIDOW OF A SON) *and a spouse or surviving spouse of a child* of the donor (, AND THE HUSBAND OF A DAUGHTER OF THE DONOR). Class D donees shall include all donees other than those includible in the foregoing classes.

Sec. 14. *Section 7 of this act is effective on January 1, 1976. Sections 11, 12 and 13 are effective for gifts made after December 31, 1976. The remainder of this act is effective for estates of decedents dying after June 30, 1976."*

Further, amend the title as follows:

Line 2, strike "inheritance taxes;"

Strike lines 3 and 4 and insert "increasing inheritance tax exemptions; providing that the same inheritance and gift tax rates and exemptions apply to widow and widower; increasing the maintenance deduction; providing for the payment of the inheritance tax in installments over five years; providing an undue hardship deferral; amending Minnesota Statutes 1974, Sections 291.03; 291.05; 291.10; 291.11, Subdivision 1, and by adding a subdivision; 291.14, Subdivision 2; 291.20, Subdivisions 1 and 4; 292.05, Subdivision 1; 292.07, Subdivisions 3 and 5; and Minnesota Statutes, 1975 Supplement, Sections 291.14, Subdivision 4; and 291.15.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2144, A bill for an act relating to the state transportation system; creating the Minnesota state transportation fund; appropriating money therefrom for construction and reconstruction of bridges and bridge approaches; authorizing the issuance of state bonds therefor pursuant to article XI of the constitution.

Reported the same back with the following amendments:

Page 1, line 19, delete "and connecting road networks" and insert ", municipal streets and township roads".

Page 3, line 5, after "fund" insert "to the commissioner of highways".

Page 3, line 11, delete "and to standards, criteria and".

Page 3, line 12, delete "priorities established by the law".

Page 3, line 28, delete "standards for".

Page 3, line 29, delete "eligibility,".

Page 4, line 14, delete "and regional planning agencies".

Page 4, line 16, delete "recommendation to the state planning".

Page 4, line 17, delete "agency in".

Page 8, line 12, after "to" insert "the state planning agency for use by".

Page 8, line 14, delete "needed for" and insert "on".

Page 8, line 17, delete "grants to counties" and insert "use by the commissioner of highways".

Page 8, line 18, delete "and bridge approaches needed for county".

Page 8, delete lines 19 and 20 and insert "on the following road systems:

(a) County highway systems \$160,000,000.

(b) Municipal street systems \$50,000,000.

(c) Township road systems \$90,000,000.”

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

## SECOND READING OF HOUSE BILLS

There being no objection the second reading of H. F. No. 1882 was laid over temporarily.

H. F. Nos. 1989, 1911, 1912, 2002, 2344, 81, 1866 and 1349 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 1901 and 1949 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Eckstein, Norton, Kahn, Searle and Anderson, I., introduced:

H. F. No. 2466, A bill for an act relating to historic sites; designating additional historic sites; amending Minnesota Statutes 1974, Sections 138.081, by adding a subdivision; 138.53, Subdivisions 7, 38, and by adding subdivisions; 138.58, by adding subdivisions; and 138.73, Subdivision 17.

The bill was read for the first time and referred to the Committee on Appropriations.

Faricy, Smith, Samuelson, Searle and Erickson introduced:

H. F. No. 2467, A bill for an act relating to the organization and operation of state government; codifying various provisions formerly contained as riders in appropriation acts; amending Minnesota Statutes 1974, Sections 3.755; 16A.28; 16A.72; 38.02, Subdivision 1, and by adding a subdivision; 121.26; 125.08; 136.06; 136.11, Subdivisions 1 and 2, and by adding subdivisions; 136.13; 136.62, by adding a subdivision; 137.02, Subdivision 3, and by adding subdivisions; 138.01; 144.169, by adding a subdivision; 158.04; 158.05; 158.08; 161.142, Subdivision 6; 161.201; 167.45; 171.26; 173.231; 241.27, by adding a subdivision; 243.44; 245.61; 245.65, Subdivision 1; 246.02, Subdivisions 2 and 4; 248.07, Subdivision 8; 252.27, Subdivision 1; 254A.08, Subdivision 3; 256.01, Subdivision 8; 256.011; 260.311, Subdivision

5; 299D.03, Subdivision 6; 299D.04; 352B.02, Subdivision 1; Chapters 134, 136, 137, 138, 139, 161, 242, 245, and 246, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 16.02, Subdivision 16; 136A.121, Subdivision 3; 139.10, by adding subdivisions; 243.09, Subdivision 3; 252.24, Subdivision 4; 260.251, Subdivision 1a; 268.08, Subdivision 5; repealing Minnesota Statutes 1974, Sections 136.821; 161.241, Subdivision 5; 161.261, Subdivision 3; 167.40; 299D.03, Subdivision 4; Laws 1969, Chapter 157, Section 2; Laws 1973, Chapter 768, Section 23; and Laws 1975, Chapter 433, Section 20.

The bill was read for the first time and referred to the Committee on Appropriations.

Luther, Munger, Hanson, Vento and Johnson, D., introduced:

H. F. No. 2468, A bill for an act relating to public utilities; providing a lifeline rate for minimum energy needs; establishing minimum levels of energy use; requiring filing; requiring a report to the legislature.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Berglin and Kahn introduced:

H. F. No. 2469, A bill for an act relating to crimes; criminal sexual conduct; amending Minnesota Statutes 1974, Sections 246.43, Subdivision 1; 609.195; 609.293, Subdivision 5; Minnesota Statutes, 1975 Supplement, Sections 609.11, Subdivision 1; 609.341, Subdivision 10; 609.345; repealing Minnesota Statutes 1974, Section 609.293, Subdivisions 2, 3, and 4.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Nelson; Norton; Sieben, M.; Petrafeso and Heinitz introduced:

H. F. No. 2470, A bill for an act relating to education; learning disabled children; requiring the state board of education to make grants to court services for improving educational services to delinquent youth; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Erickson, Mann, Searle, Smith and Menning introduced:

H. F. No. 2471, A bill for an act relating to education; appropriating money to Independent School District No. 518 for programs for handicapped children.

The bill was read for the first time and referred to the Committee on Education.

Neisen and McCollar introduced:

H. F. No. 2472, A bill for an act relating to Independent School District No. 624 and Independent School District No. 12; providing for the exchange of territory between the districts.

The bill was read for the first time and referred to the Committee on Education.

Lemke, Friedrich, Schulz and Wieser introduced:

H. F. No. 2473, A bill for an act relating to game and fish; seasons for the taking of deer; amending Minnesota Statutes, 1975 Supplement, Section 100.27, Subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Erickson, McCauley and Brinkman introduced:

H. F. No. 2474, A bill for an act relating to insurance; providing a countersignature commission; amending Minnesota Statutes 1974, Section 60A.17, Subdivision 3.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Adams, L.; Knoll; Carlson, L.; Arlandson and Sieben, H., introduced:

H. F. No. 2475, A bill for an act relating to public welfare; providing for the licensure and regulation of social workers; establishing the board of social worker examiners; prescribing penalties.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Arlandson and Petrafeso introduced:

H. F. No. 2476, A bill for an act relating to the city of St. Louis Park; authorizing a supplemental retirement plan for elected officials.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Dean, Faricy, Swanson, Carlson, A., and Knickerbocker introduced:

H. F. No. 2477, A bill for an act relating to health; authorizing the board of medical examiners to issue licenses to certain persons who practice massage; amending Minnesota Statutes 1974, Chapter 145, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Sherwood and Niehaus introduced:

H. F. No. 2478, A resolution withdrawing ratification of a proposed amendment to the Constitution of the United States of America relating to equal rights for men and women under the law.

The bill was read for the first time and referred to the Committee on Judiciary.

Lindstrom, Sherwood, Schreiber and Graba introduced:

H. F. No. 2479, A bill for an act relating to county planning and zoning; authorizing certain county boards to prohibit the filing, registering or recording of land conveyance instruments under certain circumstances; amending Minnesota Statutes 1974, Section 394.37, Subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Lindstrom; Luther; Suss; Adams, S.; and Carlson, R., introduced:

H. F. No. 2480, A bill for an act relating to child support and paternity; providing for continuing court orders; granting county court jurisdiction; amending Minnesota Statutes 1974, Sections 256.87, Subdivision 1; 256.872; 256.873; 257.253; 257.254; 257.257; 257.259; 257.261, Subdivision 1; 257.29; 393.07, Subdivision 9; and 518.49.

The bill was read for the first time and referred to the Committee on Judiciary.

Luther, Arlandson, Schreiber, Dean and Kroening introduced:

H. F. No. 2481, A bill for an act relating to courts; clarifying fee exclusions for the Hennepin county municipal court; amending Minnesota Statutes 1974, Section 488A.03, Subdivision 11a.

The bill was read for the first time and referred to the Committee on Judiciary.

Carlson, R., introduced:

H. F. No. 2482, A bill for an act relating to the towns of Moose Lake in Carlton county and Windemere in Pine county; authorizing the Moose Lake and Windmere area sanitary sewer district to exercise certain powers of sanitary districts; providing for the election of members of the sanitary sewer board; amending Laws 1974, Chapter 400, Sections 3, Subdivisions 5 and 12; 4, Subdivision 2, and by adding subdivisions; 8 by adding a subdivision; and by adding a section; repealing Laws 1974, Chapter 400, Section 4, Subdivisions 3, 4, 5 and 8.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Carlson, A.; Skoglund; Dean and Knoll introduced:

H. F. No. 2483, A bill for an act relating to the city of Minneapolis; prohibiting construction of certain buildings near its lakes.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Faricy, Berg and Hanson introduced:

H. F. No. 2484, A bill for an act relating to public transit; authorizing public transit authorities to establish public transit aid programs designed to assist nonprofit organizations providing transit services to the elderly and handicapped.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Erickson, Menning, Mann, Esau and Dean introduced:

H. F. No. 2485, A bill for an act relating to the counties of Nobles and Rock; authorizing the acquisition of real estate for the operation of television translator systems.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Mangan and Clawson introduced:

H. F. No. 2486, A bill for an act relating to taxation; adjusting calculations of taxable value of real property used in tax increment financing by deducting contributions to area-wide tax base; amending Minnesota Statutes 1974, Sections 462.585, Subdivisions 2 and 3; and 473F.02, Subdivision 3.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

McCauley, Fjoslien, Sieben, M., Hanson and Peterson introduced:

H. F. No. 2487, A bill for an act relating to taxation; providing an income tax credit for commission to coal using facilities; amending Minnesota Statutes 1974, Section 290.06, Subdivision 9.

The bill was read for the first time and referred to the Committee on Taxes.

Neisen and Mangan introduced:

H. F. No. 2488, A bill for an act relating to taxation; providing an income tax credit to handicapped individuals and persons having handicapped dependents; amending Minnesota Statutes, 1975 Supplement, Section 290.06, Subdivision 3c.

The bill was read for the first time and referred to the Committee on Taxes.

Schreiber, Fudro, Beauchamp, Sieben, H., and Wigley introduced:

H. F. No. 2489, A bill for an act relating to highway traffic regulations; special permits for oversize and overweight vehicles; authorizing an annual permit for refuse compactor vehicles and prescribing maximum loads thereon; providing a fee therefor; amending Minnesota Statutes 1974, Section 169.86, Subdivision 5.

The bill was read for the first time and referred to the Committee on Transportation.

Lindstrom and Schumacher introduced:

H. F. No. 2490, A bill for an act relating to highways; designating and establishing the route of the "Glacial Ridge Trail"; amending Minnesota Statutes 1974, Section 161.14, Subdivision 15.

The bill was read for the first time and referred to the Committee on Transportation.

Luther and Brinkman introduced:

H. F. No. 2491, A bill for an act relating to insurance; establishing a temporary joint underwriting association for medical malpractice insurance; requiring membership; setting standards; providing for appeals, recovery of contributions and reporting of financial conditions; establishing an expiration date.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Munger, Sabo and Hanson introduced:

H. F. No. 2492, A bill for an act relating to environmental protection; limiting the sale and use of organic compounds known as polychlorinated biphenyls; permitting exemptions; requiring labels; defining terms; providing a penalty.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

#### HOUSE ADVISORY BILLS

Pursuant to Rule 5.3, the following House Advisory Bill was introduced:

Menning, Fudro and Swanson introduced:

H. A. B. No. 63, Feasibility of Establishing a Minnesota Public Works Program.

The bill was referred to the Committee on Labor-Management Relations.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

A message from the Senate requesting that the House concur in the Senate amendments to H. F. No. 1527 was reported to the House.

There being no objection, the message from the Senate relating to H. F. No. 1527 was laid over until Monday, March 1, 1976, and the bill was ordered unofficially engrossed and printed to include the Senate amendments.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, which amendment the concurrence of the House is respectfully requested:

H. F. No. 933, A bill for an act relating to elections; requiring that uncontested nonpartisan offices appear at the end of the ballot; amending Laws 1975, Chapter 5, Section 55, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

### CONCURRENCE AND REPASSAGE

Carlson, L., moved that the House concur in the Senate amendments to H. F. No. 933 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 933, A bill for an act relating to elections; requiring that uncontested nonpartisan offices appear at the end of the ballot; amending Minnesota Statutes, 1975 Supplement, Section 203A.33 by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 113, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kalis	Niehaus	Sieben, H.
Adams, L.	Enebo	Kelly, R.	Norton	Sieben, M.
Adams, S.	Erickson	Kempe, A.	Novak	Sieloff
Albrecht	Esau	Kempe, R.	Osthoff	Simoneau
Anderson, G.	Evans	Ketola	Patton	Skoglund
Anderson, I.	Ewald	Knickerbocker	Pehler	Smith
Arlandson	Faricy	Knoll	Peterson	Smogard
Begich	Fjoslien	Kostohryz	Petraleso	Suss
Berg	Forsythe	Kvam	Philbrook	Swanson
Biersdorf	Friedrich	Laidig	Pleasant	Tomlinson
Braun	Fudro	Langseth	Prahl	Ulland
Brinkman	Fugina	Lemke	Reding	Vanasek
Byrne	Graba	Luther	Rice	Vento
Carlson, A.	Hanson	Mann	St. Onge	Volk
Carlson, L.	Haugerud	McCarron	Samuelson	Voss
Casserly	Heinitz	McCauley	Sarna	Wenstrom
Clark	Hokanson	McCollar	Savelkoul	Wenzel
Corbid	Jacobs	McEachern	Schreiber	White
Dahl	Jensen	Menning	Schulz	Wieser
Dean	Johnson, D.	Moe	Schumacher	Zubay
DeGroat	Jopp	Munger	Searle	Speaker Sabo
Dieterich	Jude	Neisen	Setzpfandt	
Doty	Kaley	Nelsen	Sherwood	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 404, A bill for an act relating to banks; cash reserves of banks and trust companies; recordkeeping of savings associations; amending Minnesota Statutes 1974, Sections 48.22; and 51A.19, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

Brinkman moved that the House refuse to concur in the Senate amendments to H. F. No. 404, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 404:

Brinkman, Philbrook and Sieloff.

## CONSENT CALENDAR

S. F. No. 2034, A bill for an act relating to natural resources; authorizing the marking and designation of canoe and boating routes on the Straight river; amending Minnesota Statutes 1974, Section 85.32, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kaley	Nelson	Sieben, M.
Adams, L.	Eckstein	Kalis	Niehaus	Sieloff
Adams, S.	Eken	Kelly, R.	Norton	Simoneau
Albrecht	Enebo	Kempe, A.	Novak	Skoglund
Anderson, G.	Erickson	Kempe, R.	Osthoff	Smith
Anderson, I.	Esau	Ketola	Parish	Smogard
Arlandson	Evans	Knickerbocker	Patton	Suss
Begich	Ewald	Knoll	Pehler	Swanson
Berg	Faricy	Kostohryz	Peterson	Tomlinson
Biersdorf	Fjoslien	Kvam	Petraleso	Ulland
Birnstihl	Forsythe	Laidig	Philbrook	Vanasek
Braun	Friedrich	Langseth	Pleasant	Vento
Brinkman	Fudro	Lemke	Reding	Volk
Byrne	Fugina	Luther	St. Onge	Voss
Carlson, A.	Graba	Mann	Samuelson	Wenstrom
Carlson, L.	Hanson	McCarron	Sarna	Wenzel
Carlson, R.	Haugerud	McCauley	Savelkoul	White
Casserly	Heinitz	McCollar	Schreiber	Wieser
Clark	Hokanson	McEachern	Schulz	Wigley
Corbid	Jacobs	Menning	Schumacher	Zubay
Dahl	Jensen	Moe	Searle	Speaker Sabo
Dean	Johnson, D.	Munger	Setzpfandt	
DeGroat	Jopp	Neisen	Sherwood	
Dieterich	Jude	Nelsen	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 1932, A bill for an act relating to state administrative procedures; amending Minnesota Statutes 1974, Section 15.0418; and Minnesota Statutes, 1975 Supplement, Section 15.0411, Subdivisions 3 and 4.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 119, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Adams, S.	Anderson, G.	Arlandson	Berg
Adams, L.	Albrecht	Anderson, I.	Begich	Biersdorf

Birnstihl	Faricy	Ketola	Osthoff	Sieloff
Braun	Fjoslien	Knickerbocker	Parish	Simoneau
Brinkman	Forsythe	Knoll	Patton	Skoglund
Byrne	Friedrich	Kostohryz	Pehler	Smith
Carlson, A.	Fudro	Kvam	Peterson	Smogard
Carlson, L.	Fugina	Laidig	Petrafeso	Suss
Carlson, R.	Graba	Langseth	Philbrook	Swanson
Casserly	Hanson	Lemke	Pleasant	Tomlinson
Clark	Haugerud	Luther	Prahl	Ulland
Corbid	Heinitz	Mann	Reding	Vanasek
Dahl	Hokanson	McCauley	St. Onge	Vento
Dean	Jacobs	McCollar	Samuelson	Voik
DeGroat	Jensen	McEachern	Sarna	Voss
Dieterich	Johnson, D.	Menning	Savelkoul	Wenstrom
Doty	Jopp	Moe	Schreiber	Wenzel
Eckstein	Jude	Munger	Schulz	White
Eken	Kahn	Neisen	Schumacher	Wieser
Enebo	Kaley	Nelsen	Searle	Wigley
Erickson	Kalis	Nelson	Setzepfandt	Williamson
Esau	Kelly, R.	Niehaus	Sherwood	Zubay
Evans	Kempe, A.	Norton	Sieben, H.	Speaker Sabo
Ewald	Kempe, R.	Novak	Sieben, M.	

The bill was passed and its title agreed to.

H. F. No. 1959, A bill for an act authorizing the commissioner of administration to convey a portion of a water system at the Red Wing state training school to the city of Red Wing.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Nelsen	Sherwood
Adams, L.	Eckstein	Kaley	Nelson	Sieben, H.
Adams, S.	Eken	Kalis	Niehaus	Sieben, M.
Albrecht	Enebo	Kelly, R.	Norton	Sieloff
Anderson, G.	Erickson	Kempe, A.	Novak	Simoneau
Anderson, I.	Esau	Kempe, R.	Osthoff	Skoglund
Arlandson	Evans	Ketola	Parish	Smith
Begich	Ewald	Knickerbocker	Patton	Smogard
Berg	Faricy	Knoll	Pehler	Suss
Biersdorf	Fjoslien	Kostohryz	Peterson	Swanson
Birnstihl	Forsythe	Kvam	Petrafeso	Tomlinson
Braun	Friedrich	Laidig	Philbrook	Ulland
Brinkman	Fudro	Langseth	Pleasant	Vanasek
Byrne	Fugina	Lemke	Prahl	Vento
Carlson, A.	Graba	Luther	Reding	Voik
Carlson, L.	Hanson	Mann	St. Onge	Voss
Carlson, R.	Haugerud	McCarron	Samuelson	Wenstrom
Casserly	Heinitz	McCauley	Sarna	Wenzel
Clark	Hokanson	McCollar	Savelkoul	White
Corbid	Jacobs	McEachern	Schreiber	Wieser
Dahl	Jensen	Menning	Schulz	Wigley
Dean	Johnson, D.	Moe	Schumacher	Williamson
DeGroat	Jopp	Munger	Searle	Zubay
Dieterich	Jude	Neisen	Setzepfandt	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 2011, A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Goodhue county to the city of Red Wing.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Nelsen	Sherwood
Adams, L.	Eken	Kalis	Nelson	Sieben, H.
Adams, S.	Enebo	Kelly, R.	Niehau	Sieben, M.
Albrecht	Erickson	Kelly, W.	Norton	Sieloff
Anderson, G.	Esau	Kempe, A.	Novak	Simoneau
Anderson, I.	Evans	Kempe, R.	Osthoff	Skoglund
Arlandson	Ewald	Ketola	Parish	Smith
Begich	Faricy	Knickerbocker	Patton	Smogard
Berg	Fjoslien	Knoll	Pehler	Suss
Biersdorf	Forsythe	Kostohryz	Peterson	Swanson
Birnstihl	Friedrich	Kvam	Petraleso	Tomlinson
Braun	Fudro	Laidig	Philbrook	Ulland
Byrne	Fugina	Langseth	Pleasant	Vanasek
Carlson, A.	Graba	Lemke	Prahl	Vento
Carlson, L.	Hanson	Luther	Reding	Volk
Carlson, R.	Haugerud	Mann	St. Onge	Voss
Casserly	Heinitz	McCarron	Samuelson	Wenstrom
Clark	Hokanson	McCauley	Sarna	Wenzel
Corbid	Jacobs	McCollar	Savelkoul	White
Dahl	Jensen	McEachern	Scheiber	Wieser
Dean	Johnson, D.	Menning	Schulz	Wigley
DeGroat	Jopp	Moe	Schumacher	Williamson
Dieterich	Jude	Munger	Searle	Zubay
Doty	Kahn	Neisen	Setzpfandt	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 1462, A bill for an act relating to Ramsey county; permitting the board of county commissioners to set the number of members of the county civil service commission.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 118, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Arlandson	Brinkman	Clark	Doty
Adams, L.	Begich	Byrne	Corbid	Eckstein
Adams, S.	Berg	Carlson, A.	Dahl	Eken
Albrecht	Biersdorf	Carlson, L.	Dean	Enebo
Anderson, G.	Birnstihl	Carlson, R.	DeGroat	Erickson
Anderson, I.	Braun	Casserly	Dieterich	Esau

Evans	Kahn	McCollar	Pleasant	Suss
Ewald	Kaley	McEachern	Prahl	Swanson
Faricy	Kalis	Menning	Reding	Tomlinson
Fjoslien	Kelly, R.	Moe	St. Onge	Ulland
Forsythe	Kelly, W.	Munger	Samuelson	Vanasek
Friedrich	Kempe, A.	Neisen	Sarna	Vento
Fudro	Kempe, R.	Nelsen	Savelkoul	Volk
Fugina	Ketola	Nelson	Schreiber	Voss
Graba	Knickerbocker	Niehaus	Schumacher	Wenstrom
Hanson	Knoll	Norton	Searle	Wenzel
Haugerud	Kostohryz	Novak	Setzepfandt	White
Heinitz	Kvam	Osthoff	Sherwood	Wieser
Hokanson	Laidig	Parish	Sieben, H.	Wigley
Jacobs	Lemke	Patton	Sieben, M.	Williamson
Jensen	Luther	Pehler	Sieloff	Zubay
Johnson, D.	Mann	Peterson	Simoneau	Speaker Sabo
Jopp	McCarron	Petrafeso	Skoglund	
Jude	McCauley	Philbrook	Smogard	

The bill was passed and its title agreed to.

H. F. No. 2326, A bill for an act relating to highway traffic regulations; driving restrictions on certain juveniles; repealing Minnesota Statutes 1974, Section 169.131.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 118, and nays 1, as follows:

Those who voted in the affirmative were:

Abein	Eckstein	Kaley	Nelson	Sieben, M.
Adams, L.	Eken	Kalis	Niehaus	Sieloff
Adams, S.	Enebo	Kelly, R.	Norton	Simoneau
Albrecht	Erickson	Kelly, W.	Novak	Skoglund
Anderson, G.	Esau	Kempe, A.	Osthoff	Smith
Anderson, I.	Evans	Ketola	Parish	Smogard
Arlandson	Ewald	Knickerbocker	Patton	Suss
Begich	Faricy	Knoll	Pehler	Swanson
Berg	Fjoslien	Kostohryz	Peterson	Tomlinson
Biersdorf	Forsythe	Kvam	Petrafeso	Ulland
Birnstihl	Friedrich	Laidig	Philbrook	Vanasek
Braun	Fudro	Langseth	Pleasant	Vento
Byrne	Fugina	Lemke	Prahl	Volk
Carlson, A.	Graba	Luther	Reding	Voss
Carlson, L.	Hanson	Mann	St. Onge	Wenstrom
Carlson, R.	Haugerud	McCarron	Samuelson	Wenzel
Casserly	Heinitz	McCauley	Sarna	White
Clark	Hokanson	McCollar	Savelkoul	Wieser
Corbid	Jacobs	McEachern	Schreiber	Wigley
Dahl	Jensen	Menning	Schumacher	Williamson
Dean	Johnson, D.	Moe	Searle	Zubay
DeGroat	Jopp	Munger	Setzepfandt	Speaker Sabo
Dieterich	Jude	Neisen	Sherwood	
Doty	Kahn	Nelsen	Sieben, H.	

Those who voted in the negative were:

Kempe, R.

The bill was passed and its title agreed to.

## SECOND READING OF HOUSE BILLS, Continued

H. F. No. 1882 which earlier in the day was laid over temporarily was read for the second time.

Laidig moved that H. F. No. 1882 be re-referred to the Committee on Agriculture.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 45, and nays 69, as follows:

Those who voted in the affirmative were:

Adams, S.	Eken	Kaley	Niehaus	Schumacher
Berg	Erickson	Kelly, W.	Parish	Searle
Biersdorf	Esau	Knickerbocker	Peterson	Sieloff
Brinkman	Evans	Kvam	Petrafeso	Ulland
Carlson, A.	Forsythe	Laidig	Philbrook	Vanasek
Clark	Friedrich	Lemke	Pleasant	Vento
Corbid	Fugina	Mann	Savelkoul	Wigley
Dean	Heinitz	McCauley	Schreiber	Zubay
Eckstein	Jopp	Moe	Schulz	Speaker Sabo

Those who voted in the negative were:

Abeln	Doty	Kalis	Munger	Sieben, M.
Adams, L.	Enebo	Kelly, R.	Neisen	Simoneau
Albrecht	Ewald	Kempe, A.	Norton	Skoglund
Anderson, G.	Farcy	Kempe, R.	Novak	Smogard
Anderson, I.	Fjoslien	Ketola	Osthoff	Suss
Begich	Fudro	Knoll	Patton	Swanson
Birstihl	Graba	Kostohryz	Pehler	Tomlinson
Braun	Hanson	Langseth	Reding	Volk
Byrne	Hokanson	Luther	St. Onge	Voss
Carlson, L.	Jacobs	Mangan	Samuelson	Wenstrom
Carlson, R.	Jensen	McCarron	Sarna	Wenzel
Casserly	Johnson, D.	McCollar	Setzepfandt	White
Dahl	Jude	McEachern	Sherwood	Wieser
DeGroat	Kahn	Menning	Sieben, H.	

The motion did not prevail.

## CALENDAR

S. F. No. 1949 was reported to the House.

## SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Erickson moved that the rule therein be suspended and an urgency be declared so that S. F. No. 1949 be

given its third reading and be placed upon its final passage. The motion prevailed.

Erickson moved that the rules of the House be so far suspended that S. F. No. 1949 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 1949, A bill for an act relating to motor vehicles; authorizing the issuance of special license plates to physically handicapped persons; amending Minnesota Statutes, 1975 Supplement, Section 168.021, Subdivisions 1 and 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kalis	Niehaus	Sieloff
Adams, L.	Eken	Kelly, R.	Norton	Simoneau
Adams, S.	Enebo	Kelly, W.	Novak	Skoglund
Albrecht	Erickson	Kempe, A.	Osthoff	Smith
Anderson, G.	Esau	Kempe, R.	Parish	Smogard
Anderson, I.	Evans	Ketola	Patton	Suss
Arlandson	Ewald	Knickerbocker	Pehler	Swanson
Begich	Faricy	Knoll	Peterson	Tomlinson
Berg	Fjoslien	Kostohryz	Petrafero	Ulland
Biersdorf	Forsythe	Kvam	Philbrook	Vanasek
Birnstihl	Friedrich	Laidig	Pleasant	Vento
Braun	Fudro	Langseth	Prahl	Volk
Brinkman	Fugina	Lemke	Reding	Voss
Byrne	Graba	Luther	St. Onge	Wenstrom
Carlson, A.	Hanson	Mann	Samuelson	Wenzel
Carlson, L.	Haugerud	McCarron	Sarna	White
Carlson, R.	Heinitz	McCauley	Savelkoul	Wieser
Casserly	Hokanson	McCollar	Schreiber	Wigley
Clark	Jacobs	McEachern	Schulz	Williamson
Corbid	Jensen	Menning	Schumacher	Zubay
Dahl	Johnson, D.	Moe	Searle	Speaker Sabo
Dean	Jopp	Munger	Setzepfandt	
DeGroat	Jude	Neisen	Sherwood	
Dieterich	Kahn	Nelsen	Sieben, H.	
Doty	Kaley	Nelson	Sieben, M.	

The bill was passed and its title agreed to.

H. F. No. 1891, A bill for an act relating to civil defense; providing for an interstate civil defense and disaster compact; repealing Laws 1951, Chapter 669.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 100, and nays 17, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kalis	Norton	Sieben, H.
Adams, L.	Eken	Kelly, R.	Novak	Sieben, M.
Adams, S.	Enebo	Kelly, W.	Osthoff	Sieloff
Albrecht	Erickson	Kempe, A.	Parish	Simoneau
Anderson, G.	Evans	Kempe, R.	Patton	Smith
Anderson, I.	Ewald	Ketola	Pehler	Smogard
Begich	Faricy	Knickerbocker	Petraleso	Suss
Berg	Fjoslien	Knoll	Philbrook	Swanson
Biersdorf	Forsythe	Kostohryz	Pleasant	Tomlinson
Birnstihl	Fudro	Langseth	Prahl	Vanasek
Braun	Graba	Lemke	Reding	Vento
Brinkman	Hanson	Luther	St. Onge	Volk
Byrne	Haugerud	Mann	Samuelson	Voss
Carlson, L.	Heintz	McCauley	Sarna	Wenstrom
Carlson, R.	Jacobs	McCollar	Savelkoul	Wenzel
Casserly	Jensen	McEachern	Schreiber	White
Clark	Johnson, D.	Menning	Schulz	Wieser
Corbid	Jopp	Munger	Schumacher	Wigley
Dahl	Jude	Neisen	Searle	Williamson
Doty	Kahn	Nelsen	Setzepfandt	Speaker Sabo

Those who voted in the negative were:

Carlson, A.	Esau	Kaley	Peterson	Zubay
Dean	Friedrich	Laidig	Sherwood	
DeGroat	Fugina	Moe	Skoglund	
Dieterich	Hokanson	Niehaus	Ulland	

The bill was passed and its title agreed to.

St. Onge and Swanson were excused at 2:35 p.m.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the motion of Savelkoul to recommend re-referral of S. F. No. 995 to the Committee on Governmental Operations.

The roll being called, there were yeas 26, and nays 84, as follows:

Those who voted in the affirmative were:

Albrecht	Evans	Knickerbocker	Patton	Ulland
Carlson, A.	Forsythe	Kvam	Patton	Zubay
DeGroat	Friedrich	McCauley	Pleasant	
Eckstein	Hokanson	Menning	Savelkoul	
Erickson	Jude	Nelsen	Setzepfandt	
Esau	Kalis	Niehaus	Sieloff	

Those who voted in the negative were:

Abeln	Corbid	Kaley	Munger	Simoneau
Adams, L.	Dahl	Kelly, R.	Neisen	Skoglund
Adams, S.	Dean	Kelly, W.	Novak	Smith
Anderson, G.	Dieterich	Kempe, A.	Parish	Smogard
Anderson, I.	Doty	Kempe, R.	Pehler	Suss
Arlandson	Eken	Ketola	Petrafeso	Tomlinson
Beauchamp	Enebo	Kostohryz	Philbrook	Vanasek
Begich	Faricy	Laidig	Prahl	Vento
Berg	Fudro	Langseth	Reding	Volk
Braun	Fugina	Lemke	St. Onge	Voss
Brinkman	Graba	Luther	Samuelson	Wenstrom
Byrne	Hanson	Mangan	Sarna	Wenzel
Carlson, L.	Haugerud	Mann	Schulz	White
Carlson, R.	Jacobs	McCarron	Schumacher	Wieser
Casserly	Jensen	McCollar	Searle	Wigley
Clark	Johnson, D.	McEachern	Sherwood	Speaker Sabo
Clawson	Kahn	Moe	Sieben, M.	

The motion did not prevail.

Pursuant to Rule 1.6, a roll call was taken on the motion of Schulz to recommend passage of S. F. No. 995.

The roll being called, there were yeas 99, and nays 15, as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Kelly, R.	Nelsen	Sieben, H.
Adams, L.	Dahl	Kelly, W.	Norton	Sieben, M.
Adams, S.	Dean	Kempe, A.	Novak	Sieloff
Anderson, G.	Dieterich	Kempe, R.	Osthoff	Simoneau
Anderson, I.	Doty	Ketola	Parish	Skoglund
Arlandson	Eken	Knickerbocker	Patton	Smith
Beauchamp	Enebo	Knoll	Pehler	Smogard
Begich	Faricy	Kostohryz	Petrafeso	Suss
Berg	Forsythe	Kvam	Philbrook	Tomlinson
Biersdorf	Fugina	Laidig	Pleasant	Ulland
Birnstihl	Graba	Langseth	Prahl	Vanasek
Braun	Hanson	Luther	Reding	Vento
Brinkman	Haugerud	Mangan	St. Onge	Volk
Byrne	Hokanson	Mann	Samuelson	Voss
Carlson, A.	Jacobs	McCarron	Schreiber	Wenstrom
Carlson, L.	Jensen	McCollar	Schulz	Wenzel
Carlson, R.	Johnson, D.	McEachern	Schumacher	White
Casserly	Jopp	Moe	Searle	Wigley
Clark	Jude	Munger	Setzepfandt	Speaker Sabo
Clawson	Kahn	Neisen	Sherwood	

Those who voted in the negative were:

DeGroat	Esau	Kaley	Menning	Savelkoul
Eckstein	Evans	Kalis	Niehaus	Wieser
Erickson	Friedrich	Lemke	Peterson	Zubay

The motion prevailed.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to S. F. No. 1135 offered by Langseth:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Section 340.02, Subdivision 3, is amended to read:

Subd. 8. [PERSONS ELIGIBLE.] Licenses hereunder shall be issued only to persons who are citizens of the United States and who are of good moral character and repute, who have attained the age of (18) 19 years and who are proprietors of the establishments for which the licenses are issued.

Sec. 2. Minnesota Statutes 1974, Section 340.035, Subdivision 1, is amended to read:

340.035 [PERSONS UNDER 19.] Subdivision 1. It shall be unlawful for any:

(1) Licensee or his employee to sell or serve non-intoxicating malt liquor to any (MINOR) *person under the age of 19 years* or to permit any (MINOR) *person under the age of 19 years* to consume non-intoxicating malt liquor on the licensed premises (OR TO PERMIT ANY MINOR TO LOITER OR TO REMAIN IN THE ROOM WHERE NON-INTOXICATING MALT LIQUOR IS BEING SOLD OR SERVED UNLESS ACCOMPANIED BY HIS PARENT OR LEGAL GUARDIAN);

(2) Person other than the parent or legal guardian to procure non-intoxicating malt liquor for any (MINOR) *person under the age of 19 years*;

(3) Person to induce a (MINOR) *person under the age of 19 years* to purchase or procure non-intoxicating malt liquor;

(4) (MINOR) *Person under the age of 19 years* to misrepresent his age for the purpose of obtaining non-intoxicating malt liquor;

(5) (MINOR) *Person under the age of 19 years* to consume any non-intoxicating malt liquor unless in the company of his parent or guardian;

(6) (MINOR) *Person under the age of 19 years* to have in his possession any non-intoxicating malt liquor, with intent to consume same at a place other than the household of his parent or guardian. Possession of such non-intoxicating malt liquor at a place other than the household of his parent or guardian shall be prima facie evidence of intent to consume the same at a place other than the household of his parent or guardian.

Sec. 3. Minnesota Statutes 1974, Section 340.119, Subdivision 2, is amended to read:

Subd. 2. A bottle club may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to such members. A bottle club or any unincorporated society which shall have more than 50 members and which shall have, for more than a year, owned, hired, or leased space in a building of such extent and character as may be suitable and adequate for reasonable and comfortable accommodations for its members, may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to such members. Every bottle, container, or other receptacle containing intoxicating liquor stored by members shall have attached to it a label signed by the member of the club. All liquor on the premises of the club shall be labeled as herein required, and any not being actually used or consumed by the owner thereof shall be kept in a locker designated to the use of such member. It shall be unlawful for any club member under (18) 19 years of age to be assigned a locker for the storage of intoxicating liquor, or to consume or display or be permitted to consume or display intoxicating liquor on any premises owned or controlled by such private club.

Sec. 4. Minnesota Statutes 1974, Section 340.13, Subdivision 12, is amended to read:

Subd. 12. [LICENSES; PERSONS ELIGIBLE.] No license shall be issued to other than a citizen of the United States (OVER 18) 19 years of age or over who shall be of good moral character and repute, nor to any person who within five years prior to the application of such license has been convicted of any wilful violation of any law of the United States or the state of Minnesota or of any local ordinance with regard to the manufacture, sale, distribution, or possession for sale or distribution of intoxicating liquor, nor to any person whose license under the intoxicating liquor act shall be revoked for any wilful violation of any such laws or ordinances.

Sec. 5. Minnesota Statutes 1974, Section 340.355, is amended to read:

340.355 [MUNICIPAL LIQUOR STORE; SUSPENSION OF OPERATION, PROCEDURE.] When a municipal officer or employee of a city is convicted of (1) selling intoxicating liquor or non-intoxicating malt liquor to (A MINOR OR OTHER) an ineligible person, (2) selling intoxicating liquor or non-intoxicating malt liquor at a time when such sale is prohibited by law, (3) selling intoxicating liquor or non-intoxicating malt liquor for re-sale, (4) selling intoxicating liquor or non-intoxicating malt liquor on which the required state tax has not been paid, (5) selling intoxicating liquor for consumption off the premises

for less than the price required by law, or (6) violating statutory restrictions on gambling and gambling devices and apparatus, and when the offense resulting in such conviction has occurred in an exclusive liquor store operated by the municipality, the court in which the conviction occurs shall mail to the state liquor control commissioner within ten days of the conviction a record of the conviction. The commissioner shall thereupon send notice of the conviction to the county attorney of the county in which the municipal liquor store is located. The county attorney promptly after receipt of the notice shall commence an action in the district court in the name of the state against the municipality to suspend the operation of the store as provided by this act. The complaint shall recite the facts of the conviction and shall include a prayer for judgment suspending operation of the store for a period not exceeding 30 days. A copy of the summons and complaint shall be mailed to the liquor control commissioner. The municipality shall have ten days within which to answer, setting forth such facts as are relevant to proof of the conviction and to the determination of the penalty to be imposed.

Sec. 6. Minnesota Statutes 1974, Section 340.403, Subdivision 3, is amended to read:

Subd. 3. [LICENSE GRANTED.] Upon the filing of an application, the approval of the bond, and the payment of the license fee, the commissioner shall grant the license unless it shall appear that the applicant: (1) is not a citizen of the United States; or (2) is not (OVER 18) 19 years of age *or over*; or (3) has been convicted of a felony under the laws of this state; or (4) has had his license revoked within a period of one year prior to the filing of his application; or (5) has not been a resident of Minnesota or has not been qualified as a corporation to do business in Minnesota for more than 90 days prior to application. In the event the applicant is a corporation its managing officers must possess the qualifications herein stated in respect to (1), (2), (3), and (4).

No wholesale malt beverage license shall be granted to any person unless he shall have within the state of Minnesota warehouse space either owned or leased by him and shall have adequate delivery facilities to perform the function of wholesaling malt beverages. Provided that the requirements of this subdivision as to residence and warehouse space shall not apply to any wholesaler in an adjoining state which permits Minnesota resident licensees to deliver malt beverages to retailers without warehousing in that state or to any wholesaler in an adjoining state delivering malt beverages manufactured in Minnesota.

Sec. 7. Minnesota Statutes 1974, Section 340.73, Subdivision 1, is amended to read:

340.73 [PERSONS TO WHOM SALES ARE ILLEGAL.] Subdivision 1. It shall be unlawful for any person, except a licensed pharmacist to sell, give, barter, furnish, deliver, or dispose of, in any manner, either directly or indirectly, any spirituous, vinous, malt, or fermented liquors in any quantity, for any purpose, whatever, to any (MINOR) person *under the age of 19 years*, or to any intoxicated person, or to any public prostitute.

Sec. 8. Minnesota Statutes 1974, Section 340.731, is amended to read:

340.731 [PERSONS UNDER 19, FORBIDDEN ACTS OR STATEMENTS.] It shall be unlawful for (1) a (MINOR) *person under the age of 19 years* to enter any premises licensed for the retail sale of alcoholic beverages or any municipal liquor store for the purpose of purchasing, or having served or delivered to him or her, any alcoholic beverage containing more than one-half of one percent of alcohol by volume or

(2) a (MINOR) *person under the age of 19 years* to consume any intoxicating liquor or to purchase, attempt to purchase or have another purchase for him or her any intoxicating liquor; or

(3) any person to misrepresent or misstate his or her age, or the age of any other person for the purpose of inducing any licensee or any employee of any licensee, or any employee of any municipal liquor store, to sell, serve or deliver any alcoholic beverage to a (MINOR) *person under the age of 19 years*; or

(4) a (MINOR) *person under the age of 19 years* to have in his possession any intoxicating liquor, with intent to consume same at a place other than the household of his parent or guardian. Possession of such intoxicating liquor at a place other than the household of his parent or guardian shall be prima facie evidence of intent to consume the same at a place other than the household of his parent or guardian.

Sec. 9. Minnesota Statutes 1974, Section 340.78, is amended to read:

340.78 [SALES TO CERTAIN PERSONS, AFTER NOTICE.] Every person selling liquor to a (MINOR) *person under the age of 19 years*, habitual drunkard, or person under guardianship, after written notice by a parent, husband, wife, child, guardian, master, or employer of such (MINORITY) *age*, habitual drunkenness, or guardianship, or in the case of an habitual drunkard after written notice by the mayor, chief of police, or any member of the council of the municipality in which such habitual drunkard resides, or member of the county board of the county in which such habitual drunkard resides, and within one year after such notice in case of an habitual drunkard, and

in other cases during the (CONTINUANCE OF THE MINORITY) *time the person is under the age of 19 years, or guardianship, shall be guilty of a misdemeanor.*

Sec. 10. Minnesota Statutes 1974, Section 340.79, is amended to read:

340.79 [GIVING TO OR PROCURING FOR CERTAIN PERSONS.] Any person who shall give to, procure or purchase, intoxicating liquors for any (MINOR) person *under the age of 19 years* or other person to whom the sale of intoxicating liquors is by law forbidden, is guilty of a gross misdemeanor and, upon conviction, shall be punished in accordance with the laws of the state.

Sec. 11. Minnesota Statutes 1974, Section 340.80, is amended to read:

340.80 [INDUCING CERTAIN PERSONS TO ENTER SALOON.] *Any person who shall assist, procure or induce any (MINOR) person under the age of 19 years* or other person to whom the sale of liquor is by law forbidden, to enter or visit any saloon, bar, buffet or public drinking place for the purpose of obtaining intoxicating liquors, is guilty of a gross misdemeanor; and, upon conviction, punished therefor according to the laws of the state.

Sec. 12. Minnesota Statutes 1974, Section 340.81, is amended to read:

340.81 [EXCLUSION OF CERTAIN PERSONS FROM PLACES WHERE LIQUOR IS SOLD, AFTER NOTICE; PENALTY.] No (MINOR) *person under the age of 19 years*, intemperate drinker, habitual drunkard, inmate of a poor or alms house, or person under guardianship, shall be allowed in any room where intoxicating liquor is sold in less quantities than five gallons as a beverage, after written notice upon the licensee or his agent, by parent, husband, wife, child, guardian, master or employer of such (MINORITY) *age*, intemperate drinking, habitual drunkenness or guardianship, or in the case of an intemperate drinker, inmate of a poor or alms house, or habitual drunkard, after written notice by the mayor, chief of police, judge of the municipal court, or any member of the council of the municipality in which such intemperate drinker, or habitual drunkard, resides, or member of the county board of the county in which such inmate of a poor or alms house, intemperate drinker or habitual drunkard resides, and within one year after such notice, in case of an inmate of a poor or alms house, intemperate drinker or habitual drunkard, and in other cases during the (CONTINUANCE OF THE MINORITY) *time the person is under the age of 19 years or guardianship.* Any violation of this section shall be guilty of a misdemeanor."

Further, strike the title in its entirety and insert:

"A bill for an act relating to intoxicating and non-intoxicating liquor; age for licensing, sale, purchase, consumption, possession and furnishing; amending Minnesota Statutes 1974, Sections 340.02, Subdivision 8; 340.035, Subdivision 1; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.355; 340.403, Subdivision 3; 340.73, Subdivision 1; 340.731; 340.78; 340.79; 340.80; and 340.81."

The roll being called, there were yeas 86, and nays 35, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Jacobs	McCollar	Searle
Adams, L.	Doty	Jensen	Menning	Setzepfandt
Adams, S.	Eckstein	Jopp	Munger	Sherwood
Albrecht	Eken	Kaley	Neisen	Sieloff
Anderson, G.	Erickson	Kalis	Nelsen	Smith
Anderson, I.	Esau	Kelly, W.	Nelson	Smogard
Beauchamp	Evans	Kempe, A.	Niehaus	Suss
Berg	Ewald	Kempe, R.	Peterson	Tomlinson
Biersdorf	Fjoslien	Ketola	Petrafaso	Ulland
Braun	Forsythe	Knickerbocker	Pleasant	Wenstrom
Brinkman	Friedrich	Knoll	Prahl	Wenzel
Byrne	Fudro	Kvam	Reding	White
Carlson, A.	Fugina	Laidig	Samuelson	Wieser
Carlson, L.	Graba	Langseth	Sarna	Wigley
Carlson, R.	Hanson	Lemke	Savelkoul	
Corbid	Haugerud	Luther	Schreiber	
Dahl	Heinitz	Mann	Schulz	
Dean	Hokanson	McCauley	Schumacher	

Those who voted in the negative were:

Arlandson	Faricy	Moe	Philbrook	Vanasek
Begich	Johnson, D.	Norton	St. Onge	Vento
Casserly	Jude	Novak	Sieben, H.	Volk
Clark	Kahn	Osthoff	Sieben, M.	Voss
Clawson	Kostohryz	Parish	Simoneau	Williamson
Dieterich	Mangan	Patton	Skoglund	Zubay
Enebo	McCarron	Fehler	Swanson	Speaker Sabo

The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the motion of Johnson, D., to recommend re-referral of S. F. No. 1135, as amended, to the Committee on Crime Prevention and Corrections.

The roll being called, there were yeas 24, and nays 93, as follows:

Those who voted in the affirmative were:

Adams, L.	George	McCarron	Pehler	Vento
Begich	Johnson, D.	McCauley	St. Onge	Volk
Clark	Jude	Norton	Sieben, H.	Voss
Enebo	Kahn	Osthoff	Sieben, M.	Speaker Sabo
Faricy	Mangan	Patton	Simoneau	

Those who voted in the negative were:

Abeln	Dean	Jacobs	Menning	Setzepfandt
Adams, S.	DeGroat	Jensen	Moe	Sherwood
Albrecht	Doty	Jopp	Nelsen	Sieloff
Anderson, G.	Eckstein	Kaley	Nelson	Skoglund
Anderson, I.	Eken	Kalis	Niehaus	Smith
Arlandson	Erickson	Kelly, R.	Novak	Smogard
Beauchamp	Esau	Kelly, W.	Peterson	Swanson
Berg	Evans	Kempe, A.	Petraleso	Tomlinson
Biersdorf	Ewald	Kempe, R.	Philbrook	Ulland
Braun	Fjoslien	Ketola	Pleasant	Vanasek
Brinkman	Forsythe	Knickerbocker	Prahl	Wenstrom
Byrne	Friedrich	Knoll	Reding	Wenzel
Carlson, A.	Fudro	Kvam	Rice	White
Carlson, L.	Fugina	Laidig	Sarna	Wieser
Carlson, R.	Graba	Langseth	Savelkoul	Wigley
Casserly	Hanson	Lemke	Schreiber	Williamson
Clawson	Haugerud	Luther	Schulz	Zubay
Corbid	Heinitz	Mann	Schumacher	
Dahl	Hokanson	McCollar	Searle	

The motion did not prevail.

Pursuant to Rule 1.6, a roll call was taken on the motion of Langseth to recommend passage of S. F. No. 1135, as amended:

The roll being called, there were yeas 97, and nays 28, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Jopp	Menning	Setzepfandt
Adams, S.	Doty	Kaley	Munger	Sherwood
Albrecht	Eckstein	Kalis	Neisen	Sieloff
Anderson, G.	Eken	Kelly, R.	Nelsen	Skoglund
Anderson, I.	Erickson	Kelly, W.	Nelson	Smith
Arlandson	Esau	Kempe, A.	Niehaus	Smogard
Beauchamp	Evans	Kempe, R.	Novak	Suss
Begich	Ewald	Ketola	Peterson	Tomlinson
Berg	Fjoslien	Knickerbocker	Petraleso	Ulland
Biersdorf	Forsythe	Knoll	Philbrook	Vanasek
Birnstihl	Friedrich	Kostohryz	Pleasant	Volk
Braun	Fudro	Kvam	Prahl	Wenstrom
Brinkman	Fugina	Laidig	Reding	Wenzel
Byrne	Graba	Langseth	Samuelson	White
Carlson, A.	Hanson	Lemke	Sarna	Wieser
Carlson, L.	Haugerud	Luther	Savelkoul	Wigley
Carlson, R.	Heinitz	Mann	Schreiber	Zubay
Corbid	Hokanson	McCauley	Schulz	
Dahl	Jacobs	McCollar	Schumacher	
Dean	Jensen	McEachern	Searle	

Those who voted in the negative were:

Adams, L.	Fariy	McCarron	Pehler	Vento
Casserly	George	Moe	St. Onge	Voss
Clark	Johnson, D.	Norton	Sieben, H.	Williamson
Clawson	Jude	Osthoff	Sieben, M.	Speaker Sabo
Dieterich	Kahn	Parish	Simoneau	
Enebo	Mangan	Patton	Swanson	

The motion prevailed.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. Nos. 2216, 2147, 1087, 1827, 1929 and 108 which it recommended to pass.

S. F. Nos. 995 and 1816 which it recommended to pass.

H. F. Nos. 1567, 510, 2220, 468, 1897, 1814, 608, 1382, 1953, 1677, 2197 and 2188 upon which it recommended progress.

S. F. Nos. 749, 43, 1794 and 1383 upon which it recommended progress.

H. F. Nos. 437 and 995 upon which it recommended progress retaining its place on General Orders.

H. F. No. 1326 upon which it recommended to pass, as amended by the Committee of the Whole on Thursday, February 19, 1976, and with the following amendments:

Offered by Casserly:

Page 5, after line 2, insert a section to read:

"Sec. 6. Minnesota Statutes 1974, Section 550.37, Subdivision 14, is amended to read:

Subd. 14. *All relief based on need, and the wages or salary of a person who is a recipient of relief based on need, shall be exempt from all claims of creditors. For the purposes of this chapter, relief based on need shall include AFDC, supplemental security income, medical assistance, Minnesota supplemental assistance, and general assistance. The salary or wages of any debtor who is or has been a recipient of relief based on need, or an inmate of a (STATE) correctional institution shall, upon his return to private employment after having been a recipient of (PUBLIC) relief based on need, or an inmate of a (STATE) correctional institution, be exempt from attachment, garnishment, or levy of execution for a period of six months after his return to employment and after all public assistance has been*

*terminated. He may take advantage of such six months salary or wage exemption provisions only once in every three years. The exemption provisions contained in this subdivision shall also apply for 60 days after deposit to any contractual set-off or security interest asserted by a financial institution in which said funds are deposited by the individual. In tracing said funds, the first-in first-out method of accounting shall be used. Agencies distributing relief and the (COMMISSIONER OF CORRECTIONS) correctional institutions shall, at the request of creditors, inform them whether or not any debtor has been a recipient of relief based on need, or an inmate of a (STATE) correctional institution, within such period of six months."*

Renumber the remaining sections.

Page 10, line 14, strike "food stamps."

Amend the title as follows:

Page 1, line 4, after "13," insert "14,".

Offered by Casserly:

Page 8, line 15, strike "ten" and insert "seven".

Page 8, line 23, strike "ten" and insert "seven".

Page 9, line 3, strike "ten" and insert "seven".

Page 9, line 24, strike "ten" and insert "seven".

Page 10, line 6, strike "ten" and insert "seven".

Offered by Casserly:

Page 9, line 14, strike "\$200" and insert "\$100".

Page 9, line 20, strike "an amount not" and insert "\$100".

Page 9, line 21, strike "to exceed \$200".

Page 10, line 29, strike "\$200" and insert "\$100".

Page 11, line 3, strike "an amount not to exceed" and insert "\$100".

Page 11, line 4, strike "\$200".

Page 23, line 2, strike "\$200" and insert "\$100".

H. F. No. 1076 upon which it recommended progress as amended by the Committee of the Whole on Monday, February 9, 1976 and with the following amendment offered by Ulland:

Page 1, line 12, delete "*in*" and insert "*through the use of vending machines*".

Page 1, line 12, after "*upon*" insert "*the premises of*".

Page 1, line 13, delete "*to pupils therein*".

H. F. No. 1957 upon which it recommended to pass with the following amendment offered by Munger:

Page 1, line 14, after the period insert the following:

*"This subdivision shall apply only in those situations where condemnation is not otherwise authorized for the acquisition."*

H. F. No. 2244 upon which it recommended to pass with the following amendment offered by Enebo:

Page 2, line 20, delete "85" and insert "80".

Page 2, line 21, delete "*Any public*".

Page 2, delete lines 22-32.

Page 3, delete lines 1-5.

Page 3, line 6, delete "*dues no credit shall be allowed*".

Page 3, line 9, strike "*a list furnished by the employer of*".

Page 3, line 11, after "*representative*." insert "*To aid the representative in compiling this list the employer shall upon request furnish to the representative a list of all employees in the unit*".

Page 3, line 11, after "*employee*" insert "*or group of employees*".

Page 3, line 21, strike "*may*" and insert "*shall*".

S. F. No. 1135 upon which it recommended to pass with the following amendments to the unofficial engrossment:

Offered by Langseth:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Section 340.02, Subdivision 8, is amended to read:

Subd. 8. [PERSONS ELIGIBLE.] Licenses hereunder shall be issued only to persons who are citizens of the United States and who are of good moral character and repute, who have attained the age of (18) 19 years and who are proprietors of the establishments for which the licenses are issued.

Sec. 2. Minnesota Statutes 1974, Section 340.035, Subdivision 1, is amended to read:

340.035 [PERSONS UNDER 19.] Subdivision 1. It shall be unlawful for any:

(1) Licensee or his employee to sell or serve non-intoxicating malt liquor to any (MINOR) *person under the age of 19 years* or to permit any (MINOR) *person under the age of 19 years* to consume non-intoxicating malt liquor on the licensed premises (OR TO PERMIT ANY MINOR TO LOITER OR TO REMAIN IN THE ROOM WHERE NON-INTOXICATING MALT LIQUOR IS BEING SOLD OR SERVED UNLESS ACCOMPANIED BY HIS PARENT OR LEGAL GUARDIAN);

(2) Person other than the parent or legal guardian to procure non-intoxicating malt liquor for any (MINOR) *person under the age of 19 years*;

(3) Person to induce a (MINOR) *person under the age of 19 years* to purchase or procure non-intoxicating malt liquor;

(4) (MINOR) *Person under the age of 19 years* to misrepresent his age for the purpose of obtaining non-intoxicating malt liquor;

(5) (MINOR) *Person under the age of 19 years* to consume any non-intoxicating malt liquor unless in the company of his parent or guardian;

(6) (MINOR) *Person under the age of 19 years* to have in his possession any non-intoxicating malt liquor, with intent to consume same at a place other than the household of his parent or guardian. Possession of such non-intoxicating malt liquor at a place other than the household of his parent or guardian shall be prima facie evidence of intent to consume the same at a place other than the household of his parent or guardian.

Sec. 3. Minnesota Statutes 1974, Section 340.119, Subdivision 2, is amended to read:

Subd. 2. A bottle club may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to

such members. A bottle club or any unincorporated society which shall have more than 50 members and which shall have, for more than a year, owned, hired, or leased space in a building of such extent and character as may be suitable and adequate for reasonable and comfortable accommodations for its members, may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to such members. Every bottle, container, or other receptacle containing intoxicating liquor stored by members shall have attached to it a label signed by the member of the club. All liquor on the premises of the club shall be labeled as herein required, and any not being actually used or consumed by the owner thereof shall be kept in a locker designated to the use of such member. It shall be unlawful for any club member under (18) 19 years of age to be assigned a locker for the storage of intoxicating liquor, or to consume or display or be permitted to consume or display intoxicating liquor on any premises owned by or controlled by such private club.

Sec. 4. Minnesota Statutes 1974, Section 340.13, Subdivision 12, is amended to read:

Subd. 12. [LICENSES; PERSONS ELIGIBLE.] No license shall be issued to other than a citizen of the United States (OVER 18) 19 years of age *or over* who shall be of good moral character and repute, nor to any person who within five years prior to the application of such license has been convicted of any wilful violation of any law of the United States or the state of Minnesota or of any local ordinance with regard to the manufacture, sale, distribution, or possession for sale or distribution of intoxicating liquor, nor to any person whose license under the intoxicating liquor act shall be revoked for any wilful violation of any such laws or ordinances.

Sec. 5. Minnesota Statutes 1974, Section 340.355, is amended to read:

340.355 [MUNICIPAL LIQUOR STORE; SUSPENSION OF OPERATION, PROCEDURE.] When a municipal officer or employee of a city is convicted of (1) selling intoxicating liquor or non-intoxicating malt liquor to (A MINOR OR OTHER) *an* ineligible person, (2) selling intoxicating liquor or non-intoxicating malt liquor at a time when such sale is prohibited by law, (3) selling intoxicating liquor or non-intoxicating malt liquor for re-sale, (4) selling intoxicating liquor or non-intoxicating malt liquor on which the required state tax has not been paid, (5) selling intoxicating liquor for consumption off the premises for less than the price required by law, or (6) violating statutory restrictions on gambling and gambling devices and apparatus, and when the offense resulting in such conviction has occurred in an exclusive liquor store operated by the municipality, the court in which the conviction occurs shall mail to the state liquor control commissioner within ten days of the conviction a record of the conviction. The commissioner shall there-

upon send notice of the conviction to the county attorney of the county in which the municipal liquor store is located. The county attorney promptly after receipt of the notice shall commence an action in the district court in the name of the state against the municipality to suspend the operation of the store as provided by this act. The complaint shall recite the facts of the conviction and shall include a prayer for judgment suspending operation of the store for a period not exceeding 30 days. A copy of the summons and complaint shall be mailed to the liquor control commissioner. The municipality shall have ten days within which to answer, setting forth such facts as are relevant to proof of the conviction and to the determination of the penalty to be imposed.

Sec. 6. Minnesota Statutes 1974, Section 340.403, Subdivision 3, is amended to read:

Subd. 3. [LICENSE GRANTED.] Upon the filing of an application, the approval of the bond, and the payment of the license fee, the commissioner shall grant the license unless it shall appear that the applicant: (1) is not a citizen of the United States; or (2) is not (OVER 18) 19 years of age *or over*; or (3) has been convicted of a felony under the laws of this state; or (4) has had his license revoked within a period of one year prior to the filing of his application; or (5) has not been a resident of Minnesota or has not been qualified as a corporation to do business in Minnesota for more than 90 days prior to application. In the event the applicant is a corporation its managing officers must possess the qualifications herein stated in respect to (1), (2), (3), and (4).

No wholesale malt beverage license shall be granted to any person unless he shall have within the state of Minnesota warehouse space either owned or leased by him and shall have adequate delivery facilities to perform the function of wholesaling malt beverages. Provided that the requirements of this subdivision as to residence and warehouse space shall not apply to any wholesaler in an adjoining state which permits Minnesota resident licensees to deliver malt beverages to retailers without warehousing in that state or to any wholesaler in an adjoining state delivering malt beverages manufactured in Minnesota.

Sec. 7. Minnesota Statutes 1974, Section 340.73, Subdivision 1, is amended to read:

340.73 [PERSONS TO WHOM SALES ARE ILLEGAL.]  
Subdivision 1. It shall be unlawful for any person, except a licensed pharmacist to sell, give, barter, furnish, deliver, or dispose of, in any manner, either directly or indirectly, any spirituous vinous, or fermented liquors in any quantity, for any purpose, whatever to any (MINOR) person *under the age of 19 years*, or to any intoxicated person, or to any public prostitute.

Sec. 8. Minnesota Statutes 1974, Section 340.731, is amended to read:

340.731 [PERSONS UNDER 19, FORBIDDEN ACTS OR STATEMENTS.] It shall be unlawful for (1) a (MINOR) *person under the age of 19 years* to enter any premises licensed for the retail sale of alcoholic beverages or any municipal liquor store for the purpose of purchasing, or having served or delivered to him or her, any alcoholic beverage containing more than one-half of one percent of alcohol by volume or

(2) a (MINOR) *person under the age of 19 years* to consume any intoxicating liquor or to purchase, attempt to purchase or have another purchase for him or her any intoxicating liquor; or

(3) any person to misrepresent or misstate his or her age, or the age of any other person for the purpose of inducing any licensee or any employee of any licensee, or or any employee of any municipal liquor store, to sell, serve or deliver any alcoholic beverage to a (MINOR) *person under the age of 19 years*; or

(4) a (MINOR) *person under the age of 19 years* to have in his possession any intoxicating liquor, with intent to consume same at a place other than the household of his parent or guardian. Possession of such intoxicating liquor at a place other than the household of his parent or guardian shall be prima facie evidence of intent to consume the same at a place other than the household of his parent or guardian.

Sec. 9. Minnesota Statutes 1974, Section 340.78, is amended to read:

340.78 [SALES TO CERTAIN PERSONS, AFTER NOTICE.] Every person selling liquor to a (MINOR) *person under the age of 19 years*, habitual drunkard, or person under guardianship, after written notice by a parent, husband, wife, child, guardian, master, or employer of such (MINORITY) *age*, habitual drunkenness, or guardianship, or in the case of an habitual drunkard after written notice by the mayor, chief of police, or any member of the council of the municipality in which such habitual drunkard resides, or member of the county board of the county in which such habitual drunkard resides, and within one year after such notice in case of an habitual drunkard, and in other cases during the (CONTINUANCE OF THE MINORITY) *time the person is under the age of 19 years*, or guardianship, shall be guilty of a misdemeanor.

Sec. 10. Minnesota Statutes 1974, Section 340.79, is amended to read:

340.79 [GIVING TO OR PROCURING FOR CERTAIN PERSONS.] Any person who shall give to, procure or purchase,

intoxicating liquors for any (MINOR) person *under the age of 19 years* or other person to whom the sale of intoxicating liquors is by law forbidden, is guilty of a gross misdemeanor and, upon conviction, shall be punished in accordance with the laws of the state.

Sec. 11. Minnesota Statutes 1974, Section 340.80, is amended to read:

340.80 [INDUCING CERTAIN PERSONS TO ENTER SALOON.] Any person who shall assist, procure or induce any (MINOR) *person under the age of 19 years* or other person to whom the sale of liquor is by law forbidden, to enter or visit any saloon, bar, buffet or public drinking place for the purpose of obtaining intoxicating liquors, is guilty of a gross misdemeanor; and, upon conviction, punished therefor according to the laws of the state.

Sec. 12. Minnesota Statutes 1974, Section 340.81, is amended to read:

340.81 [EXCLUSION OF CERTAIN PERSONS FROM PLACES WHERE LIQUOR IS SOLD, AFTER NOTICE; PENALTY.] No (MINOR) *person under the age of 19 years*, intemperate drinker, habitual drunkard, inmate of a poor or alms house, or person under guardianship, shall be allowed in any room where intoxicating liquor is sold in less quantities than five gallons as a beverage, after written notice upon the licensee or his agent, by parent, husband, wife, child, guardian, master or employer of such (MINORITY) *age*, intemperate drinking, habitual drunkenness or guardianship, or in the case of an intemperate drinker, inmate of a poor or alms house, or habitual drunkard, after written notice by the mayor, chief of police, judge of the municipal court, or any member of the council of the municipality in which such intemperate drinker, or habitual drunkard, resides, or member of the county board of the county in which such inmate of a poor or alms house, intemperate drinker or habitual drunkard resides, and within one year after such notice, in case of an inmate of a poor or alms house, intemperate drinker or habitual drunkard, and in other cases during the (CONTINUANCE OF THE MINORITY) *time the person is under the age of 19 years* or guardianship. Any violation of this section shall be guilty of a misdemeanor."

Further, strike the title in its entirety and insert:

"A bill for an act relating to intoxicating and non-intoxicating liquor; age for licensing, sale, purchase, consumption, possession and furnishing; amending Minnesota Statutes 1974, Sections 340.02, Subdivision 8; 340.035, Subdivision 1; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.355; 340.403, Subdivision 3; 340.73, Subdivision 1; 340.731; 340.78; 340.79; 340.80; and 340.81."

Offered by Luther:

Page 8 of the Langseth amendment, after line 28, insert a new section to read:

*"Sec. 13. The provisions of this Act shall not apply to any person who has attained the age of 18 on or before the effective date hereof."*

H. F. No. 1885 upon which it recommended to pass with the following amendment offered by Adams, S.:

Page 1, line 11, before "*the*" insert "*subject to the final enactment of the Airport and Airways Development Act Amendments of 1975*".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

### MOTIONS AND RESOLUTIONS

Neisen moved that the name of Byrne be added as an author on H. F. No. 2488. The motion prevailed.

Luther moved that the names of Carlson, L.; Philbrook and Prah be added as authors on H. F. No. 2491. The motion prevailed.

Munger moved that the name of Lemke be added as an author on H. F. No. 2492. The motion prevailed.

Schumacher moved that his name be stricken as an author on H. F. No. 1882. The motion prevailed.

Birnstihl moved that H. F. No. 1200, be recalled from the Committee on Health and Welfare and be re-referred to the Committee on Education. The motion prevailed.

House Concurrent Resolution No. 10 was reported to the House.

### HOUSE CONCURRENT RESOLUTION NO. 10

A house concurrent resolution urging Congress and the President to terminate the Airline Mutual Aid Agreement.

*Whereas*, The Federal Aviation Act of 1958, Section 401, subsection (k), paragraph 3, of Title IV, states that nothing therein shall be construed as restricting the collective bargaining process; and

*Whereas*, The Federal Aviation Act of 1958, Section 412, subsection (b), paragraph 1, of Title IV, states that the board shall

by order disapprove any contract or agreement it finds to be adverse to the public interest; and

*Whereas*, The Federal Aviation Act of 1958, Section 416, subsection (b), paragraph 2, of Title IV, states, in pertinent part, that no air carrier is exempt from subsection (k), Section 401, Title IV; and

*Whereas*, The Railway Labor Act, as amended, Section 10 of Title I, states that if a dispute threatens substantially to interrupt interstate commerce so as to deprive any section of the country of essential transportation service, the mediation board shall notify the President, who may, in his discretion, create a board to investigate and report on the dispute; now, therefor,

*Be It Resolved*, by the House of Representatives of the State of Minnesota, the Senate concurring, that the President and the Congress of the United States should terminate the Airline Mutual Aid Agreement, as amended, as being in violation of the Federal Aviation Act of 1958, Section 401, subsection (k), paragraph 3.

*Be It Further Resolved*, that copies of this Memorial be immediately transmitted by the Chief Clerk to the Honorable Gerald R. Ford, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and the Speaker of the House shall appoint a member of the House and the Senate Committee on Committees shall appoint a member of the Senate to deliver the resolution to the offices of each member of Congress from the State of Minnesota.

Fugina moved that House Concurrent Resolution No. 10 be now adopted.

Carlson, A., moved that House Concurrent Resolution No. 10 be re-referred to the Committee on Labor-Management.

A roll call was requested and properly seconded.

The question was taken on the Carlson, A., motion and the roll being called, there were yeas 28, and nays 81, as follows:

Those who voted in the affirmative were:

Adams, S.	Esau	Heinitz	Niehaus	Sieloff
Albrecht	Evans	Kaley	Peterson	Uiland
Carlson, A.	Fjoslien	Knickerbocker	Pleasant	Wieser
Dean	Forsythe	Kvam	Savelkoul	Zubay
Eckstein	Friedrich	Laidig	Schreiber	
Erickson	Haugerud	Nelsen	Searle	

Those who voted in the negative were:

Abeln	Dieterich	Kalis	Munger	Sieben, M.
Adams, L.	Doty	Kelly, R.	Norton	Simoneau
Anderson, G.	Eken	Kelly, W.	Osthoff	Skoglund
Anderson, I.	Enebo	Kempe, A.	Parish	Smogard
Arlandson	Ewald	Kempe, R.	Patton	Suss
Begich	Faricy	Ketola	Pehler	Vanasek
Berg	Fudro	Knoll	Petrafeso	Vento
Biersdorf	Fugina	Kostohryz	Philbrook	Volk
Birnstihl	George	Lemke	Reding	Voss
Braun	Graba	Luther	Rice	Wenstrom
Byrne	Hanson	Mangan	St. Onge	Wenzel
Carlson, L.	Hokanson	Mann	St. Onge	White
Carlson, R.	Jacobs	McCarron	Samuelson	Speaker Sabo
Casserly	Jensen	McCauley	Sarna	
Clark	Johnson, D.	McCollar	Schulz	
Clawson	Jude	McEachern	Schumacher	
Corbid	Kahn	Menning	Sieben, H.	

The motion did not prevail.

The question recurred on the motion to adopt the resolution.

A roll call was requested and properly seconded.

The question was taken on the adoption of the resolution and the roll being called, there were yeas 83, and nays 28, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kempe, A.	Nelson	Setzpfandt
Adams, L.	Doty	Kempe, R.	Norton	Sieben, H.
Anderson, G.	Eken	Ketola	Novak	Sieben, M.
Anderson, I.	Enebo	Knoll	Osthoff	Simoneau
Arlandson	Fudro	Kostohryz	Parish	Skoglund
Beauchamp	Fugina	Langseth	Patton	Smogard
Begich	George	Lemke	Pehler	Suss
Berg	Graba	Luther	Petrafeso	Tomlinson
Birnstihl	Hokanson	Mangan	Philbrook	Vanasek
Braun	Jacobs	Mann	Prahl	Vento
Byrne	Jensen	McCarron	Reding	Volk
Carlson, L.	Johnson, D.	McCauley	Rice	Voss
Carlson, R.	Jude	McCollar	St. Onge	Wenstrom
Casserly	Kahn	McEachern	Samuelson	Wenzel
Clark	Kalis	Menning	Sarna	Williamson
Clawson	Kelly, R.	Moe	Schulz	
Corbid	Kelly, W.	Munger	Schumacher	

Those who voted in the negative were:

Adams, S.	Esau	Haugerud	Neisen	Sieloff
Albrecht	Evans	Heinitz	Niehaus	Ulland
Carlson, A.	Ewald	Kaley	Peterson	Wieser
Dean	Fjoslien	Knickerbocker	Pleasant	Zubay
Eckstein	Forsythe	Kvam	Savelkoul	
Erickson	Friedrich	Laidig	Searle	

The motion prevailed and House Concurrent Resolution No. 10 was adopted.

Anderson, I., moved that S. F. No. 1135 be unofficially engrossed to include floor amendments and printed for the House. The motion prevailed.

#### ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 1, 1976. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Monday, March 1, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1976

## SEVENTY-NINTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 1, 1976

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Dieterich	Kahn	Munger	Sherwood
Adams, L.	Doty	Kaley	Neisen	Sieben, H.
Adams, S.	Eckstein	Kalis	Nelsen	Sieben, M.
Albrecht	Eken	Kelly, R.	Nelson	Sieloff
Anderson, G.	Enebo	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Erickson	Kempe, A.	Norton	Skoglund
Arlandson	Esau	Kempe, R.	Novak	Smith
Beauchamp	Evans	Ketola	Osthoff	Smogard
Begich	Ewald	Knickerbocker	Parish	Stanton
Berg	Faricy	Knoll	Patton	Suss
Berglin	Fjoshien	Kostohryz	Pehler	Swanson
Biersdorf	Forsythe	Kroening	Peterson	Tomlinson
Birnstihl	Friedrich	Kvam	Petraleso	Ulland
Braun	Fugina	Laidig	Philbrook	Vanasek
Brinkman	George	Langseth	Pleasant	Vento
Byrne	Hanson	Lemke	Prahl	Volk
Carlson, A.	Haugerud	Lindstrom	Reding	Voss
Carlson, L.	Heinitz	Luther	Rice	Wenstrom
Carlson, R.	Hokanson	Mangan	St. Onge	Wenzel
Casserly	Jacobs	McCarron	Samuelson	White
Clark	Jaros	McCauley	Sarna	Wieser
Clawson	Jensen	McCollar	Savelkoul	Wigley
Corbid	Johnson, C.	McEachern	Schreiber	Williamson
Dahl	Johnson, D.	Menning	Schulz	Zubay
Dean	Jopp	Metzen	Schumacher	Speaker Sabo
DeGroat	Jude	Moe	Setzepfandt	

A quorum was present.

Fudro, Graba, Mann, Searle and Spanish were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Vanasek the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1882, 1912, 81, 1076, 1326, 1989, 2002, 1866, 1957, 2344, 1349, 1885, 1911, 2244 and 1527 and S. F. No. 1135 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1377, A bill for an act relating to financial institutions and mortgagees; amending Minnesota Statutes 1974, Sections 47.20 and 47.21.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. [CONVENTIONAL HOME LOAN ASSISTANCE AND PROTECTION ACT; CITATION.]

*Sections 1 to 4 may be cited as the conventional home loan assistance and protection act.*

Sec. 2. Minnesota Statutes 1974, Section 47.20, is amended to read:

47.20 [USE OF FEDERAL ACTS; DEFINITIONS; INTEREST RATES; REQUIRED PROVISIONS; INTEREST ON ESCROW ACCOUNTS.] *Subdivision 1.* Pursuant to such regulations as the commissioner of banks finds to be necessary and proper, if any, banks, savings banks, mutual savings banks, building and loan associations, and savings and loan associations organized under the laws of this state or the United States, trust companies, trust companies acting as fiduciaries, and other banking institutions subject to the supervision of the commissioner of banks, and mortgagees or lenders approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs, are authorized:

(1) To make such loans and advances of credit and purchases of obligations representing loans and advances of credit as are insured by the secretary of housing and urban development pursuant to the national housing act, as amended, or the administrator of veterans affairs pursuant to the servicemen's readjustment act of 1944, as amended, and to obtain such insurance;

(2) To make such loans secured by mortgages on real property which the secretary of housing and urban development or

the administrator of veterans affairs has insured or make a commitment to insure, and to obtain such insurance.

*Subd. 2. The words, terms, and phrases defined in paragraphs 1, 2, 3, 4, 5 and 6, shall, for purposes of section 47.20, be given the meanings subjoined to them:*

(1) "Actual closing costs" mean reasonable charges for or sums paid for the following, whether or not retained by the mortgagee or lender:

- (a) any insurance premiums including but not limited to premiums for title insurance, fire and extended coverage insurance, flood insurance, and private mortgage insurance;
- (b) abstracting title examination and search, and examination of public records;
- (c) the preparation and recording of any or all documents required by law or custom for closing a conventional loan;
- (d) appraisal and survey of real property securing a conventional loan;
- (e) a single service charge, which shall include any consideration, not otherwise specified herein as an actual closing cost paid by the borrower and received and retained by the lender for or related to the acquisition, making, refinancing or modification of a conventional loan, and shall also include any consideration received by the lender for making a commitment for a conventional loan, whether or not an actual loan follows such commitment. The service charge shall not exceed one percent of the original bona fide principal amount of the conventional loan, except that in the case of a construction loan, the service charge shall not exceed two percent of the original bona fide principal amount of the loan; and
- (f) charges and fees necessary for or related to the transfer of real property securing a conventional loan or the closing of a conventional loan paid by the borrower and received by any party other than the lender.

(2) "Conventional loan" means a loan or advance of credit to a noncorporate borrower in an original principal amount of less than \$100,000 which is not insured by the secretary of housing and urban development or guaranteed by the administrator of veterans affairs.

(3) "Finance charge" means the total cost of a conventional loan including extensions or grant of credit regardless of the

characterization of the same and includes interest, finders fees, and other charges levied by a lender directly or indirectly against the person obtaining the conventional loan or against a seller of real property securing a conventional loan, or any other party to the transaction except any actual closing costs. The finance charges plus the actual closing costs charged by a lender shall include all charges made by a lender to the person obtaining the conventional loan other than the principal of the conventional loan.

(4) "Loan yield" means the annual rate of return obtained by a lender over the term of a conventional loan and shall be computed as the annual percentage rate is computed in accordance with sections 226.5(b), (c) and (d) of Regulation Z, 12 C.F.R. section 226, but using the definition of finance charge provided for in this subdivision. The finance charge shall be amortized over the contract term of the conventional loan.

(5) "Monthly index of long term United States government bond yields" means the monthly unweighted average of the daily unweighted average of the closing bid yield quotations in the over the counter market for all outstanding United States Treasury Bond issues, based on available statistics, which are either maturing or callable in ten years or more. This index is expressed in terms of percentage interest per annum.

Subd. 3. Pursuant to such regulations as the commissioner of banks finds to be necessary and proper, if any, banks, savings banks, mutual savings banks, building and loan associations, and savings and loan associations organized under the laws of this state or the United States, trust companies, trust companies acting as fiduciaries, and other banking institutions subject to the supervision of the commissioner of banks, and mortgagees or lenders approved or certified by the federal national mortgage association or the federal home loan mortgage corporation are authorized to make such conventional loans and purchases of obligations representing conventional loans as would be eligible for purchase by the federal national mortgage association or the federal home loan mortgage corporation as authorized by and defined by the Emergency Home Finance Act of 1970, as amended but without regard to any limitations placed upon the maximum principal amount of an eligible conventional loan by said act.

Subd. 4. No conventional loan authorized in subdivision 3 of this section shall be at a rate of interest in excess of a maximum lawful interest rate which shall be based upon the monthly index of long term United States government bond yields as compiled by the board of governors of the Federal Reserve System and as published by said board of governors in the monthly federal reserve bulletin. The maximum lawful interest rate shall be computed as follows:

(1) *The maximum lawful rate of interest for a conventional loan authorized in subdivision 3 of this section entered into or contracted for during any calendar month shall be equal to the monthly index of long term United States government bond yields for the second preceding calendar month plus an additional two percent per annum rounded off to the nearest quarter of one percent per annum or rounded off to the highest quarter of one percent per annum if equidistant.*

(2) *On or before the twentieth day of each month the commissioner of banking shall determine, based on available statistics, the monthly index of long term United States government bond yields for the preceding calendar month and shall determine the maximum lawful rate of interest for such conventional loan for the next succeeding month, as defined in clause (1) of this subdivision and shall cause such maximum lawful rate of interest to be published in the bulletin of the banking division; such maximum lawful rate of interest to be effective on the first day of the next succeeding month.*

(3) *The loan yield obtained from a conventional loan authorized in subdivision 3 of this section shall not exceed the maximum lawful rate of interest established in clause (1) of this subdivision.*

(4) *A contract rate within the maximum lawful interest rate applicable to a conventional loan authorized in subdivision 3 of this section at the time of the loan closing shall be the maximum lawful interest rate for the term of such conventional loan; except that a commitment for a conventional loan authorized in subdivision 3 of this section which provides for consummation within some future time following the issuance of such commitment may be consummated pursuant to the provisions, including the interest rate, of such commitment notwithstanding the fact that the maximum lawful rate of interest at the time such conventional loan is actually entered into is less than the commitment rate of interest, provided the commitment rate of interest does not exceed the maximum lawful interest rate in effect on the date such commitment was issued and provided that such commitment when issued and agreed to by the borrower shall constitute a legally binding obligation on the part of the mortgagee or lender to make a conventional loan authorized in subdivision 3 of this section within a specified time period in the future at a rate of interest not exceeding the maximum lawful rate of interest effective as of the date of commitment offer. The refinancing of an existing conventional loan authorized in subdivision 3 of this section shall be deemed to be a new conventional loan for purposes of determining the maximum lawful rate of interest under this subdivision.*

(5) *This subdivision expires July 31, 1977. A contract or commitment for a conventional loan made pursuant to this subdivision made on or before July 31, 1977 at a rate of interest not*

*in excess of the rate of interest authorized by this subdivision at the time the contract or commitment for such loan was made shall continue to be enforceable in accordance with its terms until the indebtedness is fully satisfied.*

*Subd. 5. No loan or advance of credit authorized in subdivisions 1 or 3 of this section and contracted for on or after the effective date of this subdivision, shall contain a provision requiring or permitting the imposition of a penalty in the event the loan or advance of credit is prepaid.*

*Subd. 6. No loan or advance of credit authorized in subdivisions 1 or 3 of this section and contracted for on or after the effective date of this subdivision, shall contain a provision requiring or permitting the imposition of a fee or penalty in excess of one-tenth of one percent of the remaining unpaid principal balance in the event the loan or advance of credit and the obligation incurred thereby is assumed by another person.*

*Subd. 7. (1) No conventional loan authorized in subdivision 3 of this section and contracted for on or after the effective date of this subdivision shall contain a provision requiring or permitting the imposition, directly or indirectly, of any discount points, whether or not actually denominated as discount points, on any person.*

*(2) Discount points shall be deemed not to include a fee paid to a lender by a person in the business of residential building or development in connection with a commitment by such lender to make conventional loans to credit worthy purchases of real property which has not previously been occupied as a residence.*

*(3) No charges, fees, or sums permitted by this act which are paid to and received by a lender may be increased for purposes of evading compliance with this subdivision.*

*Subd. 8. (1) For purposes of this subdivision the term "mortgagee" shall mean all state banks and trust companies, national banking associations, state and federally chartered savings and loan associations, mortgage banks, mutual savings banks, insurance companies, credit unions or assignees of the above. Each mortgagee requiring funds of a mortgagor to be paid into an escrow, agency or similar account for the payment of taxes or insurance premiums with respect to a mortgaged residence or multi-family residential building located in this state, unless such account is required by federal law or regulation or maintained in connection with loans insured by the secretary of housing and urban development or guaranteed by the administrator of veterans affairs, shall calculate interest on such funds at a rate of not less than three percent per annum. Such interest shall be computed on the average monthly balance in such account of the first of each month for the immediately preceding 12 months of the calendar year or such other fiscal year as may*

be uniformly adopted by the mortgagee for such purposes and shall be annually credited to the remaining principal balance on the mortgage, or at the election of the mortgagee, paid to the mortgagor or credited to his account. If the interest exceeds the remaining balance, the excess shall be paid to the mortgagor or vendee. The requirement to pay interest shall apply to such accounts created prior to the effective date of this subdivision as well as to accounts created after this subdivision is effective.

(2) The commerce commission shall have the power to prescribe, at the end of each calendar year, a rate of interest higher than that set by this subdivision. The rate so prescribed shall apply to the calendar year during which such rate is prescribed or to such other fiscal year beginning within such calendar year uniformly adopted by the mortgagee for such purposes. In prescribing any rate the commission shall consider pertinent economic and cost factors including, but not limited to: (1) current yields on short term investments, (2) current dividend rates paid on regular savings accounts throughout this state, (3) currently prevailing interest rates on conventional and insured or guaranteed mortgage loans in this state, (4) cost factors in maintaining accounts described in clause (1) of this subdivision, and (5) such other pertinent economic or cost factors that the commerce commission shall deem to be appropriate.

(3) If at any time the use of such account is offered as an option to the mortgagor and the mortgagor continues or elects to use such account, interest need not be credited or paid.

(4) A mortgagee shall be prohibited from charging a direct fee for the administration of the escrow account.

(5) A mortgagee shall make timely payments of tax and insurance bills provided that funds paid into such account by the mortgagor are sufficient for such payment. If there is a shortage of funds the mortgagee shall promptly notify the mortgagor of such shortage. Failure to make the payment required by this clause shall subject the mortgagee to liability for all damages caused by such failure except that this sentence shall not deprive the mortgagee of the right to present any legal defenses in any subsequent proceeding. The mortgagee is permitted to make any payment on behalf of the mortgagor even though there are not sufficient funds in a particular account to cover the payment.

(6) If any provision of this subdivision is found to be unconstitutional and void, the remaining provisions are expressly made severable.

(7) Any mortgagee intentionally violating the provisions of subdivision 8 shall be fined not more than \$100 for each offense.

*Subd. 9. Notwithstanding any other law, the provisions of this act may not be waived by any oral or written agreement executed by any person.*

Sec. 3. Minnesota Statutes 1974, Section 47.21, is amended to read:

47.21 [LAWS PRESCRIBING TYPE OF SECURITY NOT TO APPLY.] No other law in this state prescribing the nature, amount or form of security or requiring security upon which loans or advances of credit may be made, or prescribing or limiting interest rates upon loans or advances of credit, or prescribing or limiting the period for which loans or advances of credit may be made, shall be deemed to apply to loans, advances of credit or purchases made pursuant to section 47.20, (PARAGRAPHS (1) AND (2)) subdivisions 1, 3 and 4.

(1) Such institutions may invest in notes or bonds secured by mortgage or trust deed insured pursuant to section 47.20, subdivision 1, clause (2), and in securities issued by national mortgage associations;

(2) The notes, bonds and other securities herein made eligible for investment may be used wherever, by statute, collateral is required as security for the deposit of public or other funds; or deposits are required to be made with any public official or department; or an investment of capital or surplus, or a reserve or other fund, is required to be maintained consisting of designated securities.

Sec. 4. *This act is effective on April 1, 1976.*

With the recommendation that when so amended the bill do pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 518, A bill for an act relating to retirement; withdrawal of share values by members of the unclassified employees retirement program; amending Minnesota Statutes 1974, Section 352D.05, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 7, delete "1974" and insert ", 1975 Supplement".

Page 1, delete lines 9 to 18 and insert:

"Subd. 3. Upon termination of covered employment or at any time thereafter a participant shall be entitled to withdraw the

cash value of his total shares or may leave such shares on deposit with the supplemental retirement fund. Shares not withdrawn shall remain on deposit with the supplemental retirement fund until the former participant attains the age of at least 58 years, and applies for an annuity as provided in section 352D.06, subdivision 1. *The provisions of this subdivision shall apply to any person with 42 months or more of service in the unclassified service and employer shares credited to his account with respect to that service, who terminated service prior to July 1, 1973.*"

Further amend the title:

Line 5, delete "1974" and insert ", 1975 Supplement".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1005, A bill for an act relating to meetings of state agencies and governing bodies open to public; providing for notice of meetings; amending Minnesota Statutes 1974, Section 471.705, Subdivision 1.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1656, A bill for an act relating to housing and redevelopment; redefining powers of local housing and redevelopment authorities in carrying out legislation; making loans and grants and renting housing to tenants; amending Minnesota Statutes 1974, Sections 462.425, Subdivision 6; 462.445, Subdivisions 4 and 9; and 462.475, Subdivision 1; repealing Minnesota Statutes 1974, Section 462.501, Subdivision 1.

Reported the same back with the following amendments:

Pages 2, 3, 4, 5, 6, and 7, delete all of Sections 2 and 3.

Renumber the remaining sections.

Page 7, strike existing language and delete new language in lines 20 to 32.

Page 8, strike existing language and delete new language in lines 1 to 12 and insert:

*“(3) An authority in its operations within a municipality shall not approve a family as tenant in a housing project if the family has an aggregate annual net income at the time of admission from all sources which is in excess of five times the annual rental for the accommodations to be provided the family. As used in this section, aggregate annual net income shall not include:*

*(a) the income of a family member, other than the head of the household or his spouse, who is under 18 years of age or who is a full-time student;*

*(b) the first \$300 of the income of a secondary wage earner who is the spouse of the head of the household;*

*(c) \$300 for each member of the family residing in the household, other than the head of the household or his spouse, who is under 18 years of age or who is 18 years of age or older and is disabled, handicapped or a full-time student;*

*(d) nonrecurring income as defined by the authority;*

*(e) five percent of the family's gross income from all sources or, in the case of an elderly family, ten percent of the family's gross income;*

*(f) extraordinary medical expenses or other expenses resulting from unusual circumstances as determined by the authority; and*

*(g) an amount equal to the moneys received by the head of the household or his spouse from or under the direction of any public or private nonprofit child placing agency for the care and maintenance of one or more persons who are under 18 years of age and were placed in the family by that agency.*

*(4) In”.*

Page 8, line 20, strike “less than”.

Page 8, line 22, strike “or”.

Page 8, line 23, after “462.491” insert “; or (c) the maximum net family income determined pursuant to the housing and community development act of 1974”.

Page 8, after line 25, add a new section to read:

*“Sec. 4. This act shall be effective the day after final enactment.”.*

Further amend the title:

Line 7, delete "462.445, Subdivisions 4".

Line 8, delete "and 9;".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2306, A bill for an act relating to the board of medical examiners; adding four public members; requiring sanctions after determination of board; providing procedures for reporting and investigating malpractice complaints; requiring malpractice information from physicians from other states; prescribing reports to the complaining parties; authorizing the attorney general to investigate; amending Minnesota Statutes 1974, Sections 144.651; 147.021, Subdivision 1; 147.031, Subdivision 1; and Chapter 147 by adding sections; amending Minnesota Statutes, 1975 Supplement, Sections 147.01; 147.021, Subdivision 2; and 147.03.

Reported the same back with the following amendments:

Page 1, line 20, delete "15" and reinstate "11".

Page 2, line 1, delete "seven" and reinstate "three".

Page 3, line 24, delete "Eight" and reinstate "Six".

Page 7, line 29, strike "whether the".

Page 7, strike line 30.

Page 7, line 31, strike "otherwise," and insert "*when reasonably related to his practice of medicine*".

Page 11, line 15, after "application" insert "*for the five-year period of active practice preceding the date of filing such application*".

Page 11, line 18, delete "complaints".

Page 11, line 19, delete "or claims made against him" and insert "*medical malpractice settlement or award made to the plaintiff*".

Page 12, line 30, after the period insert "*For purposes of sections 6 to 9 of this act, "complaint" means any written description of medical care rendered or the results of medical care which was deemed inadequate, insufficient, or of a questionable nature by the complaining party.*".

Page 13, line 13, after "*whom*" insert "*medical*".

Page 13, line 14, delete "*claims*" and insert "*settlements or awards*".

Page 13, line 14, after "*have been made*" insert "*to the plaintiff*".

Page 13, line 16, delete "*claims made against the*".

Page 13, line 17, delete "*physician*" and insert "*medical malpractice settlements or awards made to the plaintiff*".

Page 13, line 18, delete "*claims*" and insert "*medical malpractice settlements or awards to the plaintiff*".

Page 13, line 19, delete "*claims*" and insert "*settlements or awards made to the plaintiff*".

Page 13, line 25, after "*the*" insert "*insurers reports and public*".

Page 13, line 25, delete "*and claims*".

Page 14, line 4, delete "*five claims have*" and insert "*a medical malpractice settlement or award to the plaintiff has*".

Page 14, line 6, delete the second "*shall*" and insert "*may*".

Page 16, line 22, after "*examiners*" insert "*and/or the name and phone number of the person within the facility*".

Page 16, line 22, delete "*he may direct*".

Page 16, line 23, delete "*he*".

Page 16, line 23, after "*received*" insert "*may be directed*".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1377, 518, 1005 and 1656 were read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Munger, Hanson, Norton, Anderson, I., and Searle introduced:

H. F. No. 2493, A bill for an act relating to transportation; appropriating money to the public service commission for the purpose of contracting for railroad passenger service.

The bill was read for the first time and referred to the Committee on Appropriations.

Nelson, Casserly, Moe, Pleasant and Dieterich introduced:

H. F. No. 2494, A bill for an act relating to crimes; circumstances justifying a discharge of a firearm to effect an arrest; amending Minnesota Statutes 1974, Sections 609.065; and 629.33.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Nelson, Moe, Esau, Novak and Norton introduced:

H. F. No. 2495, A bill for an act relating to victims of crime; directing the commissioner of corrections to provide for the planning of a victims' resource program and to implement an experimental operating victims' resource program; appropriating money.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Biersdorf, Lemke, Mann and Brinkman introduced:

H. F. No. 2496, A bill for an act relating to commerce; interest rates on money; exempting agricultural credit corporations from interest rate limitations; amending Minnesota Statutes 1974, Section 334.06.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Philbrook, McCollar, Suss, Kelly, R., and Corbid introduced:

H. F. No. 2497, A bill for an act relating to insurance; eliminating certain abstracting and publishing requirements for financial statements of fraternal beneficiary associations and reciprocal or interinsurance exchanges; amending Minnesota Statutes 1974, Sections 60A.13, Subdivision 7; and 60A.14, Subdivision 1; repealing Minnesota Statutes 1974, Section 60A.13, Subdivisions 3 and 4.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Sieloff introduced:

H. F. No. 2498, A bill for an act relating to insurance; including surety bonds within the scope of the Minnesota insurance guaranty association act; amending Minnesota Statutes 1974, Sections 60C.02, Subdivisions 1 and 2; 60C.03, Subdivision 4; 60C.04; 60C.09, Subdivision 1; 60C.14, Subdivision 2.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Vento and Hanson introduced:

H. F. No. 2499, A bill for an act relating to retirement; amendments to bylaws and articles of incorporation of the St. Paul Teachers' Retirement Fund Association.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Esau, Mann, Lemke, Biersdorf and Erickson introduced:

H. F. No. 2500, A bill for an act relating to retirement; exclusions from membership in the public employees retirement association; amending Minnesota Statutes 1974, Section 353.01, Subdivision 2b.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Nelson, Casserly and Knoll introduced:

H. F. No. 2501, A bill for an act relating to the operation of state government; providing for proportional representation in the state work force; amending Minnesota Statutes 1974, Sections 43.01, by adding subdivisions; 43.111; 43.15; and Minnesota Statutes, 1975 Supplement, Section 43.18, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Arlandson; Adams, L.; Haugerud; Patton and Smogard introduced:

H. F. No. 2502, A bill for an act relating to the operation of state government; reorganizing or abolishing various state agencies; transferring powers or duties from the Indian affairs commission, the capitol area architectural and planning commission, the livestock sanitary board, the cable communications commission, the iron range resources and rehabilitation commission, the levy limitations review board and the crime victims reparation board to other agencies; amending Minnesota Statutes 1974, Section 15.50; 35.02; 216A.05, by adding a subdivision; 238.02, Subdivision 4; 271.01, by adding a subdivision; 271.06, Subdivision 1; 271.09, Subdivision 1; 298.22, Subdivision 1, and by adding subdivisions; 299B.06, Subdivision 1; 299B.07, Subdivision 5; 299B.08, Subdivision 1; Chapters 17, 275 and 363, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 275.50, Subdivision 5; 275.52, Subdivision 4; Laws 1975, Chapter 344, Section 3, Subdivision 1; repealing Minnesota Statutes 1974, Sections 3.922, as amended; 238.04, as amended; 246.017, Subdivision 2; 275.551; 275.552; 298.22, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Metzen; Biersdorf; Sieben, H.; Osthoff and Anderson, I., introduced:

H. F. No. 2503, A bill for an act relating to state employees; limiting severance allowances for certain employees; amending Minnesota Statutes, 1975 Supplement, Section 43.224.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Carlson, L.; Luther; Adams, L.; McCauley and Swanson introduced:

H. F. No. 2504, A bill for an act relating to pharmacy; authorizing notices on prescription drugs when driving may be impaired; amending Minnesota Statutes, 1975 Supplement, Section 151.212, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Carlson, L.; Clark; Adams, L.; Forsythe and Dahl introduced:

H. F. No. 2505, A bill for an act relating to public welfare; specifying services to handicapped persons; defining terms; amending Minnesota Statutes 1974, Section 645.44, by adding a subdivision; and Minnesota Statutes, 1975 Supplement, Section 256.01, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Jacobs, by request, introduced:

H. F. No. 2506, A bill for an act relating to public health; allowing a parent or guardian to refuse certain immunizations for a child or ward on conscientious grounds; amending Minnesota Statutes 1974, Section 123.70, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Esau and Langseth introduced:

H. F. No. 2507, A bill for an act relating to crimes; defining conditions for guilt for driving, operating or controlling motor vehicles under the influence of liquor and drugs; providing penalties; amending Minnesota Statutes 1971, Section 169.121, Subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Sieloff introduced:

H. F. No. 2508, A bill for an act relating to witnesses; requiring review of qualifications of expert witnesses in medical malpractice cases; creating a professional review council.

The bill was read for the first time and referred to the Committee on Judiciary.

Sieloff introduced:

H. F. No. 2509, A bill for an act relating to courts; providing that a counterclaim for damages for abuse of process may be filed when an action for damages for personal injury is filed.

The bill was read for the first time and referred to the Committee on Judiciary.

Samuelson, McCollar, Wigley and Smith introduced:

H. F. No. 2510, A bill for an act relating to public health; providing for a referendum to determine whether the fluoride in municipal water supplies should be controlled; amending Minnesota Statutes 1974, Section 144.145.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Petrafeso, Tomlinson, Pleasant, Clawson and Berg introduced:

H. F. No. 2511, A bill for an act relating to transportation; removing, restricting or clarifying certain laws which discourage use of shared ride commuter vans to transport employees to and from work; providing certain incentives; authorizing a special levy by certain governmental units in the metropolitan area; amending Minnesota Statutes 1974, Chapter 221, by adding a section; and Sections 16.85; and 65B.47, Subdivision 1; and Minnesota Statutes, 1975 Supplement, Sections 65B.43, Subdivision 12; 221.011, Subdivision 22; 473.121, Subdivision 18, and by adding subdivisions; 473.421; 473.422, Subdivisions 1 and 2; and 473.424; repealing Minnesota Statutes, 1975 Supplement, Sections 473.423 and 473.425.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Sieloff and Forsythe introduced:

H. F. No. 2512, A bill for an act relating to taxation; providing for an income tax credit for handicapped claimants and dependents; permitting deduction for costs incurred for care of handicapped; amending Minnesota Statutes 1974, Section 290.09, Subdivision 10; and Minnesota Statutes, 1975 Supplement, Section 290.06, Subdivision 3c.

The bill was read for the first time and referred to the Committee on Taxes.

Sieloff introduced:

H. F. No. 2513, A bill for an act relating to taxation; providing for a credit against income taxes for a portion of the cost of pollution control equipment purchased by airlines; amending Minnesota Statutes 1974, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Sieloff and Nelsen introduced:

H. F. No. 2514, A bill for an act relating to taxation; providing for a rent credit to be paid to certain persons not eligible for income-adjusted homestead credit relief; amending Minnesota Statutes, 1975 Supplement, Section 290A.21.

The bill was read for the first time and referred to the Committee on Taxes.

Sieloff; Kelly, R.; and Nelsen introduced:

H. F. No. 2515, A bill for an act relating to taxation; providing that income adjusted homestead credit may be claimed by persons not living in units on which ad valorem taxes were paid; amending Minnesota Statutes, 1975 Supplement, Sections 290A.03, Subdivision 8; and 290A.19.

The bill was read for the first time and referred to the Committee on Taxes.

Tomlinson; Anderson, I.; Suss; Pehler and Dean introduced:

H. F. No. 2516, A bill for an act relating to taxation; increasing the homestead base value for purposes of property taxation; amending Minnesota Statutes, 1975 Supplement, Section 273.122, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Savelkoul, Kvam, Jopp, Sieloff and DeGroat introduced:

H. F. No. 2517, A bill for an act relating to taxation; providing an inflation adjustment for credits against income tax; amending Minnesota Statutes, 1975 Supplement, Section 290.06, Subdivision 3c.

The bill was read for the first time and referred to the Committee on Taxes.

## PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Volk reported on the progress of S. F. No. 1206, now in Conference Committee.

## 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 Files, herewith returned:

H. F. No. 1995, A bill for an act relating to education; eye protection requirements for certain industrial and scientific courses; defining industrial quality eye protective devices; amending Minnesota Statutes 1974, Section 126.20, Subdivision 6.

H. F. No. 2170, A bill for an act relating to towns; election of officers; submittal of optional plans of town government to electors; amending Minnesota Statutes, 1975 Supplement, Sections 367.03, Subdivision 1; and 367.31, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 943, A bill for an act relating to cable communications; making the cable communications commission a permanent part of the department of administration; authorizing the commission to promulgate a line extension policy; interconnection; orders; municipal cable systems; information gathering; permitting counties to establish translator systems; amending Minnesota Statutes 1974, Sections 238.02, Subdivision 11; 238.04, Subdivision 1; 238.05, Subdivisions 2, 6, 7, 12, and by adding a subdivision; 238.06, Subdivision 1; 238.08, Subdivisions 1, 2 and 3; 238.09, Subdivisions 3 and 6, and by adding subdivisions; 238.13; and 375.164; repealing Minnesota Statutes 1974, Sections 238.05, Subdivisions 8 and 16; and 238.09, Subdivision 2.

The Senate has appointed as such committee Messrs. Merriam; Keefe, J. and Borden.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVER, 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. 1527, A bill for an act relating to motor vehicles; providing for licensing and taxation; providing penalties; amending Minnesota Statutes, 1973 Supplement, Section 168.013, Subdivisions 1c and 1e, and 1g, as amended; and Minnesota Statutes 1974, Sections 168.012, Subdivision 7; 168.09, Subdivision 3; and 168.31, Subdivision 3.

PATRICK E. FLAHAVER, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Lemke moved that the House concur in the Senate amendments to H. F. No. 1527 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1527, A bill for an act relating to motor vehicles; providing for licensing and taxation; providing penalties; amending Minnesota Statutes, 1973 Supplement, Section 168.013, Subdivisions 1c and 1e, and 1g, as amended; and Minnesota Statutes 1974, Sections 168.012, Subdivision 7; 168.09, Subdivision 3; and 168.31, Subdivision 3.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 120, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Esau	Johnson, D.	Laidig
Adams, L.	Byrne	Farcy	Jopp	Langseth
Adams, S.	Carlson, A.	Fjoslien	Jude	Lemke
Albrecht	Carlson, R.	Forsythe	Kahn	Lindstrom
Anderson, G.	Clark	Friedrich	Kaley	Luther
Anderson, I.	Clawson	Fugina	Kelly, R.	Mangan
Arlandson	Dahl	George	Kelly, W.	McCarron
Beauchamp	Dean	Hanson	Kempe, A.	McCauley
Begich	DeGroat	Haugerud	Kempe, R.	McCollar
Berg	Dieterich	Hokanson	Ketola	McEachern
Berglin	Doty	Jacobs	Knickerbocker	Menning
Biersdorf	Eckstein	Jaros	Knoll	Metzen
Birnstihl	Enebo	Jensen	Kroening	Moe
Braun	Erickson	Johnson, C.	Kvam	Munger

Neisen	Peterson	Savelkoul	Skoglund	Volk
Nelsen	Petraleso	Schreiber	Smith	Voss
Nelson	Philbrook	Schulz	Smogard	Wenstrom
Niehaus	Pleasant	Schumacher	Stanton	Wenzel
Norton	Prahl	Setzepfandt	Suss	White
Novak	Reding	Sherwood	Swanson	Wieser
Osthoff	Rice	Sieben, H.	Tomlinson	Wigley
Parish	St. Onge	Sieben, M.	Ulland	Williamson
Patton	Samuelson	Sieloff	Vanasek	Zubay
Pehler	Sarna	Simoneau	Vento	Speaker Sabo

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has moved that H. F. No. 1137 and the Conference Committee Report be returned to the House of Representatives, that the Conference Committee be discharged, and that a new Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like new Conference Committee appointed on the part of the House:

H. F. No. 1137, A bill for an act relating to housing; increasing range of eligibility for assistance from housing finance agency; providing for revolving loan funds and direct subsidies; appropriating money; amending Minnesota Statutes 1974, Sections 462A.03, Subdivision 13; 462A.05, Subdivisions 2 and 14; 462A.07, by adding a subdivision; 462A.19, Subdivision 1; 462A.21, by adding subdivisions; and 462A.22, Subdivision 9.

The Senate has appointed as such committee Messrs. Humphrey; Keefe, J.; Borden, Schaaf and Ogdahl.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Ulland moved that the House accede to the request of the Senate regarding H. F. No. 1137; that the vote whereby the bill was repassed as amended by the Conference Committee be reconsidered; that the vote whereby the Conference Committee report was adopted be reconsidered; that the present House Conference Committee be discharged; and that the Speaker appoint a new Conference Committee consisting of five members on the part of the House.

A roll call was requested and properly seconded.

Anderson, I., moved that the message from the Senate relating to H. F. No. 1137 be laid on the table.

A roll call was requested and properly seconded.

The question was taken on the Anderson, I., motion and the roll being called, there were yeas 92, and nays 30, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Ketola	Osthoff	Smith
Adams, L.	Eken	Knoll	Parish	Smogard
Anderson, G.	Enebo	Kroening	Patton	Stanton
Anderson, I.	Faricy	Langseth	Pehler	Suss
Arlandson	Fugina	Lemke	Petraleso	Swanson
Beauchamp	George	Lindstrom	Philbrook	Tomlinson
Begich	Hanson	Luther	Prahl	Vanasek
Berg	Haugerud	Mangan	Reding	Vento
Birnstihl	Hokanson	McCarron	Rice	Volk
Braun	Jacobs	McCollar	Samuelson	Voss
Erinkman	Jaros	McEachern	Sarna	Wenstrom
Byrne	Jensen	Menning	Schulz	Wenzel
Carlson, L.	Johnson, C.	Metzen	Schumacher	White
Carlson, R.	Johnson, D.	Moe	Setzepfandt	Wieser
Casserly	Jude	Munger	Sherwood	Williamson
Clark	Kahn	Neisen	Sieben, H.	Speaker Sabo
Clawson	Kelly, R.	Nelson	Sieben, M.	
Dahl	Kelly, W.	Norton	Simoneau	
Doty	Kempe, A.	Novak	Skoglund	

Those who voted in the negative were:

Adams, S.	Erickson	Friedrich	Laidig	Savelkoul
Albrecht	Esau	Heinitz	McCauley	Schreiber
Biersdorf	Evans	Jopp	Nelsen	Sieloff
Carlson, A.	Ewald	Kaley	Niehaus	Ulland
Dean	Fjoslien	Knickerbocker	Peterson	Wigley
DeGroat	Forsythe	Kvam	Pleasant	Zubay

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. 2331, A bill for an act relating to education; authorizing Independent School District No. 625 to issue bonds for the purpose of correcting cash flow problems and for other purposes; requiring a tax levy in certain years to eliminate the operating debt of the district; appropriating money.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Dieterich moved that the House concur in the Senate amendments to H. F. No. 2331 and that the bill be repassed as amended by the Senate.

A roll call was requested and properly seconded.

The question was taken on the Dieterich motion and the roll being called, there were yeas 93, and nays 32, as follows:

Those who voted in the affirmative were:

Adams, L.	Dean	Kelly, R.	Nelson	Sieben, M.
Anderson, G.	Dieterich	Kelly, W.	Niehaus	Sieloff
Anderson, I.	Eckstein	Kempe, A.	Norton	Simoneau
Arlandson	Eken	Kempe, R.	Novak	Skoglund
Beauchamp	Enebo	Ketola	Osthoff	Smith
Begich	Erickson	Knoll	Parish	Smogard
Berg	Faricy	Kostohryz	Pehler	Stanton
Berglin	Forsythe	Kroening	Petrafeso	Suss
Birnstihl	Fugina	Langseth	Philbrook	Tomlinson
Braun	George	Lemke	Prahl	Vanasek
Brinkman	Hanson	Luther	Reding	Vento
Byrne	Hokanson	Mangan	Rice	Voss
Carlson, L.	Jacobs	McCollar	Samuelson	Wenstrom
Carlson, R.	Jaros	Menning	Sarna	Wenzel
Casserly	Jensen	Metzen	Schulz	White
Clark	Johnson, C.	Moe	Schumacher	Williamson
Clawson	Johnson, D.	Munger	Setzpfandt	Speaker Sabo
Corbid	Jude	Neisen	Sherwood	
Dahl	Kahn	Nelsen	Sieben, H.	

Those who voted in the negative were:

Adams, S.	Evans	Kalis	Patton	Volk
Albrecht	Ewald	Kriickerbocker	Peterson	Wieser
Biersdorf	Fjoslien	Kvam	Pleasant	Wigley
Carlson, A.	Friedrich	Laidig	St. Onge	Zubay
DeGroat	Haugerud	Lindstrom	Schreiber	
Doty	Heinitz	McCauley	Swanson	
Esau	Kaley	McEachern	Ulland	

The motion prevailed.

H. F. No. 2331, A bill for an act relating to education; authorizing Independent School District No. 625 to issue bonds for the purpose of correcting cash flow problems and for other purposes; requiring a tax levy in certain years to eliminate the operating debt of the district; removing certain persons from the application of Minnesota Statutes, Section 125.17 and removing their tenure rights granted thereunder; appropriating money.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 89, and nays 38, as follows:

Those who voted in the affirmative were:

Abeln	Anderson, I.	Beauchamp	Berg	Birnstihl
Adams, L.	Arlandson	Begich	Berglin	Braun

Brinkman	Forsythe	Ketola	Nelson	Sieben, M.
Byrne	Fugina	Knöll	Norton	Sieloff
Carlson, L.	George	Kostohryz	Novak	Skoglund
Carlson, R.	Hanson	Kroening	Osthoff	Smith
Casserly	Hokanson	Langseth	Parish	Smogard
Clark	Jacobs	Lemke	Pehler	Stanton
Clawson	Jaros	Lindstrom	Petrafeso	Tomlinson
Corbid	Jensen	Luther	Philbrook	Vanasek
Dahl	Johnson, C.	Mangan	Reding	Vento
Dieterich	Johnson, D.	McCarron	Rice	Volk
Doty	Jude	McCollar	Samuelson	Voss
Eckstein	Kahn	Metzen	Sarna	Wenzel
Eken	Kelly, R.	Moe	Schulz	White
Enebo	Kelly, W.	Munger	Schumacher	Williamson
Erickson	Kempe, A.	Neisen	Setzepfandt	Speaker Sabo
Farcy	Kempe, R.	Nelsen	Sieben, H.	

Those who voted in the negative were:

Adams, S.	Evans	Knickerbocker	Peterson	Swanson
Albrecht	Ewald	Kvam	Pleasant	Ulland
Anderson, G.	Fjoslien	Laidig	Prahl	Wenstrom
Biersdorf	Friedrich	McCauley	St. Onge	Wieser
Carlson, A.	Haugerud	McEachern	Savelkoul	Wigley
Dean	Heinitz	Menning	Schreiber	Zubay
DeGroat	Kaley	Niehaus	Sherwood	
Esau	Kalis	Patton	Simoneau	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 932, A bill for an act relating to public welfare; permitting the commissioner of public welfare to establish maximum fees for congregate living care under the income maintenance programs; amending Minnesota Statutes 1974, Section 256.01, Subdivision 2.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. North, Milton and Olson, J. L. have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Berglin moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 932. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 570, A bill for an act relating to taxation; increasing the income tax deduction for dependents' school expenses; amending Minnesota Statutes 1974, Section 290.09, Subdivision 22.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 570

A bill for an act relating to taxation; increasing the income tax deduction for dependents' school expenses; amending Minnesota Statutes 1974, Section 290.09, Subdivision 22.

February 25, 1976

The Honorable Alec G. Olson  
President of the Senate  
The Honorable Martin O. Sabo  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 570 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 570 be amended as follows:

Page 1, line 10, delete "\$1,000" and in lieu thereof insert "\$500 for each dependent in grades K to 6 and \$700 for each dependent in grades 7 to 12".

Page 1, line 19, after "1964" insert "and Minnesota Statutes, Chapter 363".

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: JOSEPH T. O'NEILL, EDWARD J. GEARTY and ROBERT G. DUNN.

House Conferees: C. THOMAS OSTHOFF, WILLIAM N. KELLY and CARL M. JOHNSON.

Osthoff moved that the report of the Conference Committee on S. F. No. 570 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 570, A bill for an act relating to taxation; increasing the income tax deduction for dependents' school expenses; amending Minnesota Statutes 1974, Section 290.09, Subdivision 22.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 113, and nays 16, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kelly, R.	Munger	Sieben, H.
Adams, L.	Doty	Kelly, W.	Neisen	Sieben, M.
Adams, S.	Eckstein	Kempe, A.	Nelsen	Sieloff
Albrecht	Eken	Kempe, R.	Nelson	Simoneau
Anderson, I.	Enebo	Ketola	Niehaus	Skoglund
Arlandson	Erickson	Knickerbocker	Norton	Stanton
Beauchamp	Esau	Knoll	Novak	Suss
Begich	Evans	Kostohryz	Osthoff	Swanson
Berglin	Ewald	Kroening	Parish	Tomlinson
Biersdorf	Faricy	Kvam	Patton	Ulland
Birnstihl	Fjoslien	Laidig	Pehler	Vanasek
Braun	Forsythe	Langseth	Petrafeso	Vento
Brinkman	Fugina	Lemke	Philbrook	Volk
Byrne	Hanson	Lindstrom	Prahl	Voss
Carlson, A.	Haugerud	Luther	Reding	Wenstrom
Carlson, L.	Hokanson	Mangan	Rice	Wenzel
Carlson, R.	Jacobs	McCarron	St. Onge	White
Casserly	Jaros	McCauley	Samuelson	Wieser
Clark	Jensen	McCollar	Sarna	Wigley
Clawson	Johnson, C.	McEachern	Savelkoul	Williamson
Corbid	Jude	Menning	Schreiber	Speaker Sabo
Dahl	Kahn	Metzen	Setzpfandt	
DeGroat	Kalis	Moe	Sherwood	

Those who voted in the negative were:

Anderson, G.	George	Kaley	Schumacher	Smogard
Berg	Heinitz	Peterson	Smith	Zubay
Dean	Johnson, D.	Pleasant		
Friedrich	Jopp	Schulz		

The bill was repassed, as amended by Conference, and its title agreed to.

A message from the Senate relating to S. F. No. 733, and an accompanying Conference Committee report, was reported to the House.

Brinkman moved that the message from the Senate relating to S. F. No. 733 be laid over until Thursday, March 4, 1976. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1590, 1627, 1685, 1975 and 2033.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2130 and 2168.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### FIRST READING OF SENATE BILLS

S. F. No. 1590, A bill for an act relating to elections; requiring the secretary of state to prescribe forms and uniform methods for the reporting of election returns; requiring certain information in returns and canvasses; and imposing certain duties on canvassing officers; amending Minnesota Statutes, 1975 Supplement, Sections 204A.46, by adding a subdivision; and 204A.51.

The bill was read for the first time.

Vento moved that S. F. No. 1590 and H. F. No. 1911, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1627, A bill for an act relating to state parks; adding lands to Kilen Woods state park in Jackson county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 1685, A bill for an act relating to county government; authorizing county boards to appoint an executive secretary; amending Minnesota Statutes 1974, Section 375.48, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1975, A bill for an act relating to agriculture; changing the duty of the commissioner of agriculture in establishing standards, grades, and price differentials for milk and cream from mandatory to permissive; amending Minnesota Statutes 1974, Section 32.401, Subdivision 1.

The bill was read for the first time.

Wenzel moved that S. F. No. 1975 and H. F. No. 2079, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2033, A bill for an act relating to municipalities; temporary investment of surplus funds; amending Minnesota Statutes, 1975 Supplement, Section 471.561.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 2130, A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in Hennepin county.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 2168, A bill for an act authorizing the conveyance of lands and structures comprising Count Beltrami state monument to the town of Turtle Lake in Beltrami county; specifying the terms and conditions of such conveyance.

The bill was read for the first time and referred to the Committee on Governmental Operations.

### CONSENT CALENDAR

H. F. No. 2105, A bill for an act relating to county agricultural societies; authorizing the renewal of the period of corporate existence of certain agricultural societies whose period of duration has expired; validating acts done and contracts made subsequent to the expiration of the corporate existence.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Adams, S.	Anderson, G.	Arlandson	Begich
Adams, L.	Albrecht	Anderson, I.	Beauchamp	Berg

Berglin	Ewald	Kempe, R.	Niehaus	Sieben, M.
Biersdorf	Fariy	Ketola	Norton	Sieloff
Birnstihl	Fjoslien	Knickerbocker	Novak	Simoneau
Braun	Forsythe	Knoll	Osthoff	Skoglund
Brinkman	Friedrich	Kostohryz	Parish	Smith
Byrne	Fugina	Kroening	Patton	Smogard
Carlson, A.	George	Kvam	Pehler	Stanton
Carlson, L.	Hanson	Laidig	Peterson	Suss
Carlson, R.	Haugerud	Langseth	Petrafaso	Swanson
Casserly	Heinitz	Lemke	Philbrook	Tomlinson
Clark	Hokanson	Lindstrom	Pleasant	Ulland
Clawson	Jacobs	Luther	Prahl	Vanasek
Corbid	Jaros	Mangan	Reding	Vento
Dahl	Jensen	McCarron	Rice	Volk
Dean	Johnson, C.	McCauley	St. Onge	Voss
DeGroat	Johnson, D.	McCollar	Samuelson	Wenstrom
Dieterich	Jopp	McEachern	Sarna	Wenzel
Doty	Jude	Menning	Savelkoul	White
Eckstein	Kahn	Metzen	Schreiber	Wieser
Eken	Kaley	Moe	Schulz	Wigley
Enebo	Kalis	Munger	Schumacher	Williamson
Erickson	Kelly, R.	Neisen	Setzepfandt	Zubay
Esau	Kelly, W.	Nelsen	Sherwood	Speaker Sabo
Evans	Kempe, A.	Nelson	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 1912, A bill for an act relating to elections; affecting the place and time of voter registration; amending Minnesota Statutes 1974, Section 201.091, Subdivision 6.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dean	Jensen	Mangan	Prahl
Adams, L.	DeGroat	Johnson, C.	McCarron	Reding
Adams, S.	Dieterich	Johnson, D.	McCauley	Rice
Albrecht	Doty	Jopp	McCollar	St. Onge
Anderson, G.	Eckstein	Jude	McEachern	Samuelson
Anderson, I.	Eken	Kahn	Menning	Sarna
Beauchamp	Enebo	Kaley	Metzen	Savelkoul
Begich	Erickson	Kalis	Moe	Schreiber
Berg	Esau	Kelly, R.	Munger	Schulz
Berglin	Evans	Kelly, W.	Neisen	Schumacher
Biersdorf	Ewald	Kempe, A.	Nelsen	Setzepfandt
Birnstihl	Fariy	Kempe, R.	Nelson	Sherwood
Braun	Fjoslien	Ketola	Niehaus	Sieben, H.
Brinkman	Forsythe	Knickerbocker	Norton	Sieben, M.
Byrne	Friedrich	Knoll	Novak	Sieloff
Carlson, A.	Fugina	Kostohryz	Osthoff	Simoneau
Carlson, L.	George	Kroening	Parish	Skoglund
Carlson, R.	Hanson	Kvam	Patton	Smith
Casserly	Haugerud	Laidig	Pehler	Smogard
Clark	Heinitz	Langseth	Peterson	Stanton
Clawson	Hokanson	Lemke	Petrafaso	Suss
Corbid	Jacobs	Lindstrom	Philbrook	Swanson
Dahl	Jaros	Luther	Pleasant	Tomlinson

Ulland  
Vanasek  
Vento

Volk  
Voss  
Wenstrom

Wenzel  
White  
Wieser

Wigley  
Williamson  
Zubay

Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 2002 was reported to the House.

Laidig and Carlson, A., offered an amendment to H. F. No. 2002.

#### POINT OF ORDER

Anderson, I., raised a point of order pursuant to Rule 3.9 that the Laidig and Carlson, A., amendment was out of order. The Speaker ruled the point of order well taken and the Laidig and Carlson, A., amendment out of order.

Savelkoul appealed the decision of the Chair.

Upon objection of ten members H. F. No. 2002 was stricken from the Consent Calendar and returned to General Orders.

#### CALENDAR

H. F. No. 1326, A bill for an act relating to garnishment and execution; amending Minnesota Statutes 1974, Sections 550.04; 550.142; 550.37, Subdivisions 4, 13, 14, 18, 19, and by adding a subdivision; 571.41, Subdivisions 1 and 2, and by adding subdivi-

sions; 571.55, Subdivisions 1 and 2; 571.61, Subdivision 1; 571.-67; and Chapters 550, by adding a section; and 571, by adding sections; repealing Minnesota Statutes 1974, Sections 571.47; 571.48; and 571.49.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 74, and nays 51, as follows:

Those who voted in the affirmative were:

Abeln	Clark	Kahn	Neisen	Sieben, H.
Adams, L.	Clawson	Kelly, R.	Nelson	Sieben, M.
Adams, S.	Dieterich	Kempe, A.	Norton	Simoneau
Anderson, G.	Doty	Knoll	Novak	Skoglund
Anderson, I.	Enebo	Kostohryz	Osthoff	Suss
Arlandson	Farcy	Kroening	Parish	Tomlinson
Beauchamp	Fugina	Laidig	Pehler	Ulland
Berg	George	Langseth	Petrafeso	Vanasek
Berglin	Hanson	Luther	Philbrook	Vento
Braun	Haugerud	Mangan	Prahl	Volk
Byrne	Hokanson	McCarron	Reding	Voss
Carlson, A.	Jacobs	McCollar	Rice	White
Carlson, L.	Jaros	Metzen	Sarna	Williamson
Carlson, R.	Jensen	Moe	Schreiber	Speaker Sabo
Cassery	Johnson, D.	Munger	Sherwood	

Those who voted in the negative were:

Albrecht	Erickson	Kaley	Niehaus	Stanton
Begich	Esau	Kalis	Patton	Swanson
Biersdorf	Evans	Kelly, W.	Peterson	Wenstrom
Birnstihl	Ewald	Kempe, R.	St. Onge	Wenzel
Brinkman	Fjoshien	Ketola	Samuelson	Wieser
Corbid	Forsythe	Knickerbocker	Schulz	Wigley
Dahl	Friedrich	Kvam	Schumacher	Zubay
Dean	Heinitz	Lemke	Setzefandt	
DeGroat	Johnson, C.	McCauley	Sieloff	
Eckstein	Jopp	McEachern	Smith	
Eken	Jude	Nelsen	Smogard	

The bill was passed and its title agreed to.

H. F. No. 2216, A bill for an act relating to interim claims against the state; appropriating moneys for the payment thereof; repealing Laws 1969, Chapter 886, Section 3, Subdivision 10.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kaley	Neisen	Sieloff
Adams, L.	Doty	Kalis	Nelsen	Simoneau
Adams, S.	Eckstein	Kelly, R.	Nelson	Skoglund
Albrecht	Eken	Kelly, W.	Niehaus	Smith
Anderson, G.	Erickson	Kempe, A.	Norton	Smogard
Anderson, I.	Esau	Kempe, R.	Novak	Stanton
Arlandson	Evans	Ketola	Parish	Suss
Beauchamp	Ewald	Knickerbocker	Patton	Swanson
Begich	Faricy	Knoll	Pehler	Tomlinson
Berg	Fjoslien	Kostohryz	Peterson	Ulland
Berglin	Forsythe	Kroening	Petraleso	Vanasek
Biersdorf	Friedrich	Kvam	Philbrook	Vento
Birnstihl	Fugina	Laidig	Pleasant	Volk
Braun	George	Langseth	Prahl	Voss
Brinkman	Hanson	Lemke	Reding	Wenstrom
Byrne	Haugerud	Lindstrom	Rice	Wenzel
Carlson, A.	Heinitz	Luther	St. Onge	White
Carlson, L.	Hokanson	Mangan	Samuelson	Wieser
Carlson, R.	Jacobs	McCarron	Savelkoul	Wigley
Casserly	Jaros	McCauley	Schreiber	Williamson
Clark	Jensen	McCollar	Schulz	Zubay
Clawson	Johnson, C.	McEachern	Schumacher	Speaker Sabo
Corbid	Johnson, D.	Menning	Setzpfandt	
Dahl	Jopp	Metzen	Sherwood	
Dean	Jude	Moe	Sieben, H.	
DeGroat	Kahn	Munger	Sieben, M.	

The bill was passed and its title agreed to.

S. F. No. 995 was reported to the House and given its third reading.

There being no objection, S. F. No. 995 was continued on the Calendar for one day.

H. F. No. 1957, A bill for an act relating to natural resources; providing general condemnation power upon obtaining consent of landowner; amending Minnesota Statutes 1974, Section 84.027, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 4, as follows:

Those who voted in the affirmative were:

Abeln	Berglin	Clark	Enebo	Fugina
Adams, L.	Biersdorf	Clawson	Erickson	George
Adams, S.	Birnstihl	Corbid	Esau	Hanson
Anderson, G.	Braun	Dahl	Evans	Haugerud
Anderson, I.	Byrne	Dean	Ewald	Heinitz
Arlandson	Carlson, A.	Dieterich	Faricy	Hokanson
Beauchamp	Carlson, L.	Doty	Fjoslien	Jacobs
Begich	Carlson, R.	Eckstein	Forsythe	Jaros
Berg	Casserly	Eken	Friedrich	Jensen

Johnson, C.	Laidig	Norton	Schreiber	Ulland
Johnson, D.	Langseth	Novak	Schulz	Vanasek
Jopp	Lemke	Osthoff	Schumacher	Vento
Jude	Luther	Parish	Setzepfandt	Volk
Kahn	Mangan	Patton	Sherwood	Voss
Kaley	McCarron	Pehler	Sieben, H.	Wenstrom
Kalis	McCauley	Peterson	Sieben, M.	Wenzel
Kelly, R.	McCollar	Petrafaso	Sieloff	White
Kempe, A.	McEachern	Philbrook	Simoneau	Wieser
Kempe, R.	Menning	Pleasant	Skoglund	Wigley
Ketola	Metzen	Prahl	Smith	Williamson
Knickerbocker	Moe	Reding	Smogard	Zubay
Knoll	Munger	Rice	Stanton	Speaker Sabo
Kostohryz	Neisen	Samuelson	Suss	
Kroening	Nelsen	Sarna	Swanson	
Kvam	Nelson	Savelkoul	Tomlinson	

Those who voted in the negative were:

Albrecht      Lindstrom      Niehaus      St. Onge

The bill was passed and its title agreed to.

H. F. No. 2244, bill for an act relating to public employment labor relations; providing for determination of the fair share fee; providing for appeal of that determination; amending Minnesota Statutes 1974, Sections 179.63, by adding a subdivision; 179.65, Subdivision 2; 179.71, Subdivision 2; and 179.72, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Jaros	Luther	Philbrook
Adams, L.	Dean	Jensen	Mangan	Pleasant
Adams, S.	Dieterich	Johnson, C.	McCarron	Prahl
Anderson, G.	Doty	Johnson, D.	McCauley	Reding
Anderson, I.	Eckstein	Jude	McCollar	Rice
Arlandson	Eken	Kahn	McEachern	St. Onge
Beauchamp	Enebo	Kaley	Menning	Samuelson
Begich	Erickson	Kalis	Metzen	Sarna
Berg	Esau	Kelly, R.	Moe	Savelkoul
Berglin	Evans	Kelly, W.	Munger	Schreiber
Biersdorf	Ewald	Kempe, A.	Neisen	Schulz
Birnstihl	Faricy	Kempe, R.	Nelsen	Schumacher
Braun	Fjoslien	Ketola	Nelson	Setzepfandt
Brinkman	Forsythe	Knickerbocker	Niehaus	Sherwood
Byrne	Friedrich	Knoll	Norton	Sieben, H.
Carlson, A.	Fugina	Kostohryz	Novak	Sieben, M.
Carlson, L.	George	Kroening	Osthoff	Sieloff
Carlson, R.	Hanson	Kvam	Parish	Simoneau
Casserly	Haugerud	Laidig	Patton	Skoglund
Clark	Heinitz	Langseth	Pehler	Smith
Clawson	Hokanson	Lemke	Peterson	Smogard
Corbid	Jacobs	Lindstrom	Petrafaso	Stanton

Suss	Vanasek	Wenstrom	Wigley	Zubay
Swanson	Vento	Wenzel	Williamson	Speaker Sabo
Tomlinson	Volk	White		
Ulland	Voss	Wieser		

Those who voted in the negative were:

Albrecht

The bill was passed and its title agreed to.

S. F. No. 1135 was reported to the House and given its third reading.

Langseth moved that S. F. No. 1135 be returned to the top of General Orders. The motion prevailed.

H. F. No. 2147 was reported to the House and given its third reading.

#### UNANIMOUS CONSENT

Kempe, A., requested unanimous consent to offer an amendment. The request was granted.

Kempe, A., moved to amend H. F. No. 2147, as follows:

Page 2, line 8, after the word "*section*" insert "*after the posting of signs substantially in conformity with the standards and specifications of the manual of the commissioner adopted pursuant to section 169.06*".

The motion prevailed and the amendment was adopted.

H. F. No. 2147, A bill for an act relating to traffic regulation; providing for traffic and parking regulation by school boards; providing a penalty; amending Minnesota Statutes 1974, Chapter 123, by adding a section.

The bill was read for the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Anderson, I.	Berglin	Byrne	Clark
Adams, L.	Arlandson	Biersdorf	Carlson, A.	Clawson
Adams, S.	Beauchamp	Eirnstihl	Carlson, L.	Corbid
Albrecht	Begich	Braun	Carlson, R.	Dahl
Anderson, G.	Berg	Brinkman	Casserly	Dean

DeGroat	Jaros	Lemke	Pehler	Smith
Dieterich	Jensen	Lindstrom	Peterson	Smogard
Doty	Johnson, C.	Luther	Petrafeso	Stanton
Eckstein	Johnson, D.	Mangan	Philbrook	Suss
Eken	Jopp	McCarron	Pleasant	Swanson
Enebo	Jude	McCauley	Prahl	Tomlinson
Erickson	Kahn	McCollar	Reding	Vanasek
Esau	Kaley	McEachern	St. Onge	Vento
Evans	Kalis	Menning	Samuelson	Volk
Ewald	Kelly, R.	Metzen	Sarna	Voss
Faricy	Kelly, W.	Moe	Savelkoul	Wenstrom
Fjoslien	Kempe, A.	Munger	Schreiber	Wenzel
Forsythe	Kempe, R.	Neisen	Schulz	White
Friedrich	Ketola	Nelsen	Schumacher	Wieser
Fugina	Knickerbocker	Nelson	Setzepfandt	Wigley
George	Knoll	Niehaus	Sherwood	Williamson
Hanson	Kostohryz	Norton	Sieben, H.	Zubay
Haugerud	Kroening	Novak	Sieben, M.	Speaker Sabo
Heinitz	Kvam	Osthoff	Sieloff	
Hokanson	Laidig	Parish	Simoneau	
Jacobs	Langseth	Patton	Skoglund	

The bill was passed, as amended, and its title agreed to.

H. F. No. 1087, A bill for an act relating to privacy of communications; authorization for interception of wire or oral communications; amending Minnesota Statutes 1974, Section 626A.05.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kahn	Munger	Sieben, H.
Adams, L.	Doty	Kaley	Neisen	Sieben, M.
Adams, S.	Eckstein	Kalis	Nelsen	Sieloff
Albrecht	Eken	Kelly, R.	Nelson	Simoneau
Anderson, G.	Enebo	Kelly, W.	Niehaus	Skoglund
Anderson, I.	Erickson	Kempe, A.	Norton	Smith
Arlandson	Esau	Kempe, R.	Novak	Smogard
Beauchamp	Evans	Ketola	Osthoff	Stanton
Begich	Ewald	Knickerbocker	Parish	Suss
Berg	Faricy	Knoll	Patton	Swanson
Berglin	Fjoslien	Kostohryz	Pehler	Tomlinson
Biersdorf	Forsythe	Kroening	Peterson	Ulland
Birnstihl	Friedrich	Kvam	Petrafeso	Vanasek
Braun	Fugina	Laidig	Philbrook	Vento
Brinkman	George	Langseth	Pleasant	Volk
Byrne	Hanson	Lemke	Prahl	Voss
Carlson, A.	Haugerud	Lindstrom	Reding	Wenstrom
Carlson, L.	Heinitz	Luther	St. Onge	Wenzel
Carlson, R.	Hokanson	Mangan	Samuelson	White
Casserly	Jacobs	McCarron	Sarna	Wieser
Clark	Jaros	McCauley	Savelkoul	Wigley
Clawson	Jensen	McCollar	Schreiber	Williamson
Corbid	Johnson, C.	McEachern	Schulz	Zubay
Dahl	Johnson, D.	Menning	Schumacher	Speaker Sabo
Dean	Jopp	Metzen	Setzepfandt	
DeGroat	Jude	Moe	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 1816, A bill for an act relating to game and fish; authorizing additional moose seasons; amending Minnesota Statutes, 1975 Supplement, Section 100.27, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 2, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Jude	Metzen	Setzepfandt
Adams, L.	Dieterich	Kahn	Moe	Sherwood
Adams, S.	Doty	Kaley	Munger	Sieben, H.
Albrecht	Eckstein	Kalis	Neisen	Sieben, M.
Anderson, G.	Eken	Kelly, R.	Nelsen	Simoneau
Anderson, I.	Enebo	Kelly, W.	Niehaus	Skoglund
Arlandson	Erickson	Kempe, A.	Norton	Smith
Beauchamp	Esau	Kempe, R.	Novak	Smogard
Begich	Evans	Ketola	Osthoff	Stanton
Berg	Ewald	Knickerbocker	Parish	Suss
Berglin	Faricy	Knoll	Patton	Swanson
Biersdorf	Fjoslien	Kostohryz	Pehler	Tomlinson
Birnstihl	Forsythe	Kroening	Peterson	Ulland
Braun	Friedrich	Kvam	Petraieso	Vanasek
Brinkman	George	Laidig	Philbrook	Volk
Byrne	Hanson	Langseth	Pleasant	Wenstrom
Carlson, A.	Haugerud	Lemke	Prahl	Wenzel
Carlson, L.	Heinitz	Lindstrom	Reding	White
Carlson, R.	Hokanson	Luther	St. Onge	Wieser
Cassery	Jacobs	Mangan	Samuelson	Wigley
Clark	Jaros	McCarron	Sarna	Williamson
Clawson	Jensen	McCauley	Savelkoul	Zubay
Corbid	Johnson, C.	McCollar	Schreiber	Speaker Sabo
Dahl	Johnson, D.	McEachern	Schulz	
Dean	Jopp	Menning	Schumacher	

Those who voted in the negative were:

Fugina            Vento

The bill was passed and its title agreed to.

H. F. No. 1885, A bill for an act relating to the metropolitan airports commission; requiring the installation of aircraft noise suppressing equipment at certain Minneapolis-St. Paul International Airport sites; amending Laws 1975, Chapter 13, Section 100, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 111, and nays 10, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Kelly, W.	Nelson	Sieloff
Adams, L.	Dieterich	Kempe, A.	Niehaus	Simoneau
Adams, S.	Eken	Kempe, R.	Norton	Skoglund
Anderson, I.	Enebo	Ketola	Novak	Smith
Arlandson	Erickson	Knickerbocker	Osthoff	Smogard
Beauchamp	Esau	Knoll	Parish	Stanton
Begich	Evans	Kostohryz	Patton	Suss
Berg	Ewald	Kroening	Pehler	Swanson
Berglin	Farcy	Kvam	Peterson	Tomlinson
Biersdorf	Forsythe	Laidig	Petrafeso	Ulland
Birnstihl	Friedrich	Langseth	Philbrook	Vanasek
Braun	Fugina	Lemke	Pleasant	Vento
Brinkman	Hanson	Lindstrom	Prahl	Volk
Byrne	Heinitz	Luther	Reding	Wenstrom
Carlson, A.	Hokanson	Mangan	St. Onge	Wenzel
Carlson, L.	Jacobs	McCarron	Samuelson	White
Carlson, R.	Jaros	McCauley	Sarna	Williamson
Casserly	Jensen	McCollar	Savelkoul	Zubay
Clark	Johnson, D.	Menning	Schulz	Speaker Sabo
Clawson	Jude	Moe	Setzepfandt	
Corbid	Kahn	Munger	Sherwood	
Dahl	Kaley	Neisen	Sieben, H.	
Dean	Kelly, R.	Nelsen	Sieben, M.	

Those who voted in the negative were:

Anderson, G.	Haugerud	Kalis	Schreiber	Wieser
Fjoslien	Johnson, C.	McEachern	Schumacher	Wigley

The bill was passed and its title agreed to.

H. F. No. 1827, A bill for an act relating to health care; requiring certain insurance policies, health care plans and group subscriber contracts to provide certain benefits for out-patient treatment of alcoholism, chemical dependency or drug addiction; amending Minnesota Statutes 1974, Section 62A.149.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Braun	Dieterich	Fugina	Kalis
Adams, L.	Brinkman	Doty	George	Kelly, R.
Adams, S.	Byrne	Eckstein	Hanson	Kelly, W.
Albrecht	Carlson, A.	Eken	Heinitz	Kempe, A.
Anderson, G.	Carlson, L.	Enebo	Hokanson	Kempe, R.
Anderson, I.	Carlson, R.	Erickson	Jacobs	Ketola
Arlandson	Casserly	Esau	Jaros	Knickerbocker
Beauchamp	Clark	Evans	Jensen	Knoll
Begich	Clawson	Ewald	Johnson, D.	Kostohryz
Berg	Corbid	Farcy	Jopp	Kroening
Berglin	Dahl	Fjoslien	Jude	Kvam
Biersdorf	Dean	Forsythe	Kahn	Laidig
Birnstihl	DeGroat	Friedrich	Kaley	Lemke

Lindstrom	Nelsen	Prahl	Sieben, M.	Vento
Luther	Nelson	Reding	Sieloff	Volk
Mangan	Niehaus	Rice	Simoneau	Voss
McCarron	Norton	St. Onge	Skoglund	Wenstrom
McCauley	Novak	Samuelson	Smith	Wenzel
McCollar	Osthoff	Savelkoul	Smogard	White
McEachern	Patton	Schreiber	Stanton	Wieser
Menning	Pehler	Schulz	Suss	Wigley
Metzen	Peterson	Schumacher	Swanson	Williamson
Moe	Petrafeso	Setzepfandt	Tomlinson	Zubay
Munger	Philbrook	Sherwood	Ulland	Speaker Sabo
Neisen	Pleasant	Sieben, H.	Vanasek	

The bill was passed and its title agreed to.

H. F. No. 1929, A bill for an act relating to health care; requiring that certain insurance contracts and subscriber contracts provide benefits for certain services performed by podiatrists; amending Minnesota Statutes 1974, Section 62A.043.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kahn	Munger	Sieben, H.
Adams, L.	Doty	Kaley	Neisen	Sieben, M.
Adams, S.	Eckstein	Kalis	Nelsen	Sieloff
Albrecht	Eken	Kelly, R.	Nelson	Simoneau
Anderson, G.	Enebo	Kelly, W.	Niehaus	Skoglund
Anderson, I.	Erickson	Kempe, A.	Norton	Smogard
Arlandson	Esau	Kempe, R.	Novak	Stanton
Beauchamp	Evans	Ketola	Osthoff	Suss
Begich	Ewald	Knickerbocker	Parish	Swanson
Berg	Faricy	Knoll	Pehler	Tomlinson
Berglin	Fjoslien	Kostohryz	Peterson	Ulland
Biersdorf	Forsythe	Kroening	Petrafeso	Vanasek
Birnstill	Friedrich	Kvam	Philbrook	Vento
Braun	Fugina	Laidig	Pleasant	Volk
Brinkman	George	Langseth	Prahl	Voss
Byrne	Hanson	Lemke	Reding	Wenstrom
Carlson, A.	Haugerud	Lindstrom	Rice	Wenzel
Carlson, L.	Heinitz	Luther	St. Onge	White
Carlson, R.	Hokanson	Mangan	Samuelson	Wieser
Cassery	Jacobs	McCarron	Sarna	Wigley
Clark	Jaros	McCauley	Savelkoul	Williamson
Clawson	Jensen	McCollar	Schreiber	Zubay
Corbid	Johnson, C.	McEachern	Schulz	Speaker Sabo
Dahl	Johnson, D.	Menning	Schumacher	
Dean	Jopp	Metzen	Setzepfandt	
DeGroat	Jude	Moe	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 108, A bill for an act relating to barbers and the board of barber examiners; increasing fees; amending Minne-

sota Statutes 1974, Section 154.18; and Minnesota Statutes, 1975 Supplement, Section 154.23.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 107, and nays 18, as follows:

Those who voted in the affirmative were:

Abeln	Evans	Kempe, R.	Nelsen	Simoneau
Adams, L.	Ewald	Ketola	Nelson	Skoglund
Adams, S.	Faricy	Knickerbocker	Norton	Smith
Albrecht	Fjoslien	Knoll	Novak	Smogard
Anderson, I.	Forsythe	Kostohryz	Osthoff	Stanton
Arlandson	George	Kroening	Parish	Suss
Begich	Hanson	Kvam	Pehler	Swanson
Berg	Haugerud	Laidig	Petrafeso	Tomlinson
Berglin	Heinitz	Langseth	Philbrook	Vanasek
Birnstihl	Hokanson	Lemke	Pleasant	Vento
Brinkman	Jacobs	Lindstrom	Prahl	Volk
Byrne	Jaros	Luther	Rice	Voss
Carlson, L.	Jensen	Mangan	Samuelson	Wenstrom
Carlson, R.	Johnson, C.	McCarron	Sarna	Wenzel
Casserly	Johnson, D.	McCauley	Schreiber	White
Clark	Jude	McCollar	Schulz	Wieser
Clawson	Kahn	McEachern	Schumacher	Williamson
Dahl	Kaley	Menning	Setzpfandt	Zubay
Dieterich	Kalis	Metzen	Sherwood	Speaker Sabo
Doty	Kelly, R.	Moe	Sieben, H.	
Eckstein	Kelly, W.	Munger	Sieben, M.	
Enebo	Kempe, A.	Neisen	Sieloff	

Those who voted in the negative were:

Anderson, G.	Dean	Esau	Niehaus	Ulland
Biersdorf	DeGroat	Friedrich	Peterson	Wigley
Braun	Eken	Fugina	Reding	
Carlson, A.	Erickson	Jopp	Savelkoul	

The bill was passed and its title agreed to.

### GENERAL ORDERS

Anderson, I., moved that the bills on General Orders for today be continued on General Orders for one day. The motion prevailed.

### MOTIONS AND RESOLUTIONS

Sieloff moved that the names of Knickerbocker and Braun be added as authors on H. F. No. 2057. The motion prevailed.

Munger moved that the name of Carlson, A., be added as an author on H. F. No. 2492. The motion prevailed.

Pursuant to Rule 1.15, Laidig moved that H. F. No. 1497 be recalled from the Committee on Appropriations, be given its second reading, and be advanced to General Orders.

A roll call was requested and properly seconded.

The question was taken on the Laidig motion and the roll being called, there were yeas 31, and nays 92, as follows:

Those who voted in the affirmative were:

Adams, S.	Esau	Jopp	Niehaus	Wieser
Albrecht	Evans	Kaley	Peterson	Wigley
Biersdorf	Ewald	Knickerbocker	Pleasant	Zubay
Carlson, A.	Fjoslien	Kvam	Savelkoul	
Dean	Forsythe	Laidig	Schreiber	
Dieterich	Friedrich	McCauley	Sieloff	
Erickson	Heinitz	Nelsen	Ulland	

Those who voted in the negative were:

Abeln	Doty	Kempe, A.	Osthoff	Skoglund
Adams, L.	Eckstein	Ketola	Parish	Smith
Anderson, G.	Eken	Kroening	Patton	Smogard
Anderson, I.	Enebo	Langseth	Pehler	Stanton
Arlandson	Faricy	Lemke	Petrafeso	Suss
Beauchamp	Fugina	Lindstrom	Philbrook	Swanson
Begich	George	Luther	Prahl	Tomlinson
Berg	Hanson	Mangan	Reding	Vanasek
Berglin	Haugerud	McCarron	Rice	Vento
Birnstihl	Hokanson	McCollar	St. Onge	Volk
Braun	Jacos	McEachern	Samuelson	Voss
Brinkman	Jaros	Menning	Sarna	Wenstrom
Byrne	Jensen	Metzen	Schulz	Wenzel
Carlson, L.	Johnson, C.	Moe	Schumacher	White
Carlson, R.	Johnson, D.	Munger	Setzepfandt	Williamson
Cassery	Jude	Neisen	Sherwood	Speaker Sabo
Clark	Kahn	Nelson	Sieben, H.	
Clawson	Kelly, R.	Norton	Sieben, M.	
Corbid	Kelly, W.	Novak	Simoneau	

The motion did not prevail.

#### ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Tuesday, March 2, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## EIGHTIETH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 2, 1976

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kahn	Neisen	Sieben, M.
Adams, L.	Eckstein	Kaley	Nelsen	Sieloff
Adams, S.	Eken	Kalis	Nelson	Simoneau
Albrecht	Enebo	Kelly, R.	Niehaus	Skoglund
Anderson, G.	Erickson	Kelly, W.	Norton	Smith
Anderson, I.	Esau	Kempe, A.	Novak	Smogard
Arlandson	Evans	Kempe, R.	Osthoff	Stanton
Beauchamp	Ewald	Ketola	Parish	Suss
Begich	Faricy	Knickerbocker	Patton	Swanson
Berg	Fjoslien	Knoll	Pehler	Tomlinson
Berglin	Forsythe	Kostohryz	Peterson	Ulland
Biersdorf	Friedrich	Kroening	Petrafeso	Vanasek
Birnstihl	Fudro	Kvam	Philbrook	Vento
Braun	Fugina	Laidig	Pleasant	Volk
Brinkman	George	Langseth	Prahl	Voss
Byrne	Graba	Lemke	Reding	Wenstrom
Carlson, A.	Hanson	Lindstrom	Rice	Wenzel
Carlson, L.	Haugerud	Luther	St. Onge	White
Carlson, R.	Heinitz	Mangan	Samuelson	Wieser
Casserly	Hokanson	McCarron	Sarna	Wigley
Clark	Jacobs	McCauley	Savelkoul	Williamson
Clawson	Jaros	McCollar	Schreiber	Zubay
Corbid	Jensen	McEachern	Schulz	Speaker Sabo
Dahl	Johnson, C.	Menning	Schumacher	
Dean	Johnson, D.	Metzen	Setzepfandt	
DeGroat	Jopp	Moe	Sherwood	
Dieterich	Jude	Munger	Sieben, H.	

A quorum was present.

Mann, Searle and Spanish were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Esau the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 518, 1005, 1656, 1377 and 2147 and S. F. Nos. 2130, 2168, 1590, 1627, 1685, 1975 and 2033 have been placed in the members' files.

S. F. No. 1590 and H. F. No. 1911, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Vento moved that S. F. No. 1590 be substituted for H. F. No. 1911 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1975 and H. F. No. 2079, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Wenzel moved that S. F. No. 1975 be substituted for H. F. No. 2079 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

Moe from the Committee on Crime Prevention and Corrections to which was referred:

H. F. No. 1056, A bill for an act relating to crimes; prohibiting occupying or entering buildings without a claim of right or the owner's consent except in the case of an emergency; amending Minnesota Statutes 1974, Section 609.605.

Reported the same back with the following amendments:

Page 2, line 7, after "*emergency*" insert "*situation*".

Page 2, line 8, delete "*involving danger to life*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Moe from the Committee on Crime Prevention and Corrections to which was referred:

S. F. No. 551, A bill for an act relating to correctional facilities; providing for the establishment of minimum standards for facility management and physical condition; providing the

powers and duties of the commissioner of corrections; amending Minnesota Statutes 1974, Sections 241.021, Subdivision 1; and 641.26.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1974, Section 241.021, Subdivision 1, is amended to read:

241.021 [LICENSING AND SUPERVISION OF INSTITUTIONS AND FACILITIES.] Subdivision 1. [SUPERVISION OVER CORRECTIONAL FACILITIES FOR DETENTION AND CONFINEMENT.] (1) The commissioner of corrections shall (INVESTIGATE THE WHOLE SYSTEM OF CORRECTIONAL INSTITUTIONS IN THE STATE, ESPECIALLY PRISONS AND JAILS, AND EXAMINE THEIR CONDITION AND MANAGEMENT) *inspect all correctional facilities throughout the state, whether public or private, established and operated for the detention and confinement of persons detained or confined therein according to law except to the extent that they are inspected or licensed by other state regulating agencies. He shall promulgate, by January 1, 1977, pursuant to chapter 15, rules establishing minimum standards for these facilities with respect to their management, operation, physical condition, and the security, safety, health, treatment and discipline of persons detained or confined therein. Notwithstanding the provisions of sections 15.0412 and 15.0413, these rules shall not take effect until April 15, 1977. To assist in the development of standards for jails and lockups the commissioner shall pursuant to section 15.059, subdivision 6, appoint a citizens advisory task force of nine persons, which shall include representatives of the criminal justice system, including the Minnesota sheriff's association, the association of Minnesota counties, and county boards. The commissioner shall have access to the buildings, grounds, books, records, staff and to persons detained or confined in these facilities. He may require the officers in charge of (ANY SUCH INSTITUTION) these facilities to furnish (SUCH) all information and statistics (AS) he (MAY DEEM) deems necessary, upon (BLANKS) forms furnished by him.*

(2) *Any state agency which regulates, inspects, or licenses certain aspects of correctional facilities shall, insofar as is possible, ensure that the minimum standards it requires are substantially the same as those required by other state agencies which regulate, inspect, or license the same aspects of similar types of correctional facilities, although at different correctional facilities.*

(3) *Nothing in this section shall be construed to limit the commissioner of corrections' authority to promulgate rules estab-*

lishing standards of eligibility for counties to receive funds under sections 401.01 to 401.16, or to require counties to comply with operating standards the commissioner establishes as a condition precedent for counties to receive that funding.

(4) When the commissioner finds that any facility described in clause (1) of this subdivision, except foster care facilities for delinquent children and youth as provided in subdivision 2, does not conform to the minimum standards established by law or by the commissioner, he shall promptly notify the chief executive officer and the governing board of the facility of the deficiencies and order that they be remedied within a reasonable period of time. The commissioner may by written order restrict the use of any facility which does not substantially conform to minimum standards to prohibit the detention of any person therein for more than 72 hours at one time. When the commissioner is satisfied that satisfactory progress towards substantial compliance with minimum standards is being made, he may, at the request of the appropriate officials of the affected facility supported by a written schedule for compliance, grant an extension of time for a period not to exceed one year. (HE SHALL EXAMINE ALL PLANS FOR NEW JAILS AND LOCKUPS, OR FOR REPAIRS AT AN ESTIMATED COST IN EXCESS OF THE LIMITS SET BY SECTIONS 641.21, 642.01, AND 642.02, BEFORE THE SAME ARE ADOPTED BY THE COUNTY OR OTHER MUNICIPAL BOARD, AND HAVE AN ADVISORY SUPERVISION OVER ALL SUCH INSTITUTIONS. UPON THE REQUEST OF THE GOVERNOR, HE SHALL SPECIALLY INVESTIGATE ANY PENAL OR REFORMATORY INSTITUTION AND REPORT ITS CONDITION; AND FOR THIS PURPOSE HE IS HEREBY AUTHORIZED TO SEND FOR PERSONS AND PAPERS, ADMINISTER OATHS, AND TAKE TESTIMONY WHICH HE SHALL CAUSE TO BE TRANSCRIBED AND INCLUDED IN HIS REPORT.)

Sec. 2. Minnesota Statutes 1974, Section 241.021, Subdivision 3, is amended to read:

Subd. 3. [REVOCATION OF LICENSE.] When after due notice and hearing the commissioner of corrections (SHALL DETERMINE) *determines* that any facility described in subdivision 2 does not substantially conform to reasonable standards therein provided or is not making satisfactory progress toward compliance therewith, he may, with the consent of the judge of the district court, issue his order revoking the license of (SUCH) *that* facility. After revocation of its license, (SUCH) *that* facility shall not be used for the care and training of delinquent children (AND YOUTH), or for their detention (FOR MORE THAN 48 HOURS AT ONE TIME) until (SUCH) *its* license is renewed.

Sec. 3. Minnesota Statutes 1974, Section 641.21, is amended to read:

641.21 [JAILS, ADVICE AS TO CONSTRUCTION.] When any county board determines to erect a new jail, or to repair an existing one at an expense of more than (\$2,000) \$5,000, it shall pass a resolution to that effect, and transmit a copy thereof to the commissioner of corrections, who, within 30 days thereafter, shall transmit to (SUCH) *that* county board (SUCH) *the* advice and suggestions in reference to the construction thereof (AS) he deems proper.

Sec. 4. Minnesota Statutes 1974, Section 641.26, is amended to read:

641.26 [CONDEMNATION OF JAILS.] When the jail of any county is insecure or otherwise unfit for use, the judge of the district court therein, on the recommendation of the grand jury or of his own motion, may issue his written order condemning it; or, when the commissioner of corrections shall adjudge any county jail insecure or otherwise unfit for use, he may, with consent of the judge of the district court, issue his written order condemning it. After condemnation (SUCH) *that* jail shall not be used for the detention of any prisoner (FOR MORE THAN 24 HOURS AT ONE TIME, EXCEPT PENDING PRELIMINARY EXAMINATION, OR WHILE COURT IS IN SESSION,) until the order of condemnation is rescinded.

Sec. 5. Minnesota Statutes 1974, Section 642.01, is amended to read:

642.01 [LOCKUPS, ESTABLISHMENT.] The governing body of any city may purchase, build, or lease, maintain and regulate, one or more lockups for the detention of persons charged with offenses against its ordinances and bylaws, or for the confinement of persons sentenced to imprisonment for violation of (SUCH) *these* ordinances and bylaws (; AND,). Under regulations prescribed by (SUCH) *the* governing body, (IT) *the lockup* may be used for temporary detention of any prisoner under arrest. No (SUCH) purchase or lease, and no plans for building (ANY SUCH) *a* lockup(;), or no (SUCH) plans for repairing (ANY SUCH) *a* lockup at an expense of more than (\$1,000) \$5,000 shall be finally adopted until the same (SHALL HAVE) *has* been approved by the commissioner of corrections (, AND). No contract for (SUCH) erection or repair shall be valid unless the suggestions and advice of the commissioner (SHALL) have been filed with the clerk of (SUCH) *the* municipality before its execution.

Sec. 6. Minnesota Statutes 1974, Section 642.02, Subdivision 1, is amended to read:

642.02 [CONSTRUCTION, REPAIR; PRESENCE OF JAILER.] Subdivision 1. [APPROVAL, STANDARDS REQUIRED.] The commissioner of corrections shall not approve any plan for the construction of a lockup, or repairs to an existing lockup at an estimated cost of more than (\$1,000) \$5,000,

unless (SUCH) *the* plan meets the standards established by (RULE AND REGULATION) *the commissioner's rules.*

Sec. 7. *This act is effective on July 1, 1976."*

Further, amend the title as follows:

Page 1, line 7, delete "Subdivision 1" and insert "Subdivisions 1 and 3".

Page 1, line 8, delete "and 641.26" and insert "641.21; 641.26; 642.01; and 642.02, Subdivision 1".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

Moe from the Committee on Crime Prevention and Corrections to which was referred:

S. F. No. 1825, A bill for an act relating to crimes; prohibiting altering or removing a manufacturer's identification mark on personal property; providing penalties; amending Minnesota Statutes, 1975 Supplement, Section 609.52, Subdivision 2; repealing Minnesota Statutes 1974, Section 609.655.

Reported the same back with the following amendments:

Page 4, line 20, after the comma insert "*so as to deprive the rightful owner of possession thereof,*".

Page 4, line 20, after "*any*" insert "*permanent serial number, permanent distinguishing number or*".

Page 4, line 21, after "*possesses*" insert "*, sells or buys*".

Page 4, line 22, after "*the*" insert "*permanent serial number, permanent distinguishing number or*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 2262, A bill for an act relating to education; right to read program; appropriating money.

Reported the same back with the following amendments:

Page 1, line 8, delete "solely".

Page 1, line 9, delete "for the right to read program" and insert "to continue the right to read program at a declining level of state financial contribution".

Page 1, line 10, after "provide" insert "technical assistance on a regional basis".

Page 1, line 12, delete "right to read" and insert "reading".

Page 1, line 12, delete ", on a regional basis," and insert a period.

Page 1, line 13, delete "technical assistance".

Page 1, line 13, after "members" and before the period insert "shall be employed for this purpose".

Page 1, line 13, after the period insert "To coincide with the revised criteria adopted by the right to read program, an in-service training program for the 11 technical assistance staff members will be implemented. This will be organized and maintained jointly by the division of instruction and the division of special education."

Page 1, line 15, before "service" insert "cooperative".

Page 1, line 15, delete "area" and insert "unit".

Page 1, line 16, delete "such" and insert "one".

Page 1, line 16, delete the comma and insert a period.

Further amend the title in line 2 by deleting "right to read" and insert "reading".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 1047, A bill for an act relating to the organization and operation of state government; providing for membership terms, compensation, removal of members, and filling of mem-

bership vacancies of certain state boards, commissions, committees, councils, authorities, the housing finance agency and the tax court; eliminating obsolete language; amending Minnesota Statutes 1974, Sections 3.922, Subdivision 2; 3.924; 3.927; 10A.-02, Subdivision 2; 15.50, Subdivision 1, and by adding a subdivision; 15A.081, Subdivision 1; 16.71, Subdivision 1, and by adding a subdivision; 16.823, Subdivisions 2 and 3; 35.02; 40.03, Subdivisions 1 and 3, and by adding a subdivision; 43.03, Subdivision 1, and by adding a subdivision; 85A.01, Subdivisions 1 and 4, and by adding a subdivision; 105.71, Subdivisions 1 and 3, and by adding a subdivision; 116.02, Subdivisions 1, 2 and 4; 116C.-03, Subdivision 2, and by adding a subdivision; 116E.02, Subdivisions 1 and 4, and by adding a subdivision; 121.02, Subdivision 1, and by adding a subdivision; 136.12; 136.61, Subdivision 1, and by adding a subdivision; 136A.02, Subdivision 1, and by adding a subdivision; 136A.26; 139.01; 139.02; 144.01; 144.04; 175.006, Subdivision 1, and by adding a subdivision; 179.72, Subdivisions 1 and 2, and by adding a subdivision; 182.664, Subdivision 1, and by adding a subdivision; 216A.03, Subdivision 1, and by adding a subdivision; 238.04, Subdivision 2, and by adding a subdivision; 241.045, Subdivision 3, and by adding a subdivision; 250.05, Subdivisions 2 and 3, and by adding a subdivision; 256.975, Subdivision 1, and by adding a subdivision; 271.01, Subdivision 2, and by adding a subdivision; 275.551; 299B.05, Subdivision 3, and by adding a subdivision; 352.03, Subdivisions 1, 2 and 3, and by adding a subdivision; 363.04, Subdivision 4, and by adding a subdivision; 414.01, Subdivisions 3 and 6a, and by adding a subdivision; 462A.04, Subdivision 1, and by adding a subdivision; 490.15; 626.842; Chapter 15, by adding a section; repealing Minnesota Statutes 1974, Sections 3.922, Subdivision 3; 10A.02, Subdivision 6; 16.823, Subdivision 5; 43.03, Subdivision 3; 121.02, Subdivision 2; 136.16; 136.61, Subdivisions 2 and 4; 136A.02, Subdivision 4; 175.006, Subdivision 3; 216A.03, Subdivision 2; 238.04, Subdivisions 4 and 5; 241.045, Subdivision 5; 271.01, Subdivision 3; 299B.05, Subdivision 2; 363.04, Subdivision 6; 462A.04, Subdivisions 2, 3 and 5.

Reported the same back with the following amendments:

Page 2, line 16, delete "[15.059]" and insert "[15.0575]".

Pages 4 and 5, delete all of section 3 and insert:

"Sec. 3. Minnesota Statutes, 1975 Supplement, Section 3.924, is amended to read:

3.924 [ESTABLISHMENT.] Subdivision 1. There is hereby created a council on quality education consisting of 17 persons. The members of such council shall be appointed as follows:

(1) One member shall be appointed by the Minnesota education association (FOR A FOUR YEAR TERM);

- (2) One member shall be appointed by the Minnesota federation of teachers (FOR A FOUR YEAR TERM);
- (3) One member shall be appointed by the Minnesota school board association (FOR A FOUR YEAR TERM);
- (4) One member shall be appointed by the Minnesota state advisory council for vocational education (FOR A FOUR YEAR TERM);
- (5) One member shall be appointed by the state college board (FOR A FOUR YEAR TERM);
- (6) One member shall be appointed by the state board for community colleges (FOR A FOUR YEAR TERM);
- (7) One member shall be appointed by the regents of the University of Minnesota (FOR A FOUR YEAR TERM);
- (8) One member shall be appointed by the private college council (FOR A FOUR YEAR TERM);
- (9) (EIGHT MEMBERS, ONE) *One member from each congressional district and one member at large, shall be appointed by the governor with advice and consent of the senate, none of whom shall be officers, employees or board members of state educational institutions, departments, agencies or boards.*

(FOUR OF SAID MEMBERS FIRST APPOINTED, AS DESIGNATED BY THE GOVERNOR, SHALL SERVE FOUR YEAR TERMS AND FOUR SHALL SERVE SIX YEAR TERMS. THEREAFTER EACH MEMBER SO APPOINTED SHALL SERVE A SIX YEAR TERM.)

Subd. 2. [COMPENSATION.] (MEMBERS OF THE COUNCIL ON QUALITY EDUCATION SHALL BE COMPENSATED AT THE RATE OF \$35 PER DAY SPENT AT COUNCIL MEETINGS OR OTHER MEETINGS AUTHORIZED BY THE COUNCIL, PLUS EXPENSES IN THE SAME MANNER AND AMOUNT AS RECEIVED BY STATE EMPLOYEES.) *The membership terms, compensation, removal of members, and filling of vacancies on the council shall be as provided for in section 1.*"

Pages 8, 9, 10, and 11, delete all of section 8 and insert:

"Sec. 8. Minnesota Statutes, 1975 Supplement, Section 15A.081, Subdivision 1, is amended to read:

15A.081 [SALARIES AND SALARY RANGES FOR CERTAIN OFFICERS AND EMPLOYEES.] Subdivision 1. The

following salaries or salary ranges are provided for the below listed officers and employees in the executive branch of government:

	Base Salary or Range
Administration, department of commissioner .....	\$36,000
deputy commissioner .....	28,800
Aeronautics, department of commissioner .....	20,400
Agriculture, department of commissioner .....	22,000
deputy commissioner .....	17,600
Attorney general, office of attorney general .....	36,500
deputy attorney general .....	19,100 - 31,500
Auditor, office of auditor .....	26,000
deputy auditor .....	20,800
Commerce, department of commissioner of banks .....	22,000
commissioner of insurance .....	22,000
commissioner of securities .....	22,000
Community college system chancellor .....	27,500
Corrections, department of commissioner .....	28,000
deputy commissioner .....	22,400
Economic development, department of commissioner .....	22,000
deputy commissioner .....	17,600
Education, department of commissioner .....	29,800

Employment services, department of commissioner .....	\$26,400
Finance, department of commissioner .....	35,500
deputy commissioner .....	28,400
Governor, office of governor .....	41,000
Health, department of commissioner .....	30,300
Higher education coordinating commission executive director .....	26,100
assistant executive director .....	20,900
Highways, department of commissioner .....	33,600
Human rights, department of commissioner .....	20,000
Indian affairs commission executive director .....	17,500
Investment, board of executive secretary .....	35,000
Labor and industry, department of commissioner .....	26,400
deputy commissioner .....	21,100
workmen's compensation commissioner .....	22,000
director, mediation services .....	21,000
Lieutenant governor, office of lieutenant governor .....	30,000
Liquor control (, DEPARTMENT OF) commissioner .....	19,000
Natural resources, department of commissioner .....	28,300
deputy commissioner .....	22,600

Personnel, department of commissioner .....	\$31,000
deputy commissioner .....	24,800
Planning agency director .....	27,000
Pollution control agency director .....	24,000
Public safety, department of commissioner .....	26,900
deputy commissioner .....	21,500
Public service, department of commissioner, public service commission .....	22,000
director .....	20,700
Public welfare, department of commissioner .....	33,600
deputy commissioner .....	26,900
Revenue, department of commissioner .....	28,900
Secretary of state, office of secretary of state .....	25,000
deputy secretary of state .....	17,500
State college system chancellor .....	32,500
Treasury, state treasurer .....	25,000
deputy treasurer .....	17,500
Veterans affairs, department of commissioner .....	16,000".

Pages 14 and 15, delete all of section 14 and insert:

"Sec. 14. Minnesota Statutes, 1975 Supplement, Section 40.03, Subdivision 1, is amended to read:

40.03 [SOIL AND WATER CONSERVATION COMMISSION.] Subdivision 1. [MEMBERS.] There is hereby established, to serve as an agency within the department of natural resources and to perform the functions conferred upon it in this chapter, the state soil and water conservation commission to be composed of 11 members, seven of whom shall be elected supervisors of soil and water conservation districts selected as herein provided. Four members thereof shall be ex officio members composed of the following: The director of the agricultural extension service of the University of Minnesota; the dean of the institute of agriculture of the University of Minnesota; the director of the pollution control agency; the commissioner of agriculture. The director of the agricultural extension service may designate the associate director of the agricultural extension service to act in his stead as a member of the commission, with all his rights and privileges. The designation shall be filed with the secretary of state. Similarly, the dean of the institute of agriculture may designate the associate dean of the institute of agriculture to act in his stead, with all his rights and privileges, which designation also shall be filed with the secretary of state. The commission shall invite the state conservationist of the United States soil conservation service to serve as an advisory member. The commission may also invite a representative of the state association of soil and water conservation districts, the association of Minnesota counties, the league of municipalities and such other organizations and governmental agencies as may be deemed necessary to serve as advisory members. The other seven members of said commission shall be appointed by the governor *with the advice and consent of the senate. The five members shall be from nominees who are elected representatives of the state soil and water conservation districts (,). In making these appointments the governor may consider persons recommended by the state association of soil and water conservation district supervisors* (SUBMITTED TO THE GOVERNOR, AND IN THE EVENT OF A FAILURE TO SUBMIT SUCH NOMINEES TO THE GOVERNOR HE SHALL MAKE THE NECESSARY APPOINTMENTS FROM PRESENT OR PAST SUPERVISORS OF SOIL AND WATER CONSERVATION DISTRICTS). One member shall be appointed from each department of natural resources region except that two members shall be appointed from region number one. (THE FOUR MEMBERS HERETOFORE APPOINTED SHALL SERVE FOR THE BALANCE OF THE TERMS FOR WHICH THEY WERE APPOINTED. THE FIFTH MEMBER SHALL BE APPOINTED FOR A TERM OF FIVE YEARS. THEREAFTER AS VACANCIES OCCUR ALL APPOINTMENTS SHALL BE MADE FOR TERMS OF FIVE YEARS.) The commission shall keep a record of its official actions, and may perform such acts, hold such public hearings, and promulgate such rules and regulations as may be necessary for the execution of its functions under this chapter. The commission shall be responsible to the commissioner of natural resources and shall continue to exercise all powers and duties as conferred upon it by law.”

Renumber the remaining sections accordingly.

Pages 36 and 37, delete all of section 60, and insert:

"Sec. 58. Minnesota Statutes, 1975 Supplement, Section 250.05, Subdivision 3, is amended to read:

Subd. 3. (MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION, BUT SHALL BE ENTITLED TO REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES.) The board shall organize by electing a chairman and other officers as may be required. The authority may employ an administrator and other professional, technical, and clerical personnel as may be required. The authority may employ a certified public accountant to annually audit and examine its financial records. The report of an examination or audit by a certified public accountant shall be submitted to the legislative auditor who shall review the audit report and accept it or make additional examinations as he deems to be in the public interest. The working papers of the certified public accountant relating to the authority shall be made available to the legislative auditor upon request.

The authority may contract for the services of individuals who perform medical, technical, or other services of a professional nature, and may contract for the purchase of necessary supplies, services, and equipment. Except as it determines, the authority shall not be subject to the provisions of chapter 16, concerning personnel, budgeting, payroll, or the purchase of goods or services. Any department of state government is authorized, within the limits of its functions and appropriations, to assist the authority upon request."

Page 47, line 31, Delete "58 to 60" and insert "56 to 58".

Further amend the title:

Page 1, line 10, delete "3.924;".

Page 1, line 12, delete "15A.081, Subdivision 1;".

Page 1, line 14, delete "Subdivisions 1 and" insert "Subdivision".

Page 1, line 25, delete "139.01;".

Page 1, line 26, delete "139.02;".

Page 1, line 33, delete "Subdivisions 2 and".

Page 1, line 34, delete "3" and insert "Subdivision 2".

Page 2, line 3, after "section;" insert "and Minnesota Statutes, 1975 Supplement, Sections 3.924; 15A.081, Subdivision 1; 40.03, Subdivision 1; 250.05, Subdivisions 3;"

With the recommendation that when so amended the bill do pass.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 2165, A bill for an act relating to education; requiring state universities and state community colleges to accept at full value all college and university level credits earned at the university of Minnesota or at any other state university or state community college; urging the university of Minnesota to so accept state university and state community college credits.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. The legislature declares it to be the purpose of this act to encourage each post-secondary institution in the state to grant students comparable credit for comparable work at another post-secondary institution in the state. It is the wish and desire of the legislature that the university of Minnesota, all private colleges, all state universities, all community colleges, all area vocational-technical institutes, and their governing boards, take such steps as may be necessary to provide for the placement on transcripts and the acceptance at full credit, for departmental programs and for progress toward degrees or certificates, of college and university level credits earned for equal and relevant work at another post-secondary institution in the state.

Sec. 2. The higher education coordinating board is directed to encourage communications among faculty and staff at the institutions in order to accomplish the purposes of this act. The board is further directed to monitor and study the transfer of credits among the institutions and the extent to which the intent of this act is fulfilled, and to report to the 1977 legislature on the transfer of credits and on any recommendations for accomplishing the purposes of this act."

Further, amend the title by striking it in its entirety and inserting the following:

"A bill for an act relating to education; encouraging post-secondary institutions to grant comparable credit for comparable

work at another institution; directing the higher education coordinating board to perform certain duties.”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1056 and 2165 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 1590, 1975, 1825 and 1047 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Sieben, H., introduced:

H. F. No. 2518, A bill for an act relating to the city of Hastings; removing certain restrictions on the use of certain lands conveyed by the state to the city; amending Extra Session Laws 1967, Chapter 18, Section 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kahn, Sabo and Dieterich introduced:

H. F. No. 2519, A bill for an act relating to the university of Minnesota; conferring university of Minnesota peace officers with limited powers of arrest; amending Minnesota Statutes 1974, Section 137.12; 626.05, Subdivision 2; 626A.01, Subdivision 7; and Chapter 626, by adding a section.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Jopp, Kaley and Lindstrom introduced:

H. F. No. 2520, A bill for an act relating to Independent School Districts No. 110, No. 278, No. 535, No. 341, and No. 173 and Special School District No. 1; allowing the school districts to provide certain items for nonpublic school children.

The bill was read for the first time and referred to the Committee on Education.

Byrne, Dieterich, Clark, Samuelson and Nelsen introduced:

H. F. No. 2521, A bill for an act relating to education; transportation aids; requiring transportation aid for elementary pupils under certain hazardous traffic conditions; amending Minnesota Statutes, 1975 Supplement, Section 124.223.

The bill was read for the first time and referred to the Committee on Education.

Vento, Munger, Hanson, Tomlinson and Faricy introduced:

H. F. No. 2522, A bill for an act relating to solid waste control; imposing an assessment on certain procedures of solid waste materials; creating a fund from the proceeds of the assessment to use for resource recovery programs; requiring retailers to offer beverages for sale in returnable containers; providing for price information disclosures; providing penalties; appropriating money.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Prahl, Philbrook, Abeln, Sieloff and Brinkman introduced:

H. F. No. 2523, A bill for an act relating to health; prohibiting the use of collection agencies to collect certain debts for health services; amending Minnesota Statutes 1974, Section 332.37; and Chapter 332, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Dahl, McEachern, Setzepfandt, Patton and Dieterich introduced:

H. F. No. 2524, A bill for an act relating to accident and health insurance; providing a conversion privilege for divorced spouses.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Sieben, H., and Prahl introduced:

H. F. No. 2525, A bill for an act relating to insurance; providing for a direct cause of action against certain insurers; providing liability insurance coverage to alleged tortfeasors.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

**Knoll introduced:**

H. F. No. 2526, A bill for an act relating to human rights; creating an advisory task force on statutory sex discrimination; requiring a report to the legislature; repealing Minnesota Statutes 1974, Section 363.04, Subdivision 8.

The bill was read for the first time and referred to the Committee on Governmental Operations.

**Kahn, Stanton, Corbid, Sieben, M., and Jaros introduced:**

H. F. No. 2527, A bill for an act creating a legislative commission to study the Minnesota state documents depository system; appropriating money therefor.

The bill was read for the first time and referred to the Committee on Governmental Operations.

**Kahn; Stanton; Sieben, M.; Jaros and Carlson, L., introduced:**

H. F. No. 2528, A bill for an act relating to state government; requiring copies of all state documents be deposited with the department of administration, copied and made available to the public.

The bill was read for the first time and referred to the Committee on Governmental Operations.

**Smith introduced:**

H. F. No. 2529, A bill for an act relating to Aitkin county; authorizing sale of certain tax forfeited lakeshore property.

The bill was read for the first time and referred to the Committee on Governmental Operations.

**Sieben, H., introduced:**

H. F. No. 2530, A bill for an act relating to unemployment compensation; defining wages; defining credit week; determining employer contribution rates; establishing a maximum weekly benefit; disqualifying certain individuals from benefits; amending Minnesota Statutes 1974, Section 268.04, Subdivision 29; Minnesota Statutes, 1975 Supplement, Sections 268.04, Subdivision 25; 268.06, Subdivision 8; 268.07, Subdivision 2; and 268.09, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Lindstrom, Berg, Searle, Pleasant and Moe introduced:

H. F. No. 2531, A bill for an act relating to appropriations; converting certain open appropriations for retirement to direct appropriations; abolishing other open appropriations for retirement; appropriating money; amending Minnesota Statutes 1974, Sections 3A.04, Subdivisions 3 and 4; 136.81, Subdivision 1; 352.04, Subdivision 5; 352B.25; 352C.03, Subdivision 2; 352C.04, Subdivision 3; 352C.09, Subdivision 2; 353.83; 354.55, Subdivision 5; 490.123, Subdivision 1; Minnesota Statutes, 1975 Supplement, Sections 3A.03, Subdivision 2; and 354A.12; repealing Minnesota Statutes 1974, Sections 3A.11, Subdivision 3; 352.73, Subdivision 4; 354.43, Subdivision 2; and 490.025, Subdivision 8.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Berglin, Nelson, Rice, Petrafeso and Forsythe introduced:

H. F. No. 2532, A bill for an act relating to general assistance; providing that a person employed in a general assistance work program who subsequently applies for a similar position with state or municipal government will be credited with the prior work experience; amending Minnesota Statutes 1974, Section 256D.11, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton and Pehler introduced:

H. F. No. 2533, A bill for an act relating to jurisdiction over federal lands; permitting acceptance by the state of retrocession of jurisdiction over federal lands by federal agencies; amending Minnesota Statutes 1974, Section 1.043.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Clawson, Volk and Carlson, R., introduced:

H. F. No. 2534, A bill for an act relating to Chisago, Isanti, and Pine counties; providing retirement benefits for certain judges.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Beauchamp, Moe, Parish, Patton and Biersdorf introduced:

H. F. No. 2535, A bill for an act relating to retirement; inclusions and exclusions under the Minnesota State Retirement System; amending Minnesota Statutes 1974, Section 352.01, Subdivisions 2A and 2B.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Swanson; Heinitz; Carlson, L.; Forsythe and Byrne introduced:

H. F. No. 2536, A bill for an act relating to public health; providing for an exclusion from the certificate of need act; amending Minnesota Statutes 1974, Chapter 145, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Carlson, L.; Schreiber; Swanson; Heinitz and Smith introduced:

H. F. No. 2537, A bill for an act relating to public health; requiring school nurses to take throat cultures and test for infection; amending Minnesota Statutes 1974, Section 145.085, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Berglin, McCollar, Kroening and Carlson, L., introduced:

H. F. No. 2538, A bill for an act relating to health; requiring certain health care facilities to establish grievance procedures; mandating study of in-service education; requiring insurers to report malpractice claims made against facilities; authorizing the board of health to collect and review information.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Fugina introduced:

H. F. No. 2539, A bill for an act relating to education; creating a legislative advisory task force to study post-secondary education; appropriating money.

The bill was read for the first time and referred to the Committee on Higher Education.

Berglin, Mangan, Clark, Volk and Byrne introduced:

H. F. No. 2540, A bill for an act relating to public welfare; authorizing joint-guardianship agreements between the commissioner and the immediate family of the ward when the ward is mentally ill.

The bill was read for the first time and referred to the Committee on Judiciary.

Lindstrom, Vento, Vanasek, Evans and Sieben, H., introduced:

H. F. No. 2541, A bill for an act relating to negligence; civil actions; establishing the rule of pure comparative recovery negligence; amending Minnesota Statutes 1974, Section 604.01, Subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Stanton, Menning, Esau and Smogard introduced:

H. F. No. 2542, A bill for an act relating to the counties of Lincoln, Lyon and Murray; authorizing each county to designate a human services board.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Fugina introduced:

H. F. No. 2543, A bill for an act relating to the city of Orr; authorizing the city to issue its general obligation bonds for acquisition and betterment of a municipal fire hall and city hall.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Berglin, Casserly, Nelson, Clark and Sarna introduced:

H. F. No. 2544, A bill for an act relating to the city of Minneapolis; permitting the hiring of private auditors.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Corbid introduced:

H. F. No. 2545, A bill for an act relating to counties; authorizing inclusion of cities in sewer and water districts; allowing certain special assessments; providing a flexible accounting system for multi-county projects; amending Minnesota Statutes 1974, Sections 116A.01, Subdivisions 1 and 2, and by adding a subdivision; 116A.16; 116A.17, Subdivision 2; and 116A.24, Subdivision 3; and Minnesota Statutes, 1975 Supplement, Sections 116A.01, Subdivisions 1a and 4; and 116A.20, Subdivisions 2 and 6.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Suss, Tomlinson, Vanasek, Berg and Casserly introduced:

H. F. No. 2546, A bill for an act relating to taxation; providing for certain limitations on real property valuation; amending Minnesota Statutes, 1975 Supplement, Sections 273.11, Subdivision 2 and 273.17, Subdivision 1; repealing Minnesota Statutes 1974, Section 273.11, Subdivision 4.

The bill was read for the first time and referred to the Committee on Taxes.

#### HOUSE ADVISORY BILLS

Pursuant to Rule 5.3, the following House Advisory Bill was introduced:

Simoneau and Jensen introduced:

H. A. B. No. 64, Mobile home warranties and responsibilities of manufacturer and dealer.

The bill was referred to the Committee on Commerce and Economic Development.

#### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Faricy reported on the progress of H. F. No. 1519, now in Conference Committee.

#### CALENDAR

S. F. No. 995 was reported to the House.

## UNANIMOUS CONSENT

Fjoslien requested unanimous consent to offer an amendment. The request was granted.

Fjoslien moved to amend S. F. No. 995, as follows:

Page 21, line 24, after "*responsibility*" insert "*of net assets equal to or greater than \$50,000, or*".

The motion prevailed and the amendment was adopted.

S. F. No. 995, A bill for an act relating to agriculture; regulating pesticides; providing a penalty; amending Minnesota Statutes 1974, Sections 21.47, Subdivisions 8 and 9; and 21.49, Subdivision 1; repealing Minnesota Statutes 1974, Sections 18.031; 18.032, Subdivisions 1 to 5, 7, and 8; 18.0321 to 18.036; 18A.01; 18A.02, Subdivisions 1, 2, 4, and 5; 18A.03 to 18A.11; 24.069; 24.071; 24.072, Subdivisions 1, 3, and 5; 24.0721 to 24.077; Minnesota Statutes, 1975 Supplement, Sections 18.032, Subdivision 6; 18A.02, Subdivision 3; and 24.072, Subdivisions 2 and 4.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 113, and nays 12, as follows:

Those who voted in the affirmative were:

Abel	Dieterich	Kahn	Neisen	Sherwood
Adams, L.	Doty	Kelly, R.	Nelsen	Sieben, H.
Adams, S.	Eken	Kelly, W.	Nelson	Sieben, M.
Anderson, G.	Enebo	Kempe, A.	Niehaus	Sieloff
Anderson, I.	Erickson	Kempe, R.	Norton	Simoneau
Arlandson	Evans	Ketola	Novak	Skoglund
Beauchamp	Ewald	Knickerbocker	Osthoff	Smith
Begich	Faricy	Knoll	Parish	Smogard
Berg	Fjoslien	Kostohryz	Patton	Stanton
Biersdorf	Fugina	Kroening	Pehler	Suss
Birnstihl	George	Kvam	Petrafaso	Swanson
Braun	Graba	Laidig	Philbrook	Tomlinson
Brinkman	Hanson	Langseth	Pleasant	Ulland
Byrne	Haugerud	Lindstrom	Prahl	Vanasek
Carlson, A.	Heinitz	Luther	Reding	Volk
Carlson, L.	Hokanson	Mangan	Rice	Voss
Carlson, R.	Jacobs	McCarron	St. Onge	Wenstrom
Cassery	Jaros	McCollar	Samuelson	Wenzel
Clark	Jensen	McEachern	Savelkoul	White
Clawson	Johnson, C.	Menning	Schreiber	Wigley
Corbid	Johnson, D.	Metzen	Schulz	Speaker Sabo
Dahl	Jopp	Moe	Schumacher	
Dean	Jude	Munger	Setzepfandt	

Those who voted in the negative were:

Albrecht	Esau	Kalis	Peterson	Zubay
DeGroat	Friedrich	Lemke	Wieser	
Eckstein	Kaley	McCauley		

The bill was passed, as amended, and its title agreed to.

Peterson was excused at 4:25 p.m.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to S. F. No. 1135 offered by Luther:

The second unofficial engrossment, as follows:

Page 8, lines 30 to 32, strike all of Sec. 13 and insert "Sec. 13. *The effective date of this act shall be September 1, 1976, and for purposes of the provisions of this act, any person who is 18 years of age on August 31, 1976 shall be deemed to be the age of 19 until such person attains the age of 20.*"

The roll being called, there were yeas 106, and nays 21, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Neisen	Sieben, H.
Adams, L.	Eken	Kalis	Nelsen	Simoneau
Adams, S.	Enebo	Kelly, R.	Nelson	Skoglund
Anderson, G.	Erickson	Kelly, W.	Niehaus	Smith
Anderson, I.	Evans	Kempe, A.	Novak	Smogard
Arlandson	Ewald	Kempe, R.	Patton	Stanton
Beauchamp	Faricy	Ketola	Pehler	Suss
Begich	Fjoslien	Knickerbocker	Peterson	Swanson
Berg	Forsythe	Knoll	Petrafeso	Tomlinson
Berglin	Friedrich	Kostohryz	Philbrook	Ulland
Biersdorf	Fudro	Kroening	Pleasant	Vento
Birnstihl	Fugina	Laidig	Prahl	Volk
Byrne	Graba	Langseth	Reding	Voss
Carlson, A.	Hanson	Lemke	Rice	Wenstrom
Carlson, L.	Haugerud	Lindstrom	St. Onge	Wenzel
Carlson, R.	Heinitz	Luther	Samuelson	White
Casserly	Hokanson	McCollar	Sarna	Zubay
Clark	Jacobs	McEachern	Savelkoul	Speaker Sabo
Corbid	Johnson, C.	Menning	Scheiber	
Dahl	Johnson, D.	Metzen	Schulz	
DeGroat	Jude	Moe	Schumacher	
Dieterich	Kahn	Munger	Setzepfandt	

Those who voted in the negative were:

Albrecht	Esau	Mangan	Sherwood	Wigley
Brinkman	George	McCarron	Sieben, M.	
Clawson	Jensen	McCauley	Sieloff	
Dean	Jopp	Osthoff	Vanasek	
Doty	Kvam	Parish	Wieser	

The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to S. F. No. 1135, as amended, offered by Simoneau:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Chapter 340, is amended by adding a section to read:

[340.991] [DEFINITION.] *For the purposes of chapter 340 "minor" means an individual under the age of 18, provided that any person attaining his 18th birthday between the dates of September 1 of one year and June 15 of the following year, inclusive, shall be considered a minor until June 16 next following his 18th birthday.*

Sec. 2. Minnesota Statutes 1974, Section 340.02, Subdivision 8, is amended to read:

Subd. 8. [PERSONS ELIGIBLE.] Licenses hereunder shall be issued only to persons who are citizens of the United States and who are of good moral character and repute, who have attained (THE AGE OF 18 YEARS) *their majority* and who are proprietors of the establishments for which the licenses are issued.

Sec. 3. Minnesota Statutes 1974, Section 340.035, Subdivision 1, is amended to read:

340.035 [PERSONS UNDER 19.] Subdivision 1. It shall be unlawful for any:

(1) Licensee or his employee to sell or serve non-intoxicating malt liquor to any minor or to permit any minor to consume non-intoxicating malt liquor on the licensed premises (OR TO PERMIT ANY MINOR TO LOITER OR TO REMAIN IN THE ROOM WHERE NON-INTOXICATING MALT LIQUOR IS BEING SOLD OR SERVED UNLESS ACCOMPANIED BY HIS PARENT OR LEGAL GUARDIAN);

(2) Person other than the parent or legal guardian to procure non-intoxicating malt liquor for any minor;

(3) Person to induce a minor to purchase or procure non-intoxicating malt liquor;

(4) Minor to misrepresent his age for the purpose of obtaining non-intoxicating malt liquor;

(5) Minor to consume any non-intoxicating malt liquor unless in the company of his parent or guardian;

(6) Minor to have in his possession any non-intoxicating malt liquor, with intent to consume same at a place other than the household of his parent or guardian. Possession of such non-intoxicating malt liquor at a place other than the household of his parent or guardian shall be prima facie evidence of intent to consume the same at a place other than the household of his parent or guardian.

Sec. 4. Minnesota Statutes 1974, Section 340.119, Subdivision 2, is amended to read:

Subd. 2. A bottle club may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to such members. A bottle club or any unincorporated society which shall have more than 50 members and which shall have, for more than a year, owned, hired, or leased space in a building of such extent and character as may be suitable and adequate for reasonable and comfortable accommodations for its members, may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to such members. Every bottle, container, or other receptacle containing intoxicating liquor stored by members shall have attached to it a label signed by the member of the club. All liquor on the premises of the club shall be labeled as herein required, and any not being actually used or consumed by the owner thereof shall be kept in a locker designated to the use of such member. It shall be unlawful for any club member (UNDER 18 YEARS OF AGE) *who is a minor* to be assigned a locker for the storage of intoxicating liquor, or to consume or display or be permitted to consume or display intoxicating liquor on any premises owned or controlled by such private club.

Sec. 5. Minnesota Statutes 1974, Section 340.13, Subdivision 12, is amended to read:

Subd. 12. [LICENSES; PERSONS ELIGIBLE.] No license shall be issued to other than a citizen of the United States (OVER 18 YEARS OF AGE) *who has attained his majority and who shall be of good moral character and repute, nor to any person who within five years prior to the application of such license has been convicted of any wilful violation of any law of the United States or the state of Minnesota or of any local ordinance with regard to the manufacture, sale, distribution, or possession for sale or distribution of intoxicating liquor, nor to any person whose license under the intoxicating liquor act shall be revoked for any wilful violation of any such laws or ordinances.*

Sec. 6. Minnesota Statutes 1974, Section 340.403, Subdivision 3, is amended to read:

Subd. 3. [LICENSE GRANTED.] Upon the filing of an application, the approval of the bond, and the payment of the license fee, the commissioner shall grant the license unless it shall

appear that the applicant: (1) is not a citizen of the United States; or (2) is (NOT OVER 18 YEARS OF AGE) a *minor*; or (3) has been convicted of a felony under the laws of this state; or (4) has had his license revoked within a period of one year prior to the filing of his application; or (5) has not been a resident of Minnesota or has not been qualified as a corporation to do business in Minnesota for more than 90 days prior to application. In the event the applicant is a corporation its managing officers must possess the qualifications herein stated in respect to (1), (2), (3), and (4).

No wholesale malt beverage license shall be granted to any person unless he shall have within the state of Minnesota warehouse space either owned or leased by him and shall have adequate delivery facilities to perform the function of wholesaling malt beverages. Provided that the requirements of this subdivision as to residence and warehouse space shall not apply to any wholesaler in an adjoining state which permits Minnesota resident licensees to deliver malt beverages to retailers without warehousing in that state or to any wholesaler in an adjoining state delivering malt beverages manufactured in Minnesota."

Further amend the title as follows:

Page 1, line 5, after "1974," insert "Chapter 340, by adding a section; and".

Page 1, line 7, delete "340.355;".

Page 1, line 8, delete everything after "Subdivision 3" and insert a period.

Page 1, delete line 9.

The roll being called, there were yeas 56, and nays 72, as follows:

Those who voted in the affirmative were:

Arlandson	Fugina	McCarron	Petraleso	Vanasek
Begich	George	McCollar	Philbrook	Vento
Berg	Jacobs	McEachern	Prahl	Volk
Berglin	Jaros	Metzen	Rice	Voss
Brinkman	Johnson, C.	Neisen	St. Onge	White
Casserly	Johnson, D.	Nelson	Samuelson	Williamson
Clark	Jude	Norton	Sieben, H.	Zubay
Clawson	Kahn	Novak	Sieben, M.	Speaker Sabo
Dieterich	Kalis	Osthoff	Simoneau	
Eckstein	Knoll	Parish	Skoglund	
Enebo	Kostohryz	Patton	Swanson	
Faricy	Mangan	Pehler	Tomlinson	

Those who voted in the negative were:

Abeln	Adams, S.	Anderson, G.	Beauchamp	Birnstihl
Adams, L.	Albrecht	Anderson, I.	Biersdorf	Braun

Byrne	Ewald	Kelly, R.	Menning	Setzepfandt
Carlson, A.	Fjoslien	Kelly, W.	Moe	Sherwood
Carlson, L.	Forsythe	Kempe, A.	Munger	Sieloff
Carlson, R.	Friedrich	Kempe, R.	Nelsen	Smith
Corbid	Fudro	Ketola	Niehaus	Smogard
Dahl	Graba	Knickerbocker	Peterson	Ulland
Dean	Hanson	Kroening	Pleasant	Wenstrom
DeGroat	Haugerud	Kvam	Reding	Wenzel
Doty	Heinitz	Laidig	Sarna	Wieser
Eken	Hokanson	Langseth	Savelkoul	Wigley
Erickson	Jensen	Lemke	Schreiber	
Esau	Jopp	Lindstrom	Schulz	
Evans	Kaley	Luther	Schumacher	

The motion did not prevail and the amendment was not adopted.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to S. F. No. 1135, as amended, offered by McCollar:

Following all references to age of 19 years add the following: "or show documentary proof of high school graduation or termination".

Page 1, line 18, after the period add the following: "Documentary proof is defined as high school diploma, high school equivalent certificate, official withdrawal certificate, or photostatic copy of the proceeding."

The roll being called, there were yeas 2, and nays 117, as follows:

Those who voted in the affirmative were:

McCollar      Samuelson

Those who voted in the negative were:

Abeln	Corbid	Haugerud	Laidig	Philbrook
Adams, L.	Dahl	Heinitz	Langseth	Pleasant
Adams, S.	Dean	Hokanson	Lemke	Prahl
Albrecht	DeGroat	Jacobs	Lindstrom	Reding
Anderson, G.	Dieterich	Jensen	Luther	Rice
Anderson, I.	Doty	Johnson, C.	Mangan	St. Onge
Arlandson	Eckstein	Johnson, D.	McCauley	Savelkoul
Beauchamp	Eken	Jopp	McEachern	Schreiber
Begich	Enebo	Jude	Menning	Schulz
Berg	Erickson	Kaley	Metzen	Setzepfandt
Berglin	Esau	Kalis	Moe	Sherwood
Biersdorf	Evans	Kelly, R.	Munger	Sieben, H.
Birnstihl	Ewald	Kelly, W.	Nelsen	Sieben, M.
Braun	Faricy	Kempe, A.	Niehaus	Sieloff
Brinkman	Fjoslien	Kempe, R.	Norton	Simoneau
Byrne	Forsythe	Ketola	Novak	Skoglund
Carlson, A.	Friedrich	Knickerbocker	Parish	Smith
Carlson, L.	Fugina	Knoll	Patton	Smogard
Carlson, R.	George	Kostohryz	Pehler	Stanton
Clark	Graba	Kroening	Peterson	Suss
Clawson	Hanson	Kvam	Petrafsco	Swanson

Tomlinson  
Ulland  
Vanasek

Volk  
Voss  
Wenstrom

Wenzel  
Wieser  
Wigley

Williamson  
Zubay

Speaker Sabo

The motion did not prevail and the amendment was not adopted.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to S. F. No. 1135, as amended, offered by Vento:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 340.02, Subdivision 8, is amended to read:

Subd. 8. [PERSONS ELIGIBLE.] Licenses hereunder shall be issued only to persons who are citizens of the United States and who are of good moral character and repute, who have attained the age of (18) 19 years and who are proprietors of the establishments for which the licenses are issued.

Sec. 2. Minnesota Statutes 1974, Section 340.035, Subdivision 1, is amended to read:

340.035 [PERSONS UNDER 19.] Subdivision 1. It shall be unlawful for any:

(1) Licensee or his employee to sell or serve non-intoxicating malt liquor to any (MINOR) *person under the age of 18 years at on-sale or 19 years at off-sale*, or to permit any (MINOR) *ineligible purchaser or consumer* to consume non-intoxicating malt liquor on the licensed premises or to permit any (MINOR) *ineligible purchaser or consumer* to loiter or to remain in the room where non-intoxicating malt liquor is being sold or served unless accompanied by his parent or legal guardian;

(2) Person other than the parent or legal guardian to procure non-intoxicating malt liquor for any (MINOR) *person under the age of 18 years at on-sale or 19 years at off-sale*;

(3) Person to induce (A MINOR) *an ineligible purchaser* to purchase or procure non-intoxicating malt liquor;

(4) (MINOR) *Ineligible purchaser* to misrepresent his age for the purpose of obtaining non-intoxicating malt liquor;

(5) (MINOR) *Ineligible purchaser* to consume any non-intoxicating malt liquor unless in the company of his parent or guardian;

(6) (MINOR) *Ineligible purchaser* to have in his possession any non-intoxicating malt liquor, with intent to consume same

at a place other than the household of his parent or guardian. Possession of such non-intoxicating malt liquor at a place other than the household of his parent or guardian shall be prima facie evidence of intent to consume the same at a place other than the household of his parent or guardian.

Sec. 3. Minnesota Statutes 1974, Section 340.119, Subdivision 2, is amended to read:

Subd. 2. A bottle club may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to such members. A bottle club or any unincorporated society which shall have more than 50 members and which shall have, for more than a year, owned, hired, or leased space in a building of such extent and character as may be suitable and adequate for reasonable and comfortable accommodations for its members, may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to such members. Every bottle, container, or other receptacle containing intoxicating liquor stored by members shall have attached to it a label signed by the member of the club. All liquor on the premises of the club shall be labeled as herein required, and any not being actually used or consumed by the owner thereof shall be kept in a locker designated to the use of such member. It shall be unlawful for any club member under (18) 19 years of age to be assigned a locker for the storage of intoxicating liquor, or to consume or display or be permitted to consume or display intoxicating liquor on any premises owned or controlled by such private club.

Sec. 4. Minnesota Statutes 1974, Section 340.13, Subdivision 12, is amended to read:

Subd. 12. [LICENSES; PERSONS ELIGIBLE.] No license shall be issued to other than a citizen of the United States over (18) 19 years of age who shall be of good moral character and repute, nor to any person who within five years prior to the application of such license has been convicted of any wilful violation of any law of the United States or the state of Minnesota or of any local ordinance with regard to the manufacture, sale, distribution, or possession for sale or distribution of intoxicating liquor, nor to any person whose license under the intoxicating liquor act shall be revoked for any wilful violation of any such laws or ordinances.

Sec. 5. Minnesota Statutes 1974, Section 340.355, is amended to read:

340.355 [MUNICIPAL LIQUOR STORE; SUSPENSION OF OPERATION, PROCEDURE.] When a municipal officer or employee of a city is convicted of (1) selling intoxicating liquor or non-intoxicating malt liquor to (A MINOR OR OTHER) an ineligible person, (2) selling intoxicating liquor or non-intoxicating

malt liquor at a time when such sale is prohibited by law, (3) selling intoxicating liquor or non-intoxicating malt liquor for re-sale, (4) selling intoxicating liquor or non-intoxicating malt liquor on which the required state tax has not been paid, (5) selling intoxicating liquor for consumption off the premises for less than the price required by law, or (6) violating statutory restrictions on gambling and gambling devices and apparatus, and when the offense resulting in such conviction has occurred in an exclusive liquor store operated by the municipality, the court in which the conviction occurs shall mail to the state liquor control commissioner within ten days of the conviction a record of the conviction. The commissioner shall thereupon send notice of the conviction to the county attorney of the county in which the municipal liquor store is located. The county attorney promptly after receipt of the notice shall commence an action in the district court in the name of the state against the municipality to suspend the operation of the store as provided by this act. The complaint shall recite the facts of the conviction and shall include a prayer for judgment suspending operation of the store for a period not exceeding 30 days. A copy of the summons and complaint shall be mailed to the liquor control commissioner. The municipality shall have ten days within which to answer, setting forth such facts as are relevant to proof of the conviction and to the determination of the penalty to be imposed.

Sec. 6. Minnesota Statutes 1974, Section 340.403, Subdivision 3, is amended to read:

Subd. 3. [LICENSE GRANTED.] Upon the filing of an application, the approval of the bond, and the payment of the license fee, the commissioner shall grant the license unless it shall appear that the applicant: (1) is not a citizen of the United States; or (2) is not over (18) 19 years of age; or (3) has been convicted of a felony under the laws of this state; or (4) has had his license revoked within a period of one year prior to the filing of his application; or (5) has not been a resident of Minnesota or has not been qualified as a corporation to do business in Minnesota for more than 90 days prior to application. In the event the applicant is a corporation its managing officers must possess the qualifications herein stated in respect to (1), (2), (3), and (4).

No wholesale malt beverage license shall be granted to any person unless he shall have within the state of Minnesota warehouse space either owned or leased by him and shall have adequate delivery facilities to perform the function of wholesaling malt beverages. Provided that the requirements of this subdivision as to residence and warehouse space shall not apply to any wholesaler in an adjoining state which permits Minnesota resident licensees to deliver malt beverages to retailers without warehousing in that state or to any wholesaler in an adjoining state delivering malt beverages manufactured in Minnesota.

Sec. 7. Minnesota Statutes 1974, Section 340.73, Subdivision 1, is amended to read:

340.73 [PERSONS TO WHOM SALES ARE ILLEGAL.] Subdivision 1. It shall be unlawful for any person, except a licensed pharmacist to sell, give, barter, furnish, deliver, or dispose of, in any manner, either directly or indirectly, any spirituous, vinous, malt, or fermented liquors in any quantity, for any purpose, whatever, to any (MINOR) person *under the age of 18 years in the case of on-sale liquor, or under the age of 19 years in the case of off-sale liquor*, or to any intoxicated person, or to any public prostitute.

Sec. 8. Minnesota Statutes 1974, Section 340.731, is amended to read:

340.731 [PERSONS UNDER AGE, FORBIDDEN ACTS OR STATEMENTS.] It shall be unlawful for (1) a (MINOR) *person under the age of 18 years in the case of on-sale premises, or under the age of 19 years in the case of off-sale premises*, to enter any premises licensed for the retail sale of alcoholic beverages or any municipal liquor store for the purpose of purchasing, or having served or delivered to him or her, any alcoholic beverage containing more than one-half of one percent of alcohol by volume or

(2) a (MINOR) *person under the age of 18 years in the case of on-sale liquor, or under the age of 19 years in the case of off-sale liquor*, to consume any intoxicating liquor or to purchase, attempt to purchase or have another purchase for him or her any intoxicating liquor; or

(3) any person to misrepresent or misstate his or her age, or the age of any other person for the purpose of inducing any licensee or any employee of any licensee, or any employee of any municipal liquor store, to sell, serve or deliver any alcoholic beverage to a (MINOR) *person under the age of 18 years in the case of on-sale liquor, or under the age of 19 years in the case of off-sale liquor*; or

(4) a (MINOR) *person under the age of 18 years in the case of on-sale liquor or under the age of 19 years in the case of off-sale liquor*, to have in his possession any intoxicating liquor, with intent to consume same at a place other than the household of his parent or guardian. Possession of such intoxicating liquor at a place other than the household of his parent or guardian shall be prima facie evidence of intent to consume the same at a place other than the household of his parent or guardian.

Sec. 9. Minnesota Statutes 1974, Section 340.78, is amended to read:

**340.78 [SALES TO CERTAIN PERSONS, AFTER NOTICE.]** Every person selling liquor to a (MINOR) *person under the age of 18 years in the case of on-sale liquor, or under the age of 19 years in the case of off-sale liquor*, habitual drunkard, or person under guardianship, after written notice by a parent, husband, wife, child, guardian, master, or employer of such (MINORITY) *age*, habitual drunkenness, or guardianship, or in the case of an habitual drunkard after written notice by the mayor, chief of police, or any member of the council of the municipality in which such habitual drunkard resides, or member of the county board of the county in which such habitual drunkard resides, and within one year after such notice in case of an habitual drunkard, and in other cases during the (CONTINUANCE OF THE MINORITY) *time the person is under the prohibited age*, or guardianship, shall be guilty of a misdemeanor.

Sec. 10. Minnesota Statutes 1974, Section 340.79, is amended to read:

**340.79 [GIVING TO OR PROCURING FOR CERTAIN PERSONS.]** Any person who shall give to, procure or purchase, intoxicating liquors *at on-sale for any (MINOR) person under the age of 18 years or give to, procure or purchase intoxicating liquor at off-sale for any person under the age of 19 years*, or other person to whom the sale of intoxicating liquors is by law forbidden, is guilty of a gross misdemeanor and, upon conviction, shall be punished in accordance with the laws of the state.

Sec. 11. Minnesota Statutes 1974, Section 340.80, is amended to read:

**340.80 [INDUCING CERTAIN PERSONS TO ENTER SALOON.]** Any person who shall assist, procure or induce any (MINOR) *person under the age of 18 years* or other person to whom the sale of liquor is by law forbidden, to enter or visit any saloon, bar, buffet or public drinking place for the purpose of obtaining intoxicating liquors, is guilty of a gross misdemeanor; and, upon conviction, punished therefor according to the laws of the state.

Sec. 12. Minnesota Statutes 1974, Section 340.81, is amended to read:

**340.81 [EXCLUSION OF CERTAIN PERSONS FROM PLACES WHERE LIQUOR IS SOLD, AFTER NOTICE; PENALTY.]** No (MINOR) *person under the age of 18 years in the case of on-sale establishments or under the age of 19 years in the case of off-sale establishments*, intemperate drinker, habitual drunkard, inmate of a poor or alms house, or person under guardianship, shall be allowed in any room where intoxicating liquor is sold in less quantities than five gallons as a beverage, after written notice upon the licensee or his agent, by

parent, husband, wife, child, guardian, master or employer of such (MINORITY) age, intemperate drinking, habitual drunkenness or guardianship, or in the case of an intemperate drinker, inmate of a poor or alms house, or habitual drunkard, after written notice by the mayor, chief of police, judge of the municipal court, or any member of the council of the municipality in which such intemperate drinker, or habitual drunkard, resides, or member of the county board of the county in which such inmate of a poor or alms house, intemperate drinker or habitual drunkard resides, and within one year after such notice, in case of an inmate of a poor or alms house, intemperate drinker or habitual drunkard, and in other cases during the (CONTINUANCE OF THE MINORITY) time the person is under the minimum age or guardianship. Any violation of this section shall be guilty of a misdemeanor.

Sec. 13. *This act is effective September 1, 1976. Any person who has attained the age of 18 years prior to September 1, 1976 shall be deemed to have attained the age of 19 years."*

The roll being called, there were yeas 35, and nays 90, as follows:

Those who voted in the affirmative were:

Berglin	Enebo	Mangan	Novak	Sieben, H.
Birnstihl	Faricy	McCauley	Osthoff	Sieben, M.
Brinkman	George	McCollar	Patton	Simoneau
Cassery	Johnson, D.	McEachern	Pehler	Vento
Clark	Jude	Metzen	Philbrook	Volk
Clawson	Kahn	Moe	Rice	Zubay
Dieterich	Kostohryz	Norton	St. Onge	Speaker Sabo

Those who voted in the negative were:

Abeln	Dean	Hokanson	Lindstrom	Setzepfandt
Adams, L.	DeGroat	Jacobs	Luther	Sherwood
Adams, S.	Doty	Jaros	McCarron	Sieloff
Albrecht	Eckstein	Jensen	Menning	Skoglund
Anderson, G.	Eken	Johnson, C.	Munger	Smith
Anderson, I.	Erickson	Jopp	Neisen	Smogard
Arlandson	Esau	Kaley	Nelsen	Stanton
Beauchamp	Evans	Kalis	Niehaus	Swanson
Begich	Ewald	Kelly, W.	Peterson	Tomlinson
Berg	Fjoslien	Kempe, A.	Petrafeso	Ulland
Biersdorf	Forsythe	Kempe, R.	Pleasant	Vanasek
Braun	Friedrich	Ketola	Prahl	Voss
Byrne	Fudro	Knickerbocker	Samuelson	Wenstrom
Carlson, A.	Fugina	Kroening	Sarna	Wenzel
Carlson, L.	Graba	Kvam	Savelkoul	White
Carlson, R.	Hanson	Laidig	Schreiber	Wieser
Corbid	Haugerud	Langseth	Schulz	Wigley
Dahl	Heinitz	Lemke	Schumacher	Williamson

The motion did not prevail and the amendment was not adopted.

Pursuant to Rule 1.6, a roll call was taken on the motion of Langseth to recommend passage of S. F. No. 1135, as amended.

The roll being called, there were yeas 99, and nays 31, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Johnson, C.	McCollar	Schumacher
Adams, S.	Doty	Jopp	McEachern	Setzepfandt
Albrecht	Eckstein	Kaley	Menning	Sherwood
Anderson, G.	Eken	Kalis	Munger	Sieloff
Anderson, I.	Erickson	Kelly, R.	Neisen	Skoglund
Arlandson	Esau	Kelly, W.	Nelsen	Smith
Beauchamp	Evans	Kempe, A.	Niehaus	Smogard
Begich	Ewald	Kempe, R.	Novak	Stanton
Berg	Fjoslien	Ketola	Peterson	Suss
Biersdorf	Forsythe	Knickerbocker	Petraieso	Tomlinson
Birnstihl	Friedrich	Knoll	Philbrook	Ulland
Braun	Fudro	Kostohryz	Pleasant	Vanasek
Brinkman	Fugina	Kroening	Prahl	Volk
Byrne	Graba	Kvam	Reding	Wenstrom
Carlson, A.	Hanson	Laidig	Rice	Wenzel
Carlson, L.	Haugerud	Langseth	Samuelson	White
Carlson, R.	Heinitz	Lemke	Sarna	Wieser
Corbid	Hokanson	Lindstrom	Savelkoul	Wigley
Dahl	Jacobs	Luther	Schreiber	Zubay
Dean	Jensen	McCauley	Schulz	

Those who voted in the negative were:

Adams, L.	Faricy	McCarron	Pehler	Voss
Berglin	George	Metzen	St. Onge	Williamson
Casserly	Jaros	Moe	Siebel, H.	Speaker Sabo
Clark	Johnson, D.	Norton	Sieben, M.	
Clawson	Jude	Osthoff	Simoneau	
Dieterich	Kahn	Parish	Swanson	
Enebo	Mangan	Patton	Vento	

The motion prevailed.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 116 offered by Philbrook:

Page 2, line 17, after "encourages" insert a comma and strike "or".

Page 2, line 17, after "performs" insert "or makes referrals for".

The roll being called, there were yeas 78, and nays 38, as follows:

Those who voted in the affirmative were:

Abeln	Begich	Byrne	Doty	Faricy
Adams, L.	Biersdorf	Carlson, R.	Eckstein	Fjoslien
Albrecht	Birnstihl	Clawson	Eken	Fudro
Anderson, I.	Braun	Corbid	Erickson	Hanson
Arlandson	Brinkman	Dahl	Esau	Hokanson

Jacobs	Laidig	Niehaus	Schulz	Vento
Jensen	Langseth	Osthoff	Schumacher	Volk
Jopp	Lemke	Patton	Setzepfandt	Voss
Jude	Lindstrom	Pehler	Sherwood	Wenstrom
Kalis	Luther	Philbrook	Sieben, H.	Wenzel
Kelly, W.	McCauley	Prahl	Sieben, M.	White
Kempe, A.	McCollar	Reding	Sieloff	Wieser
Kempe, R.	McEachern	St. Onge	Smith	Wigley
Ketola	Metzen	Sarna	Suss	Zubay
Knoll	Neisen	Savelkoul	Swanson	
Kroening	Nelsen	Schreiber	Vanasek	

Those who voted in the negative were:

Adams, S.	Clark	Haugerud	Munger	Smogard
Anderson, G.	Dean	Heinitz	Norton	Stanton
Beauchamp	Dieterich	Kahn	Novak	Tomlinson
Berg	Enebo	Kaley	Parish	Ulland
Berglin	Evans	Kostohryz	Peterson	Williamson
Carlson, A.	Ewald	Kvam	Petrafeso	Speaker Sabo
Carlson, L.	Forsythe	Mangan	Pleasant	
Casserly	Friedrich	Moe	Skoglund	

The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 116, as amended, offered by Kahn:

Page 2, line 17 before the period insert “, except when such voluntary termination of pregnancy is necessary to preserve the life of the mother”.

The roll being called, there were yeas 82, and nays 15, as follows:

Those who voted in the affirmative were:

Abein	Dieterich	Kalis	Novak	Simoneau
Adams, L.	Doty	Kelly, W.	Parish	Skoglund
Adams, S.	Eckstein	Ketola	Peterson	Smogard
Anderson, G.	Eken	Knickerbocker	Petrafeso	Stanton
Anderson, I.	Enebo	Knoll	Philbrook	Tomlinson
Arlandson	Evans	Kostohryz	Pleasant	Ulland
Beauchamp	Fariy	Kroening	Prahl	Vanasek
Berg	Forsythe	Kvam	Rice	Vento
Byrne	Friedrich	Laidig	Samuelson	Volk
Carlson, A.	Fugina	Luther	Savelkoul	Wenstrom
Carlson, L.	Hanson	Mangan	Schreiber	White
Carlson, R.	Hokanson	McCauley	Schulz	Williamson
Casserly	Jensen	Menning	Setzepfandt	Zubay
Clark	Johnson, C.	Moe	Sherwood	Speaker Sabo
Clawson	Johnson, D.	Neisen	Sieben, H.	
Corbid	Kahn	Nelson	Sieben, M.	
Dean	Kaley	Norton	Sieloff	

Those who voted in the negative were:

Albrecht	Erickson	Lindstrom	Osthoff	Schumacher
Berglin	Jopp	Metzen	Patton	Wenzel
DeGroat	Jude	Niehaus	Pehler	Wieser

The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 116, as amended, offered by Volk:

Osthoff requested a division of the amendment.

The first portion of the amendment voted on was as follows:

Page 4, lines 21 through 27, strike all of Subd. 4.

The roll being called, there were yeas 70, and nays 55, as follows:

Those who voted in the affirmative were:

Adams, L.	Clawson	Hokanson	Moe	Sieben, M.
Adams, S.	Corbid	Jaros	Munger	Simoneau
Anderson, G.	Dean	Johnson, D.	Nelson	Skoglund
Anderson, I.	Dieterich	Kahn	Norton	Smogard
Arlandson	Eckstein	Kaley	Novak	Stanton
Beauchamp	Eken	Kelly, W.	Osthoff	Suss
Berg	Enebo	Knickerbocker	Parish	Swanson
Berglin	Evans	Knoll	Petrafaso	Tomlinson
Birnstihl	Ewald	Langseth	Philbrook	Ulland
Byrne	Farcy	Luther	Pleasant	Vanasek
Carlson, A.	Forsythe	Mangan	Prahl	Vento
Carlson, L.	Fugina	McCarron	Rice	Volk
Casserly	Haugerud	McCollar	Samuelson	Voss
Clark	Heinitz	Metzen	Schreiber	Speaker Sabo

Those who voted in the negative were:

Abeln	Esau	Kempe, R.	Neisen	Setzepfandt
Albecht	Fjoslien	Ketola	Nelsen	Sherwood
Begich	Friedrich	Kostohryz	Niehaus	Sieben, H.
Biersdorf	Fudro	Kroening	Patton	Sieloff
Braun	Graba	Kvam	Pehler	Smith
Brinkman	Jacobs	Laidig	Peterson	Wenstrom
Carlson, R.	Jensen	Lemke	Reding	Wenzel
Dahl	Jopp	Lindstrom	St. Onge	White
DeGroat	Jude	McCauley	Sarna	Wieser
Doty	Kalis	McEachern	Savelkoul	Wigley
Erickson	Kempe, A.	Menning	Schumacher	Zubay

The motion prevailed and the first portion of the amendment was adopted.

The second portion of the amendment voted on was as follows:

Page 4, line 31, strike "1975" and insert "1976".

The roll being called, there were yeas 89, and nays 35, as follows:

Those who voted in the affirmative were:

Abeln	Anderson, I.	Beauchamp	Berglin	Birnstihl
Adams, L.	Arlandson	Berg	Biersdorf	Byrne

Carlson, A.	Forsythe	Kelly, R.	Nelson	Simoneau
Carlson, L.	Friedrich	Kelly, W.	Novak	Skoglund
Casserly	Fugina	Knickerbocker	Parish	Smith
Clark	Graba	Knoll	Peterson	Smogard
Clawson	Hanson	Kostohryz	Petrafaso	Stanton
Corbid	Hangerud	Kvam	Philbrook	Suss
Dean	Heinitz	Laidig	Pleasant	Swanson
Dieterich	Hokanson	Langseth	Prahl	Tomlinson
Doty	Jacobs	Luther	Rice	Ulland
Eckstein	Jaros	Mangan	Samuelson	Vanasek
Eken	Jensen	McCarron	Savelkoul	Vento
Enebo	Johnson, C.	McCollar	Schreiber	Volk
Evans	Johnson, D.	Moe	Setzepfandt	Voss
Ewald	Kahn	Munger	Sieben, H.	Wenstrom
Faricy	Kaley	Neisen	Sieben, M.	Speaker Sabo
Fjoslien	Kalis	Nelsen	Sieloff	

Those who voted in the negative were:

Albrecht	Erickson	Kroening	Niehaus	Schulz
Anderson, G.	Esau	Lemke	Osthoff	Schumacher
Begich	Fudro	Lindstrom	Patton	Wenzel
Braun	Jopp	McCauley	Pehler	White
Brinkman	Jude	McEachern	Reding	Wieser
Carlson, R.	Kempe, A.	Menning	St. Onge	Wigley
DeGroat	Kempe, R.	Metzen	Sarna	Zubay

The motion prevailed and the second portion of the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the motion of Volk to recommend passage of H. F. No. 116, as amended.

The roll being called, there were yeas 76, and nays 51, as follows:

Those who voted in the affirmative were:

Abeln	Dean	Jaros	Munger	Skoglund
Adams, L.	Dieterich	Johnson, D.	Neisen	Smith
Adams, S.	Doty	Kahn	Nelson	Stanton
Anderson, G.	Eckstein	Kaley	Norton	Suss
Anderson, I.	Eken	Kelly, W.	Novak	Swanson
Arlandson	Enebo	Knickerbocker	Osthoff	Tomlinson
Beauchamp	Ewald	Knoll	Parish	Ulland
Berg	Faricy	Kostohryz	Petrafaso	Vanasek
Berglin	Forsythe	Laidig	Philbrook	Vento
Birnstihl	Fugina	Langseth	Pleasant	Volk
Byrne	George	Luther	Prahl	Voss
Carlson, A.	Graba	Mangan	Rice	Speaker Sabo
Carlson, L.	Hangerud	McCarron	Samuelson	
Casserly	Heinitz	McCollar	Sieben, M.	
Clark	Hokanson	Metzen	Sieloff	
Corbid	Jacobs	Moe	Simoneau	

Those who voted in the negative were:

Albrecht	Braun	Dahl	Esau	Friedrich
Begich	Brinkman	DeGroat	Evans	Fudro
Biersdorf	Carlson, R.	Erickson	Fjoslien	Jensen

Johnson, C.	Kvam	Patton	Schulz	White
Jopp	Lemke	Pehler	Schumacher	Wieser
Jude	Lindstrom	Peterson	Setzepfandt	Wigley
Kalis	McCauley	Reding	Sherwood	Zubay
Kempe, A.	McEachern	St. Onge	Sieben, H.	
Kempe, R.	Menning	Sarna	Smogard	
Ketola	Nelsen	Savelkoul	Wenstrom	
Kroening	Niehaus	Schreiber	Wenzel	

The motion prevailed.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 1322 offered by Petrafeso:

Page 5, strike lines 16 through 32.

Page 6, strike lines 1 through 5.

The roll being called, there were yeas 39, and nays 70, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, A.	Knickerbocker	Moe	Sieloff
Arlandson	Cassery	Knoll	Nelson	Simoneau
Begich	Clark	Kostohryz	Novak	Skoglund
Berg	Corbid	Laidig	Parish	Tomlinson
Berglin	Dean	Luther	Petrafeso	Ulland
Braun	Dieterich	Mangan	Philbrook	Vento
Brinkman	Kahn	McCarron	Sieben, H.	Voss
Byrne	Kelly, R.	McCollar	Sieben, M.	

Those who voted in the negative were:

Adams, L.	Esau	Jopp	Munger	Setzepfandt
Adams, S.	Evans	Jude	Neisen	Sherwood
Albrecht	Ewald	Kaley	Nelsen	Smith
Anderson, G.	Faricy	Kalis	Niehaus	Smogard
Anderson, I.	Fjoslien	Kempe, A.	Norton	Stanton
Birnstihl	Forsythe	Kempe, R.	Pehler	Swanson
Carlson, L.	Friedrich	Kroening	Pleasant	Vanasek
Carlson, R.	Fudro	Kvam	Prahl	Volk
Clawson	Fugina	Lemke	Reding	Wenstrom
Dahl	George	Lindstrom	Rice	Wenzel
DeGroat	Heinitz	McCauley	St. Onge	White
Eckstein	Hokanson	McEachern	Savelkoul	Wieser
Eken	Jacobs	Menning	Schulz	Wigley
Erickson	Jensen	Metzen	Schumacher	Zubay

The motion did not prevail and the amendment was not adopted.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 1322, as amended, offered by Petrafeso:

Page 6, after line 5, insert: "*Subd. 3. The advisory council on emergency medical services shall expire on December 31, 1979.*"

The roll being called, there were yeas 49, and nays 68, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Johnson, D.	McCarron	Sieben, M.
Arlandson	Casserly	Kahn	McCollar	Simoneau
Beauchamp	Clark	Kelly, R.	Moe	Skoglund
Begich	Clawson	Kelly, W.	Neisen	Suss
Berg	Dean	Knickerbocker	Nelson	Tomlinson
Berglin	Dieterich	Knoll	Novak	Ulland
Biersdorf	Enebo	Kostohryz	Parish	Vento
Braun	Fugina	Laidig	Petraffeso	Voss
Byrne	Haugerud	Luther	Philbrook	Speaker Sabo
Carlson, A.	Jacobs	Mangan	Samuelson	

Those who voted in the negative were:

Adams, S.	Evans	Kaley	Niehaus	Smith
Albrecht	Ewald	Kalis	Patton	Smogard
Anderson, G.	Fjoslien	Kempe, A.	Pehler	Stanton
Anderson, I.	Forsythe	Kempe, R.	Pleasant	Vanasek
Birnstihl	Friedrich	Ketola	Reding	Volk
Brinkman	Fudro	Kroening	Rice	Wenstrom
Carlson, R.	Graha	Kvam	Sarna	Wenzel
Corbid	Hanson	Langseth	Savelkoul	White
Dahl	Heinitz	Lemke	Schulz	Wieser
DeGroat	Hokanson	Lindstrom	Schumacher	Wigley
Eckstein	Jensen	McCauley	Setzepfandt	Williamson
Eken	Johnson, C.	Menning	Sherwood	Zubay
Erickson	Jopp	Metzen	Sieben, H.	
Esau	Jude	Nelsen	Sieloff	

The motion did not prevail and the amendment was not adopted.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. No. 998 upon which it recommended progress.

S. F. No. 749 upon which it recommended progress retaining its place on General Orders.

H. F. No. 1881 upon which it recommended progress until Wednesday, March 10, 1976.

H. F. No. 437 which it recommended be returned to its author.

S. F. No. 1135 upon which it recommended to pass with the following amendment offered by Luther:

The second unofficial engrossment, as follows:

Page 8, lines 30 to 32, strike all of Sec. 13 and insert "Sec. 13. The effective date of this act shall be September 1, 1976, and for

*purposes of the provisions of this act, any person who is 18 years of age on August 31, 1976 shall be deemed to be the age of 19 until such person attains the age of 20."*

H. F. No. 116 upon which it recommended to pass with the following amendment offered by Philbrook:

Page 2, line 17, after "encourages" insert a comma and strike "or".

Page 2, line 17, after "performs" insert "or makes referrals for".

Offered by Kahn:

Page 2, line 17, before the period insert " , except when such voluntary termination of pregnancy is necessary to preserve the life of the mother".

Offered by Volk:

Page 4, lines 21 through 27, strike all of Subd. 4.

Page 4, line 31, strike "1975" and insert "1976".

H. F. No. 1322 upon which it recommended to pass with the following amendments:

Offered by Menning:

Page 5, line 13, delete the words "*training requirements for ambulance personnel*".

Page 6, line 20, delete "1".

Further amend the title as follows:

Page 1, line 9, delete "1".

Offered by Menning:

Page 5, line 23, strike "*One member*" and insert "*Two members*".

Page 5, line 25, strike "*One member*" and insert "*Two members*".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

## MOTIONS AND RESOLUTIONS

Laidig moved that the name of Patton be added as an author on H. F. No. 1933. The motion prevailed.

Erickson moved that the name of Beauchamp be added as an author on H. F. No. 2474. The motion prevailed.

Sieben, M., moved that the name of Novak be added as an author on H. F. No. 1954. The motion prevailed.

Byrne moved that the name of Ulland be stricken and the name of Evans be added as an author on H. F. No. 2350. The motion prevailed.

Fudro moved that the name of Arlandson be stricken as an author on H. F. No. 1047. The motion prevailed.

Anderson, I., moved that the following bills be unofficially engrossed and printed for the House:

S. F. No. 1047, to include committee amendments.

S. F. No. 1825, to include committee amendments.

S. F. No. 1135, to include floor amendments.

The motion prevailed.

Wenstrom moved that H. F. No. 1342 be recalled from the Committee on Local and Urban Affairs and be re-referred to the Committee on Governmental Operations. The motion prevailed.

Menning, Byrne, Nelsen and Faricy introduced:

House Concurrent Resolution No. 22, A house concurrent resolution applying to Congress to call a convention to propose a right to life constitutional amendment.

The resolution was referred to the Committee on Judiciary.

Vento introduced:

House Concurrent Resolution No. 23, A house concurrent resolution urging responsible decisions about alcohol and providing guidelines.

The resolution was referred to the Committee on Health and Welfare.

Pursuant to Rule 1.15, Savelkoul moved that H. F. No. 2318 be recalled from the Committee on Taxes, be given a second reading and be advanced to General Orders.

A roll call was requested and properly seconded.

#### PREVIOUS QUESTION

Anderson, I., moved the previous question and the motion was properly seconded.

A roll call was requested and properly seconded.

The question was taken on the Anderson, I., motion and the roll being called, there were yeas 90, and nays 32, as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Kahn	Neisen	Sieben, H.
Anderson, G.	Doty	Kalis	Norton	Sieben, M.
Anderson, I.	Eckstein	Kelly, W.	Novak	Simoneau
Arlandson	Eken	Ketola	Osthoff	Skoglund
Beauchamp	Enebo	Knoll	Parish	Smith
Begich	Fudro	Kostohryz	Patton	Smogard
Berg	Fugina	Kroening	Pehler	Stanton
Berglin	George	Langseth	Petrafeso	Swanson
Birnstihl	Graba	Lemke	Philbrook	Tomlinson
Braun	Hanson	Lindstrom	Prahl	Vanasek
Brinkman	Haugerud	Luther	Reding	Vento
Byrne	Hokanson	Mangan	Rice	Volk
Carlson, L.	Jacobs	McCarron	St. Onge	Voss
Carlson, R.	Jensen	McCollar	Samuelson	Wenstrom
Casserly	Johnson, C.	McEachern	Sarna	Wenzel
Clark	Johnson, D.	Menning	Schumacher	White
Clawson	Jopp	Metzen	Setzepfandt	Wieser
Corbid	Jude	Munger	Sherwood	Speaker Sabo

Those who voted in the negative were:

Adams, S.	Erickson	Friedrich	McCauley	Ulland
Albrecht	Esau	Heinitz	Nelsen	Wigley
Biersdorf	Evans	Kaley	Niehaus	Williamson
Carlson, A.	Ewald	Kelly, R.	Pleasant	Zubay
Dean	Faricy	Knickerbocker	Savelkoul	
DeGroat	Fjoslien	Kvam	Schreiber	
Dieterich	Forsythe	Laidig	Sieloff	

The motion prevailed and the previous question was so ordered.

The question recurred on the Savelkoul motion and the roll being called, there were yeas 29, and nays 98, as follows:

Those who voted in the affirmative were:

Adams, S.	Erickson	Friedrich	Laidig	Schreiber
Albrecht	Esau	Heinitz	McCauley	Sieloff
Biersdorf	Evans	Jopp	Nelsen	Ulland
Carlson, A.	Ewald	Kaley	Niehaus	Wigley
Dean	Fjoslien	Knickerbocker	Pleasant	Zubay
DeGroat	Forsythe	Kvam	Savelkoul	

Those who voted in the negative were:

Abeln	Doty	Kelly, R.	Nelson	Sieben, M.
Anderson, G.	Eckstein	Kelly, W.	Norton	Simoneau
Anderson, I.	Eken	Kempe, A.	Novak	Skoglund
Arlandson	Enebo	Ketola	Osthoff	Smith
Beauchamp	Faricy	Knoll	Parish	Smogard
Begich	Fudro	Kostohryz	Patton	Stanton
Berg	Fugina	Kroening	Pehler	Suss
Berglin	George	Langseth	Petrafaso	Swanson
Birnstihl	Graba	Lemke	Philbrook	Tomlinson
Braun	Hanson	Lindstrom	Prahl	Vanasek
Brinkman	Haugerud	Luther	Reding	Vento
Byrne	Hokanson	Mangan	Rice	Volk
Carlson, L.	Jacobs	McCarron	St. Onge	Voss
Carlson, R.	Jaros	McCollar	Samuelson	Wenstrom
Casserly	Jensen	McEachern	Sarna	Wenzel
Clark	Johnson, C.	Menning	Schulz	White
Clawson	Johnson, D.	Metzen	Schumacher	Williamson
Corbid	Jude	Moe	Setzepfandt	Speaker Sabo
Dahl	Kahn	Munger	Sherwood	
Dieterich	Kalis	Neisen	Sieben, H.	

The motion did not prevail.

#### ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Wednesday, March 3, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## EIGHTY-FIRST DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 3, 1976

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kahn	Nelsen	Sieben, M.
Adams, L.	Eckstein	Kaley	Nelson	Sieloff
Adams, S.	Eken	Kalis	Niehaus	Simoneau
Albrecht	Enebo	Kelly, R.	Norton	Skoglund
Anderson, G.	Erickson	Kelly, W.	Novak	Smith
Anderson, I.	Esau	Kempe, A.	Osthoff	Smogard
Arlandson	Evans	Kempe, R.	Parish	Stanton
Beauchamp	Ewald	Ketola	Patton	Suss
Begich	Faricy	Knickerbocker	Pehler	Swanson
Berg	Fjoslien	Knoll	Peterson	Tomlinson
Berglin	Forsythe	Kostohryz	Petraieso	Ulland
Biersdorf	Friedrich	Kroening	Philbrook	Vanasek
Birnstihl	Fudro	Kvam	Pleasant	Vento
Braun	Fugina	Laidig	Prahl	Volk
Brinkman	George	Langseth	Reding	Voss
Byrne	Graba	Lemke	Rice	Wenstrom
Carlson, A.	Hanson	Lindstrom	St. Onge	Wenzel
Carlson, L.	Haugerud	Luther	Samuelson	White
Carlson, R.	Heinitz	Mangan	Sarna	Wieser
Casserly	Hokanson	McCarron	Savelkoul	Wigley
Clark	Jacobs	McCauley	Schreiber	Williamson
Clawson	Jaros	McCollar	Schulz	Zubay
Corbid	Jensen	McEachern	Schumacher	Speaker Sabo
Dahl	Johnson, C.	Metzen	Searle	
Dean	Johnson, D.	Moe	Setzpfandt	
DeGroat	Jopp	Munger	Sherwood	
Dieterich	Jude	Neisen	Sieben, H.	

A quorum was present.

Mann and Spanish were excused. Menning was excused until 2:40 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Vanasek the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1056, 2165, 116 and 1322 and S. F. Nos. 1825, 1135 and 1047 have been placed in the members' files.

## PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
ST. PAUL 55155

March 1, 1976

The Honorable Martin O. Sabo  
Speaker of the House  
State of Minnesota

Dear Sir:

I have the honor to inform you that I received, approved, signed and deposited in the office of the Secretary of State the following House File:

H. F. No. 2331, An act relating to education; authorizing Independent School District No. 625 to issue bonds for the purpose of correcting cash flow problems and for other purposes; requiring a tax levy in certain years to eliminate the operating debt of the district; removing certain persons from the application of Minnesota Statutes, Section 125.17 and removing their tenure rights granted thereunder; appropriating money.

Sincerely,

WENDELL R. ANDERSON  
Governor

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
ST. PAUL 55155

March 2, 1976

The Honorable Martin Sabo  
Speaker of the House

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following House Files:

H. F. No. 1721, An act relating to education; vocational-technical institutes; providing for student associations.

H. F. No. 1829, An act relating to insurance; regulation of insurance premium finance companies; maintenance of records; charging examination fees; requiring reports; amending Minnesota Statutes 1974, Section 59A.06.

H. F. No. 1880, An act relating to state lands; conveyance; authorizing the conveyance by the state of certain lands in the county of Kittson.

Sincerely,

WENDELL R. ANDERSON  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

The Honorable Martin O. Sabo  
Speaker of the House of Representatives  
The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1976 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1976</i>	<i>Date Filed 1976</i>
1949		19	March 1	March 1
	2331	20	March 1	March 1

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

REPORTS OF STANDING COMMITTEES

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1699, A bill for an act relating to public utilities furnishing at retail electric service; providing that a customer may

elect to purchase electric service from either electric utility providing him with service when he has buildings on land constituting his homestead located within more than one assigned service area; amending Minnesota Statutes 1974, Section 216B.40; and Chapter 216B, by adding a section.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1988, A bill for an act relating to port authorities; authorizing port authorities to apply for and exercise the powers of a foreign trade zone; amending Minnesota Statutes 1974, Section 458.192, Subdivision 1, and by adding a subdivision.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 2046, A bill for an act relating to contests and giveaways; requiring certain disclosure; providing a penalty.

Reported the same back with the following amendments:

Page 1, line 16, after "services" insert ", and includes an opportunity to receive such merchandise".

Page 2, line 1, delete "complete".

Page 2, line 1, after the comma, insert "including the brand name and other major characteristics of the prize,".

Page 2, line 3, after "solicitation" insert "or promotion".

Page 2, line 7, after "calculated" insert "or estimated".

Page 2, delete lines 14 to 23 and insert "shall advertise or promote the sale of the primary type of merchandise sold by such person by offering any merchandise of a different type, either at no cost or for an amount less than the regular price, unless he clearly and conspicuously discloses, as part of every such offer:

(1) all conditions which must be fulfilled in order to receive the merchandise being offered at no cost or for an amount less than the regular price;

(2) a description of each item of merchandise offered at no cost or for an amount less than the regular price, including the brand name and other major characteristics of the merchandise;

(3) the primary type of merchandise being promoted by such person.”.

Page 3, delete line 5 and insert “the provisions of”.

Page 3, line 6, after “325.907” insert “shall apply”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 2219, A bill for an act relating to intoxicating liquor; permits to sell upon military bases or installations.

Reported the same back with the following amendments:

Page 1, line 8, delete “adjutant general, with the approval of the”.

Page 1, line 9, delete the comma.

Page 1, line 11, after “installations” insert “under the jurisdiction of the adjutant general and provided the adjutant general authorizes such licenses”.

Page 1, after line 14, add a section to read:

“Sec. 2. [EFFECTIVE DATE.] This act is effective on the day following its final enactment.”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1909, A bill for an act relating to health; prohibiting sale and use of certain chemicals; providing penalties.

Reported the same back with the following amendments:

Page 1, line 9, after "2, 4, 5-T" and before the period insert ", or 2, 3, 7, 8-tetrachlorodibenzo-para-dioxin".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 930, A bill for an act relating to insurance; regulating the use of credit life and credit health and accident insurance; amending Minnesota Statutes 1974, Sections 62B.01; 62B.04, Subdivision 1; 62B.06, by adding subdivisions; 62B.07, Subdivision 2, and by adding a subdivision; 62B.08, Subdivision 2, and by adding subdivisions; 62B.11; and 61A.12, by adding subdivisions.

Reported the same back with the following amendments:

Page 2, line 14, strike "if the indebtedness is repayable in".

Page 2, strike lines 15 and 16.

Page 2, line 17, strike "indebtedness, whichever is greater" and insert "*the insurance shall decrease at a rate which reflects to within five percent the reduction in indebtedness pursuant to the terms of such contract of indebtedness. For purposes of this subdivision "finance charges" mean interest or time price differential whether discounted, added on, or computed actuarially, but shall not include other charges permitted under applicable lending, finance or other laws*".

Page 3, after line 3, insert a new section to read as follows:

"Sec. 4. Minnesota Statutes 1974, Section 62B.05, is amended to read:

**62B.05 [TERM OF CREDIT LIFE INSURANCE AND CREDIT ACCIDENT AND HEALTH INSURANCE.]** The term of any credit life insurance or credit accident and health insurance shall, subject to acceptance by the insurer, commence on the date when the debtor becomes obligated to the creditor, except that, where a group policy provides coverage with respect to existing obligations, the insurance on a debtor with respect to the indebtedness shall commence on the effective date of the policy. Where evidence of insurability is required and the evidence is furnished more than 30 days after the date when

the debtor becomes obligated to the creditor, the term of the insurance may commence on the date on which the insurance company determines the evidence to be satisfactory, and in that event there shall be an appropriate refund or adjustment of any charge to the debtor for insurance. The term of the insurance shall not extend more than 15 days beyond the scheduled maturity date of the indebtedness except when extended without additional cost to the debtor. If the indebtedness is discharged due to renewal or refinancing prior to the scheduled maturity date, the insurance in force shall be terminated before any new insurance may be issued in connection with the renewed or refinanced indebtedness (, UNLESS THE DEBTOR REQUESTS IN WRITING THAT IT BE CONTINUED). In all cases of termination prior to scheduled maturity, a refund shall be paid or credited as provided in section 62B.08."

Page 3, line 8, delete "*, and before the transaction is binding*".

Page 3, line 9, delete "*upon either creditor or debtor*".

Page 3, line 14, delete "*4*" and insert "*5*".

Page 3, line 19, after "*insurance*" and before "*over*" insert "*or credit accident and health insurance*".

Page 3, line 20, after the period insert a new sentence as follows: "*The commissioner shall approve the use of forms now used by financial institutions which substantially comply with the requirements of this act.*".

Page 3, delete lines 21 to 31.

Page 4, line 4, delete "*4*" and insert "*5*", delete "*8*" and insert "*7*", and delete "*12*" and insert "*14*".

Page 4, line 5, after the period and before "*He*" insert "*The commissioner shall approve the use of forms now used by financial institutions which substantially comply with the requirements of this act.*".

Page 4, line 8, delete "*4*" and insert "*5*", delete "*8*" and insert "*7*", and delete "*12*" and insert "*14*".

Page 4, line 12, delete "*4*" and insert "*5*", delete "*12*" and insert "*14*".

Page 4, line 16, after "*shall*" and before "*render*" insert "*not*", and delete "*loan*".

Page 4, line 17, delete "*agreement or*", after "*transaction*" and before "*voidable*" insert "*void or*", and after "*voidable*" and before "*at*" insert "*but*".

Page 4, line 18, after "debtor" insert "any credit life insurance or credit health and accident insurance shall be terminated and the creditor shall refund any premiums paid in connection therewith. The creditor shall not thereafter require any credit life insurance or credit accident and health insurance in connection with such transactions".

Page 6, line 7, after the period insert a sentence to read "The provisions of this subdivision shall not apply to the federal instrumentalities chartered under the Farm Credit Act of 1971."

Page 6, line 17, after "loan or" and before "contract" insert "installment", after "contract" and before "is" insert "initially exceeds \$2,000, exclusive of finance charges and insurance premiums, and", and after "of" and before "one" insert "more than", and delete "or more".

Page 6, line 18, after "advance" insert ", except in those transactions wherein the debtor and creditor agree in a separate writing to extend the period of prepayment by an additional six months".

Page 6, line 19, after "in" insert "not more than annual".

Page 6, delete lines 22 and 23 and insert "In the event that the debtor shall be in default on any periodic installment payment which includes a credit accident and health insurance premium, the creditor may, at its election, allocate any principal previously paid by the debtor to the unpaid insurance premium or may advance the amount necessary to pay the insurance premium in default and add it to the principal of the contract. The provisions of this subdivision shall not apply to the federal instrumentalities chartered under the Farm Credit Act of 1971."

Page 6, line 28, restore the stricken language and delete the new language.

Renumber the sections in sequence.

Further, amend the title as follows: Line 5, after "Subdivision 1;" insert "62B.05;".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 2335, A bill for an act relating to insurance; revising financial requirements for certain insurance companies; amend-

ing Minnesota Statutes 1974, Section 60A.07, Subdivisions 5a, 5b, 5c and 5d.

Reported the same back with the following amendments:

Page 1, line 10, after "be" insert "*initially*".

Page 1, line 21, delete "*continuously*" and insert "*constantly*".

Page 1, line 22, after "*after*" and before "*authorization*" insert "*initial*".

Page 6, line 10, delete "*1982*" and insert "*1983*".

Page 6, line 14, delete "*1982*" and insert "*1983*".

Page 6, line 18, delete "*1982*" and insert "*1983*".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 2491, A bill for an act relating to insurance; establishing a temporary joint underwriting association for medical malpractice insurance; requiring membership; setting standards; providing for appeals, recovery of contributions and reporting of financial conditions; establishing an expiration date.

Reported the same back with the following amendments:

Page 1, line 23, delete "of".

Page 1, line 24, delete "the medical profession" and insert "who are health care providers".

Page 6, line 28, delete "offering medical malpractice liability" and insert "affording those kinds of".

Page 6, line 29, delete "under procedures established by" and insert "which form the basis for their participation in".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2117, A bill for an act relating to public welfare; authorizing the assignment of accident insurance proceeds by any recipient of medical assistance; amending Minnesota Statutes, 1975 Supplement, Sections 256B.02, Subdivision 9; 256B.042, by adding a subdivision; and 256B.06, Subdivision 1.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2203, A bill for an act relating to medical assistance for the needy; establishing guidelines for reimbursement of medical services furnished by nursing homes; prescribing certain responsibilities for the department of public welfare.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [256B.41] [POLICY; INTENT.] Subdivision 1. The department of public welfare shall establish a formula for the reimbursement of nursing homes which qualify as vendors of medical assistance.

Subd. 2. It is the intent of the legislature to establish limitations for the department of public welfare in setting standards for the reimbursement of nursing homes for the care of recipients of medical assistance pursuant to Minnesota Statutes, Chapter 256B. It is not the intent of the legislature to reverse or change any existing or future rule promulgated by the department relating to the reimbursement of nursing homes unless it is clearly in conflict with sections 1 to 6 of this act. If any provision of sections 1 to 6 of this act is determined by the United States government to be in conflict with existing or future requirements of the United States government with respect to medical assistance, the federal requirements shall prevail.

Sec. 2. [256B.42] [CAPITAL ALLOWANCE.] The department of public welfare shall establish by rule an earnings allowance for nursing homes consistent with federal requirements. The earnings allowance shall be based on the owner's net investment in the facility. The earnings allowance shall be graduated so that it increases with (1) the length of time that a nursing home is owned by the same owner and (2) the owner's net investment as a percentage of the net asset value of the

facility. The earnings allowance may also include incentives to reward efficient management and quality care.

Sec. 3. [256B.43] [INTEREST EXPENSE.] Subdivision 1. The department of public welfare shall reimburse nursing homes for the actual expense of interest on net debt if the interest rate is not in excess of what a borrower would have had to pay in an arms-length transaction in the money market at the time the loan was made, and the net debt is directly related to purchasing or improving the nursing home or providing patient care at the nursing home.

Subd. 2. After the first three years that a nursing home has been in operation, the department of public welfare shall not reimburse a nursing home for the expense of interest on net debt for any indebtedness and loans which exceed 100 percent of the net asset value of the facility.

Subd. 3. For the purposes of this section, "net asset value" means the historical cost of fixed assets of a nursing home less accumulated depreciation on them, and "net debt" means the total of capital indebtedness and loans used for operating expenses. Depreciation on any new construction or expansion of capital facilities commenced on or after January 1, 1977, other than governmentally owned facilities, shall be on a thirty year basis.

Sec. 4. [256B.44] [BASIS FOR FIXED ASSETS.] If a nursing home is sold, the value of the fixed assets of the nursing home for medical assistance purposes shall not be increased by more than the lesser of ten percent per year or the actual increase in the construction component of the consumer price index as determined by the United States department of labor for each year since the last prior sale of the nursing home. The value of the fixed assets arrived at pursuant to this section shall be subject to depreciation rules promulgated by the department of public welfare. In no event shall the value of the fixed assets for medical assistance purposes exceed the selling price of the nursing home.

Sec. 5. [256B.45] [RATE LIMITS.] Subdivision 1. The department of public welfare shall establish separate limitations on the costs for items which directly relate to the provision of patient care to residents of nursing homes and those which do not directly relate to the provision of care. The limits on patient care related items shall be hourly limits based on the needs of the residents in the nursing home up to maximum limits established by the department of public welfare.

Subd. 2. No reimbursement shall be allowed for dues in nursing home or hospital associations. The department of public welfare shall by rule exclude the costs of any other items which it determines are not directly related to the operation of a nursing home.

**Sec. 6. [256B.46] [CONDITIONS FOR PARTICIPATION.]**

Subdivision 1. No nursing home shall be eligible to receive medical assistance payments unless it agrees in writing that it will refrain from:

(a) Charging nonmedical assistance residents average rates which differ from those which are approved by the department of public welfare for public assistance recipients;

(b) Requiring an applicant for admission to the home, or the guardian or conservator of the applicant, as a condition of admission, to pay an admission fee in excess of \$100, loan any money to the nursing home, or promise to leave all or part of the applicant's estate to the home; and

(c) Requiring any resident of the nursing home to utilize a vendor of health care services who is a licensed physician or pharmacist chosen by the nursing home.

Subd. 2. No nursing home shall be eligible to receive medical assistance payments unless it agrees in writing to:

(a) Provide the department of public welfare with its most recent consolidated balance sheet and statement of revenues and expenses as audited by a certified public accountant or public accountant licensed by this state or by a public accountant as defined in section 412.222, and statement of ownership for the nursing home, including separate statements for each nursing home if more than one nursing home or other business operation is owned by the same owner;

(b) Provide the department of public welfare with copies of all leases, purchase agreements and other related documents related to the lease or purchase of the nursing home; and

(c) Provide to the department of public welfare upon request copies of leases, purchase agreements, or similar documents for equipment, goods and service for which reimbursement is requested from the department of public welfare.

Subd. 3. The department of public welfare may reject any annual cost report filed by a nursing home pursuant to Minnesota Statutes, Chapter 256B, if it determines that the report has been filed in a form that is incomplete or inaccurate. In the event that a report is rejected pursuant to this subdivision, the department may reimburse a nursing home at the rate determined for its prior fiscal year until a complete and accurate report is filed.

**Sec. 7. [EFFECTIVE DATE.]** Except for section 6 the provisions of this act shall be effective for all cost reports for fiscal years beginning after December 31, 1976. The provisions of section 6 shall be effective January 1, 1977."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1939, A bill for an act relating to employment agencies; excluding teachers and nurse placement agencies from the definition of employment agency; amending Minnesota Statutes 1974, Section 184.21, Subdivision 2.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 435, A bill for an act relating to the city of Two Harbors; providing for reimbursement of city officers for wages lost during time spent on official business.

Reported the same back with the following amendments:

Page 1, line 12, delete "member" and insert "official".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1972, A bill for an act relating to the county of Lake of the Woods; authorizing the county to acquire real estate for and establish and operate a television translator system either within or without the county.

Reported the same back with the following amendments:

Page 2, line 3, after "with" insert "the provisions of".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2066, A bill for an act relating to the city of Minneapolis; authorizing a commercial and industrial lease and revenue bond guarantee program; providing for the issuance of limited general obligation bonds, and limited revenue bonds or obligations.

Reported the same back with the following amendments:

Page 4, line 10, after "the" and before "review" insert "independent".

Page 4, line 15, after the period insert "The city council, or its designee, shall contract with a person so qualified to provide such review."

Page 5, line 9, after "all" insert "general obligation".

Page 5, line 9, delete "or obligations".

Page 5, line 10, delete "not".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2282, A bill for an act relating to intoxicating liquor; authorizing temporary short term on-sale licenses for a certain charitable festival.

Reported the same back with the following amendments:

Page 1, line 22, after "645.021." insert two new sections:

"Sec. 3. The temporary license shall be subject to local ordinances and to such terms including a license fee, as the issuing authority shall prescribe.

Sec. 4. This act is effective on the day following final enactment."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1575, A bill for an act relating to certain counties; authorizing the expenditure of county and federal revenue sharing funds for certain purposes.

Reported the same back with the following amendments:

Page 1, line 15, after "departments" insert a comma.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1852, A bill for an act relating to the city of Fulda; validating election proceedings and authorizing the issuance of bonds of the city approved by the electors.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 1471, A bill for an act relating to public improvements; allowing certain fees to discharge cancelled special assessments.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 1946, A bill for an act relating to intoxicating liquor; importation of limited quantities without payment of tax; amending Minnesota Statutes 1974, Section 340.601.

Reported the same back with the following amendments:

Page 1, line 13, after "liquor" insert "*or fermented malt beverages*".

Page 2, after line 7 insert:

"Sec. 2. *This act is effective on June 1, 1976.*"

With the recommendation that when so amended the bill do pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2104, A bill for an act relating to highways; adding a new route to the trunk highway system in substitution of an existing route.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2186, A bill for an act relating to public safety; highway patrol; authorizing the commissioner of public safety to maintain certain aircraft; excepting certain personnel in the department of public safety from the requirement of reimbursing the state for the cost of using state-owned vehicles; amending Minnesota Statutes, 1975 Supplement, Section 16.753.

Reported the same back with the following amendments:

Page 2, line 6, delete "*two*" and insert "*helicopters and*".

Page 2, line 11, after "*to*" insert "*helicopters and*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2285, A bill for an act relating to highways; adding a new route to the trunk highway system in substitution of an existing route.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2286, A bill for an act relating to driver licenses; permitting limited licenses for violators of no-fault law; amending Minnesota Statutes 1974, Section 171.30, Subdivision 1.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2381, A bill for an act relating to highways; adding a new route to the trunk highway system in substitution of an existing route.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2414, A bill for an act relating to motor vehicles; motor vehicle excise tax on vehicles purchased for resale; use of motor vehicles bearing motor vehicle dealer plates; amending Minnesota Statutes 1974, Sections 168.27, Subdivision 5; 297B.-01, Subdivision 6; and Chapter 297B, by adding a section.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1699, 1988, 2046, 2219, 1909, 930, 2335, 2491, 2117, 2203, 1939, 435, 1972, 2066, 2282, 1471, 1946, 2104, 2186, 2285, 2286, 2381 and 2414 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 1575 and 1852 were read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Anderson, I.; Sarna; Osthoff; Johnson, D.; and McEachern introduced:

H. F. No. 2547, A bill for an act relating to outdoor recreation; creating the citizen's advisory sportsmen's council on Minnesota's outdoor recreational resources; prescribing its powers and duties; providing for a surcharge on fish and game licenses to fund the council.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Jude; Johnson, D.; Neisen; Fudro and Ulland introduced:

H. F. No. 2548, A bill for an act relating to public safety; appropriating money for the manufacture of license plates.

The bill was read for the first time and referred to the Committee on Appropriations.

Johnson, D.; Corbid; Lindstrom; Samuelson and Anderson, I., introduced:

H. F. No. 2549, A bill for an act relating to natural resources; appropriating money for overtime compensation to conservation officers pursuant to contract; describing the contract provisions.

The bill was read for the first time and referred to the Committee on Appropriations.

Prahl, Faricy, Hanson and Stanton introduced:

H. F. No. 2550, bill for an act relating to crimes; unjustifiably entering a building owned by another; prescribing penalties therefor; amending Minnesota Statutes 1974, Section 609.60.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Prahl, Abeln, Sieloff, McCollar and Brinkman introduced:

H. F. No. 2551, A bill for an act relating to no-fault automobile insurance; clarifying the method by which survivors economic loss benefits are calculated; establishing certain conclusive presumptions; prescribing certain duties for the commissioner of insurance; amending Minnesota Statutes, 1975 Supplement, Section 65B.44, Subdivision 6.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Biersdorf, Sarna and Beauchamp introduced:

H. F. No. 2552, A bill for an act relating to retirement; pre-retirement orientation and planning sessions.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sieloff introduced:

H. F. No. 2553, A bill for an act relating to workmen's compensation; providing that compensation for injury to internal organs will be based on that injury's contribution to the individual's general physical disability; amending Minnesota Statutes 1974, Section 176.101, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Anderson, I.; Corbid and Begich introduced:

H. F. No. 2554, A bill for an act relating to water well contractors; requiring water well drilling machines to be operated by licensed water well contractors; amending Minnesota Statutes 1974, Sections 156A.02, Subdivision 3; and 156A.03, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Lindstrom; Luther; Adams, S.; Casserly and Schreiber introduced:

H. F. No. 2555, A bill for an act relating to judgments; providing for enforcement of foreign judgments in courts of this state.

The bill was read for the first time and referred to the Committee on Judiciary.

Beauchamp, Langseth, Setzepfandt, Kelly, W., and Friedrich introduced:

H. F. No. 2556, A bill for an act relating to zoning; providing for enforcement of certain subdivision regulations by prohibiting the recording of conveyances containing unapproved descriptions; amending Minnesota Statutes 1974, Section 394.37, Subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Evans, Johnson, C., and Wigley introduced:

H. F. No. 2557, A bill for an act relating to Blue Earth county; providing for a tax levy in excess of limits for cost of coordinating services for the elderly.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Skoglund, Dean, Hokanson, Clark and Abeln introduced:

H. F. No. 2558, A bill for an act relating to Hennepin county; providing for sheriffs' fees; amending Laws 1969, Chapter 1063, Section 1; repealing Laws 1969, Chapter 1063, Section 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Johnson, D., introduced:

H. F. No. 2559, A bill for an act relating to Lake county; law enforcement; authorizing the collection of taxes in excess of the levy limits for purposes of law enforcement.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Fjoslien and Fudro introduced:

H. F. No. 2560, A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; amending Minnesota Statutes 1974, Section 169.80, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

Kalis, Kostohryz, Savelkoul, Lemke and Eckstein introduced:

H. F. No. 2561, A bill for an act relating to motor vehicles; registration and taxation; exempting certain vehicles from license fees; amending Minnesota Statutes, 1975 Supplement, Section 168.012, Subdivision 2b.

The bill was read for the first time and referred to the Committee on Transportation.

Simoneau, Skoglund, Clark and Arlandson introduced:

H. F. No. 2562, A bill for an act relating to motor vehicles; requiring the name and post office address of the owner to be shown on certain trucks; prescribing penalties.

The bill was read for the first time and referred to the Committee on Transportation.

### CONSENT CALENDAR

S. F. No. 1590, A bill for an act relating to elections; requiring the secretary of state to prescribe forms and uniform methods for the reporting of election returns; requiring certain information in returns and canvasses; and imposing certain duties on canvassing officers; amending Minnesota Statutes, 1975 Supplement, Sections 204A.46, by adding a subdivision; and 204.51.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Clark	Graba	Kostohryz	Norton
Adams, L.	Clawson	Hanson	Kroening	Novak
Adams, S.	Corbid	Heinitz	Kvam	Osthoff
Albrecht	Dahl	Hokanson	Laidig	Parish
Anderson, G.	Dean	Jacobs	Langseth	Patton
Anderson, I.	DeGroat	Jaros	Lemke	Pehler
Arlandson	Dieterich	Jensen	Lindstrom	Peterson
Beauchamp	Doty	Johnson, C.	Luther	Petraleso
Begich	Eckstein	Johnson, D.	Mangan	Philbrook
Berg	Eken	Jopp	McCarron	Pleasant
Berglin	Erickson	Jude	McCauley	Prahl
Biersdorf	Esau	Kahn	McCollar	Reding
Birnstihl	Ewald	Kaley	McEachern	Rice
Braun	Faricy	Kalis	Metzen	St. Onge
Brinkman	Fjoslien	Kelly, R.	Moe	Samuelson
Byrne	Forsythe	Kempe, A.	Munger	Sarna
Carlson, A.	Friedrich	Kempe, R.	Neisen	Savelkoul
Carlson, L.	Fudro	Ketola	Nelsen	Schreiber
Carlson, R.	Fugina	Knickerbocker	Nelson	Schulz
Cassery	George	Knoll	Niehaus	Schumacher

Searle	Sieloff	Stanton	Volk	Wieser
Setzepfandt	Simoneau	Suss	Voss	Wigley
Sherwood	Skoglund	Ulland	Wenstrom	Williamson
Sieben, H.	Smith	Vanasek	Wenzel	Zubay
Sieben, M.	Smogard	Vento	White	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 1005, A bill for an act relating to meetings of state agencies and governing bodies open to public; providing for notice of meetings; amending Minnesota Statutes 1974, Section 471.705, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kahn	Neisen	Sherwood
Adams, L.	Eken	Kaley	Nelsen	Sieben, H.
Anderson, G.	Enebo	Kalis	Nelson	Sieben, M.
Anderson, I.	Erickson	Kelly, R.	Niehaus	Sieloff
Arlandson	Esau	Kelly, W.	Norton	Simoneau
Beauchamp	Evans	Kempe, A.	Novak	Skoglund
Begich	Ewald	Kempe, R.	Osthoff	Smith
Berg	Faricy	Ketola	Parish	Smogard
Berglin	Fjoslien	Knickerbocker	Patton	Stanton
Biersdorf	Forsythe	Knoll	Pehler	Suss
Birnstihl	Friedrich	Kostohryz	Peterson	Swanson
Braun	Fudro	Kroening	Petrafeso	Tomlinson
Brinkman	Fugina	Kvam	Philbrook	Ulland
Byrne	George	Laidig	Pleasant	Vanasek
Carlson, A.	Graba	Langseth	Prahl	Vento
Carlson, L.	Hanson	Lemke	Reding	Volk
Carlson, R.	Haugerud	Lindstrom	Rice	Voss
Casserly	Heinitz	Luther	St. Onge	Wenstrom
Clark	Hokanson	Mangan	Samuelson	Wenzel
Clawson	Jacobs	McCarron	Sarna	White
Corbid	Jaros	McCauley	Savelkoul	Wieser
Dahl	Jensen	McCollar	Schreiber	Wigley
Dean	Johnson, C.	McEachern	Schulz	Williamson
DeGroat	Johnson, D.	Metzen	Schumacher	Zubay
Dieterich	Jopp	Moe	Searle	
Doty	Jude	Munger	Setzepfandt	

The bill was passed and its title agreed to.

### CALENDAR

S. F. No. 1135, A bill for an act relating to intoxicating and non-intoxicating liquor; age for licensing, sale, purchase, consumption, possession and furnishing; amending Minnesota Statutes 1974, Sections 340.02, Subdivision 8; 340.035, Subdivision 1; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.355;

340.403, Subdivision 3; 340.73, Subdivision 1; 340.731; 340.78; 340.79; 340.80; and 340.81.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 99, and nays 30, as follows:

Those who voted in the affirmative were:

Abeln	Dean	Jensen	McCollar	Searle
Adams, S.	DeGroat	Johnson, C.	McEachern	Setzepfandt
Albrecht	Doty	Jopp	Munger	Sherwood
Anderson, G.	Eckstein	Kaley	Neisen	Sieloff
Anderson, I.	Eken	Kalis	Nelsen	Skoglund
Arlandson	Erickson	Kelly, R.	Niehaus	Smith
Beauchamp	Esau	Kelly, W.	Novak	Smogard
Begich	Evans	Kempe, A.	Peterson	Stanton
Berg	Ewald	Kempe, R.	Petraleso	Suss
Biersdorf	Fjoslien	Ketola	Philbrook	Uiland
Birnsthil	Forsythe	Knickerbocker	Pleasant	Vanasek
Braun	Friedrich	Kostohryz	Prahl	Volk
Brinkman	Fudro	Kroening	Reding	Wenstrom
Byrne	Fugina	Kvam	Rice	Wenzel
Carlson, A.	Graba	Laidig	Samuelson	White
Carlson, L.	Hanson	Langseth	Sarna	Wieser
Carlson, R.	Hangerud	Lemke	Savelkoul	Wigley
Clawson	Heinitz	Lindstrom	Schreiber	Williamson
Corbid	Hokanson	Luther	Schulz	Zubay
Dahl	Jacobs	McCauley	Schumacher	

Those who voted in the negative were:

Adams, L.	Farcy	Mangan	Osthoff	Sieben, M.
Berglin	George	McCarron	Parish	Simoneau
Cassery	Jaros	Metzen	Patton	Swanson
Clark	Johnson, D.	Moe	Pehler	Vento
Dieterich	Jude	Nelson	St. Onge	Voss
Enebo	Kahn	Norton	Sieben, H.	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 116, A bill for an act relating to family planning services; providing for the establishment of a comprehensive state family planning services plan; appropriating funds.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 74, and nays 56, as follows:

Those who voted in the affirmative were:

Abeln	Adams, S.	Anderson, I.	Beauchamp	Berglin
Adams, L.	Anderson, G.	Arlandson	Berg	Byrne

Carlson, A.	Fugina	Knoll	Osthoff	Skoglund
Carlson, L.	George	Kostohryz	Parish	Stanton
Cassery	Graba	Laidig	Petrafeso	Suss
Clark	Haugerud	Langseth	Philbrook	Swanson
Clawson	Heinitz	Luther	Pleasant	Tomlinson
Corbid	Hokanson	Mangan	Prahl	Ulland
Dean	Jacobs	McCarron	Rice	Vanasek
Eckstein	Jaros	McCollar	Samuelson	Vento
Eken	Johnson, D.	Moe	Savelkoul	Volk
Enebo	Kahn	Munger	Searle	Voss
Ewald	Kaley	Nelson	Sieben, M.	Williamson
Faricy	Kelly, W.	Norton	Sieloff	Speaker Sabo
Forsythe	Knickerbocker	Novak	Simoneau	

Those who voted in the negative were:

Albrecht	Evans	Kempe, R.	Patton	Smith
Begich	Fjoslien	Ketola	Pehler	Smogard
Biersdorf	Friedrich	Kroening	Peterson	Wenstrom
Birnstihl	Fudro	Kvam	Reding	Wenzel
Braun	Hanson	Lemke	St. Onge	White
Brinkman	Jensen	Lindstrom	Sarna	Wieser
Carlson, R.	Johnson, C.	McCauley	Schreiber	Wigley
Dahl	Jopp	McEachern	Schulz	Zubay
DeGroat	Jude	Metzen	Schumacher	
Doty	Kalis	Neisen	Setzepfandt	
Erickson	Kelly, R.	Nelsen	Sherwood	
Esau	Kempe, A.	Niehaus	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 1322, A bill for an act relating to public health; providing for the regulation of ambulance services; providing penalties; amending Minnesota Statutes 1974, Chapter 144, by adding sections; and Sections 144.801; 144.803; and 144.806; and Minnesota Statutes, 1975 Supplement, Section 144.802; repealing Minnesota Statutes 1974, Sections 144.804, Subdivisions 2 and 3; and 144.805.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 7, as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Eckstein	George	Jude
Adams, L.	Byrne	Eken	Graba	Kaley
Adams, S.	Carlson, A.	Enebo	Hanson	Kelly, R.
Anderson, G.	Carlson, L.	Erickson	Haugerud	Kelly, W.
Anderson, I.	Carlson, R.	Evans	Heinitz	Kempe, A.
Arlandson	Cassery	Ewald	Hokanson	Kempe, R.
Beauchamp	Clark	Faricy	Jacobs	Ketola
Begich	Clawson	Fjoslien	Jaros	Knickerbocker
Berg	Dahl	Forsythe	Jensen	Knoll
Berglin	Dean	Friedrich	Johnson, C.	Kostohryz
Birnstihl	DeGroat	Fudro	Johnson, D.	Kroening
Braun	Doty	Fugina	Jopp	Kvam

Laidig	Neisen	Philbrook	Setzepfandt	Vanasek
Langseth	Nelsen	Pleasant	Sherwood	Vento
Lemke	Nelson	Prahl	Sieben, H.	Volk
Lindstrom	Niehaus	Reding	Sieloff	Voss
Luther	Norton	Rice	Simoneau	Wenstrom
Mangan	Novak	St. Onge	Skoglund	Wenzel
McCarron	Osthoff	Sarna	Smith	White
McCollar	Parish	Savelkoul	Smogard	Wieser
McEachern	Patton	Schreiber	Stanton	Wigley
Metzen	Pehler	Schulz	Swanson	Williamson
Moe	Peterson	Schumacher	Tomlinson	Zubay
Munger	Petrafeso	Searle	Ulland	Speaker Sabo

Those who voted in the negative were:

Albrecht	Corbid	Kalis	McCauley	Samuelson
Biersdorf	Dieterich			

The bill was passed and its title agreed to.

Jacobs was excused at 3:25 p.m.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

S. F. No. 43 which it recommended to pass.

H. F. No. 2220 upon which it recommended progress.

H. F. No. 510 upon which it recommended progress retaining its place on General Orders.

H. F. No. 1735 upon which it recommended progress until Tuesday, March 9, 1976.

S. F. No. 749 upon which it recommended to pass with the following amendments:

Offered by Lindstrom:

The unofficial engrossment, as follows:

Page 1, line 16, after the word "promulgated" insert "in accordance with Chapter 15".

Offered by Savelkoul:

The unofficial engrossment, as follows:

Page 1, line 21, delete the comma and insert a period.

Page 1, strike lines 22 and 23.

Page 2, strike line 1.

Offered by Lindstrom:

The unofficial engrossment, as follows:

Page 1, line 15, after "with" insert "minimum".

S. F. No. 840 upon which it recommended progress with the following amendments:

Offered by Casserly:

The unofficial engrossment, as follows:

Page 4, line 26, strike "The commissioner shall appoint".

Page 4, line 28, strike "an examiner to hear the complaint." and insert "A complaint issued by the commissioner shall be heard as a contested case, except that the report of the hearing examiner shall be binding on all parties to the proceeding and if appropriate shall be implemented by an order as provided for in subdivision 2.".

Page 5, line 5, strike "If the" and insert "The hearing".

Page 5, line 5, strike "finds that the respondent has".

Page 5, line 6, strike "engaged in an unfair discriminatory practice, the".

Page 5, line 7, strike "examiner".

Page 5, line 8, after "and" insert "if the hearing examiner finds that the respondent has engaged in an unfair discriminatory practice, the hearing examiner".

Page 9, after line 21, add a new section to read:

"Sec. 5. [REPEAL.] Minnesota Statutes 1974, Section 363.06, Subdivision 7, is repealed."

Further amend the title as follows:

Page 1, line 8, after "Subdivision 1" insert "; repealing Minnesota Statutes 1974, Section 363.06, Subdivision 7".

Offered by Casserly:

The unofficial engrossment, as follows:

Page 5, lines 19 to 22, delete the new language.

H. F. No. 468 upon which it recommended progress with the following amendment offered by Pehler:

Page 1, line 23, delete "*a post-secondary school*".

Page 2, line 1, delete "*building*" and insert "*buildings*".

Page 2, line 4, after "*body*" insert a period and delete "*in the case of individual*".

Page 2, line 5, delete "*institutions.*" and insert "*The governing body of St. Cloud State University shall report back the program and its effects to the legislature on or before February 1, 1978.*".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

### MOTIONS AND RESOLUTIONS

Smith moved that the names of Prahl and Johnson, D., be added as authors on H. F. No. 2424. The motion prevailed.

Pursuant to Rule 1.15, Savelkoul moved that S. F. No. 276 be recalled from the Committee on General Legislation and Veterans Affairs, be given a second reading and be advanced to General Orders.

A roll call was requested and properly seconded.

The question was taken on the Savelkoul motion and the roll being called, there were yeas 38, and nays 86, as follows:

Those who voted in the affirmative were:

Adams, S.	Erickson	Heinitz	Niehaus	Stanton
Albrecht	Esau	Jopp	Peterson	Ulland
Arlandson	Evans	Kaley	Pleasant	Volk
Biersdorf	Ewald	Kempe, R.	Savelkoul	White
Carlson, A.	Faricy	Knickerbocker	Schreiber	Wigley
Dean	Fjoslien	Kvam	Searle	Zubay
DeGroat	Forsythe	Laidig	Sherwood	
Dieterich	Friedrich	Nelsen	Sieloff	

Those who voted in the negative were:

Abeln	Berg	Carlson, R.	Doty	George
Adams, L.	Berglin	Casserly	Eckstein	Hanson
Anderson, G.	Birnstihl	Clark	Eken	Haugerud
Anderson, I.	Braun	Clawson	Enebo	Hokanson
Beauchamp	Brinkman	Corbid	Fudro	Jaros
Begich	Carlson, L.	Dahl	Fugina	Jensen

Johnson, C.	Langseth	Neisen	St. Onge	Tomlinson
Johnson, D.	Lemke	Nelson	Samuelson	Vanasek
Jude	Luther	Norton	Sarna	Vento
Kahn	Mangan	Novak	Schulz	Voss
Kalis	McCarron	Osthoff	Schumacher	Wenstrom
Kelly, R.	McCauley	Parish	Setzepfandt	Wenzel
Kelly, W.	McCollar	Patton	Sieben, H.	Williamson
Kempe, A.	McEachern	Pehler	Sieben, M.	Speaker Sabo
Ketola	Menning	Petrafeso	Simoneau	
Knoll	Metzen	Philbrook	Skoglund	
Kostohryz	Moe	Prahl	Smogard	
Kroening	Munger	Reding	Swanson	

The motion did not prevail.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the conference Committee on S. F. No. 932:

Berglin, Dahl and Heinitz.

#### ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Thursday, March 4, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1976

## EIGHTY-SECOND DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 4, 1976

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Dieterich	Jopp	Metzen	Setzepfandt
Adams, L.	Doty	Jude	Moe	Sherwood
Adams, S.	Eckstein	Kahn	Munger	Sieben, H.
Albrecht	Eken	Kaley	Neisen	Sieben, M.
Anderson, G.	Enebo	Kalis	Nelsen	Sieloff
Anderson, I.	Erickson	Kelly, R.	Nelson	Simoneau
Arlandson	Esau	Kelly, W.	Niehaus	Skoglund
Beauchamp	Evans	Kempe, A.	Norton	Smith
Begich	Ewald	Kempe, R.	Novak	Smogard
Berg	Faricy	Ketola	Parish	Stanton
Berglin	Fjoslien	Knickerbocker	Patton	Suss
Biersdorf	Forsythe	Knoll	Pehler	Swanson
Birnstihl	Friedrich	Kostohryz	Peterson	Tomlinson
Braun	Fudro	Kroening	Petraleso	Ulland
Brinkman	Fugina	Kvam	Philbrook	Vanasek
Byrne	George	Laidig	Pleasant	Vento
Carlson, A.	Graba	Langseth	Prahl	Voss
Carlson, L.	Hanson	Lemke	Reding	Wenstrom
Carlson, R.	Haugerud	Lindstrom	Rice	Wenzel
Casserly	Heinitz	Luther	Samuelson	White
Clark	Hokanson	Mangan	Sarna	Wieser
Clawson	Jacobs	McCarron	Savelkoul	Wigley
Corbid	Jaros	McCauley	Schreiber	Williamson
Dahl	Jensen	McCollar	Schulz	Zubay
Dean	Johnson, C.	McEachern	Schumacher	Speaker Sabo
DeGroat	Johnson, D.	Menning	Searle	

A quorum was present.

Mann, Osthoff, St. Onge, Spanish and Volk were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Vanasek the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1699, 1988, 2117, 1939, 1471, 2104, 2285, 2286, 2381, 2414, 435, 930, 1909, 1946, 2046, 2066, 2186, 2219, 2282, 2491, 2335, 468, 1972 and 2203 and S. F. Nos. 749 and 840 have been placed in the members' files.

## PETITIONS AND COMMUNICATIONS

The following report was received and filed in the Chief Clerk's Office: Special Report of the Minnesota Indian Affairs Board submitted pursuant to Laws 1975, Chapter 204, Sec. 27.

The following communication was received:

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

The Honorable Martin O. Sabo  
Speaker of the House of Representatives  
The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1976 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1976</i>	<i>Date Filed 1976</i>
806		21	March 2	March 2
1439		22	March 2	March 2
1501		23	March 2	March 2
2034		24	March 2	March 2
	1721	25	March 2	March 2
	1829	26	March 2	March 2
	1880	27	March 2	March 2

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

## REPORTS OF STANDING COMMITTEES

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1823, A bill for an act relating to motor vehicles; defining terms; providing for the licensure and regulation of certain motor vehicle dealers; prescribing penalties; appropriating money; amending Minnesota Statutes 1974, Section 168.27.

Reported the same back with the following amendments:

Page 2, line 3, delete "*manufacturers,*".

Page 2, line 3, delete "*car*" and insert "*motor vehicle*".

Page 2, line 4, delete "*car*" and insert "*motor vehicle*".

Page 5, line 31, delete "*others*" and insert "*more than a single owner*".

Page 6, line 15, after "*require*" insert "*to administer this section*".

Page 6, line 23, after "*with*" delete "*adequate space to display*".

Page 6, delete lines 24 and 25.

Page 6, line 26, delete "*building; and*".

Page 7, line 9, delete "*, with adequate space for the display of*".

Page 7, line 10, delete "*motor vehicles, either inside or outside the building,*".

Page 7, line 13, after "*hours*" insert "*or automatic telephone answering service during normal working hours*".

Page 8, line 4, after "*foundation*" insert "*within or without the state*".

Page 8, line 5, delete "*sufficient space and accommodations*".

Page 8, delete line 6.

Page 8, line 7, delete "*sale at the auction; with*".

Page 8, line 18, after "*one*" insert "*permanent*".

Page 9, line 8, delete "\$76" and insert "\$100".

Page 10, line 26, delete "made" and insert "been convicted of making".

Page 10, line 27, delete "violated" and insert "been convicted of violating".

Page 10, line 29, delete "violated" and insert "been convicted of violating".

Page 10, line 31, delete "violated" and insert "been convicted of violating".

Page 13, line 12, strike "before the registrar or"; delete "inspector"; and insert "for a hearing".

Page 13, strike lines 15 and 16.

Page 13, line 17, strike "merits" and insert "All hearings shall be conducted in accordance with the provisions of chapter 15 relating to contested cases".

Page 13, line 21, delete "11" and insert "12".

Page 14, line 9, strike "appeal therefrom to any".

Page 14, strike lines 10 to 32.

Page 15, strike lines 1 to 11.

Page 15, line 12, strike the existing language and delete the new language.

Page 15, strike lines 13 to 16 and insert "seek judicial review pursuant to the provisions of chapter 15".

Renumber subdivisions in sequence.

Page 16, line 5, delete "subdivision 1" and insert "subdivisions 2 or 3".

Page 16, line 7, after "\$10" insert "per pair".

Page 16, line 9, after "hire" insert "(except to dealership employees)".

Page 16, line 32, delete "Upon the".

Page 17, delete lines 1 to 13.

Page 21, line 12, delete "\$3,000 to run to the state of Minnesota" and insert "\$10,000".

Page 21, line 17, after "Minnesota" insert "and any purchaser of a motor vehicle for any monetary loss caused by failure of the licensee to meet the obligations enumerated above".

With the recommendation that when so amended the bill do 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. 2332, A bill for an act relating to education; requiring school districts to engage in planning, evaluation and reporting; establishing an office of planning assistance for public elementary and secondary school districts; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. [DECLARATION OF POLICY.] The legislature finds that a process for establishing educational goals and objectives, evaluating progress toward these goals, and involving the public in educational planning is needed to improve the educational program for all public school children in the state, and to allow for better evaluation of educational programs by local communities. The legislature further finds that such a process is needed to facilitate decisions by school boards and communities as to which services can best be provided by the public schools and which services can or should be provided by other institutions such as the family, the church, the private sector or other public agencies. The purpose of this act is to encourage local school boards and professional staff to inform and involve the community, and to encourage the citizens of each school district to assist in setting goals and supporting program development when student and community needs have been identified.

Sec. 2. [DISTRICT EDUCATIONAL POLICY.] The school board of each school district in the state shall develop and adopt a written educational policy for the district which establishes educational goals, a process for achieving these goals, and procedures for evaluating and reporting progress toward the goals. The school board shall review this policy each year and adopt revisions which it deems desirable. School boards are encouraged to develop this school district policy and any revisions after consultation with staff of each school building. The school board shall provide for active community participation in the development and revision of the district educational policy and for a public hearing on the policy and any revisions prior to adop-

tion. School boards are encouraged to provide for participation by secondary students and recent graduates in the development and revision of the policy.

**Sec. 3. [IMPLEMENTATION OF DISTRICT EDUCATIONAL POLICIES.]** The school board shall instruct the administrative and professional staff of the district to develop an instructional plan for the purpose of implementing the goals established in the district educational policy within resources available to the district. Insofar as possible the instructional plan shall include measurable instructional objectives to assist in directing and measuring progress toward the goals established in the district educational policy. For goals toward which progress is not easily measurable, the instructional plan shall include other appropriate means to direct and evaluate progress. Each year a final evaluation of progress shall be conducted, including both professional and consumer evaluations. The professional staff evaluation shall utilize test results and other performance data along with faculty interpretations and judgments. Consumer evaluation shall include the opinions of students, parents and other residents of the community served by the school. Upon receipt of the evaluation reports, each school board shall review the results and develop appropriate school improvement plans to improve areas where goals of the district educational policy have not been met. The district educational policy, the reports of the annual evaluation including summary test results, and the plans for school improvement shall be made available to the citizens of the school district through direct mailing, media releases, and other means of communicating with the public; and these documents shall be on file and available for inspection by the public. Information copies of such reports shall be sent to the state board of education. All activities and reports pursuant to this section shall comply with sections 15.162 to 15.1671 and any other law governing data on individuals in school districts.

**Sec. 4. [CREATION OF OFFICE OF LEARNING IMPROVEMENT ASSISTANCE.]** Subdivision 1. The state board of education shall designate or establish a unit within the department of education which shall be known as the "office of learning improvement assistance". Whenever possible, present staff and resources from the department shall be reassigned to perform the necessary tasks. Technical assistance shall be made available upon request to each school district by the office in at least the following areas: techniques of needs assessment, goal and objective writing, evaluation and community relations. The office may contract with any school district for the purchase of services of district staff to provide technical assistance to other school districts. The office is encouraged to establish and maintain a catalog of instructional objectives and corresponding test items from which individual school districts and personnel may choose. The office may purchase from a school district and include in the catalog any instructional objectives and corresponding test items which the district has developed. The office may arrange to provide appropriate computer programs and data

processing equipment for processing tests and reporting assessment results. The state board of education may charge for any of these services as it sees fit.

Subd. 2. The office shall also administer the statewide educational assessment program for the department of education. In order to provide normative data against which schools can compare their performance, the statewide assessment program shall develop appropriate test instruments and assess a randomly selected sample of students from at least three age or grade levels that will accurately represent the various sizes and types of communities across the state. The statewide assessment cycle shall include the curricular areas of reading and mathematics, and to the extent funds are available shall also include, but not be limited to, the curricular areas of social studies, science, language arts, humanities and consumer preparation. Reports of the results of assessment shall be presented to the state board of education, the legislature and the citizens of the state.

Subd. 3. The office of learning improvement assistance also shall collect normative data from other methods of evaluating student performance which are commonly used in the state and shall make this data available upon request to any district seeking to use it for purposes of comparisons of student performance.

Subd. 4. The school board of any district may by resolution enter into a written agreement with the department for the purpose of having statewide educational assessment instruments administered to its pupils in excess of any sample of its pupils previously selected by the department of education or receiving any related services.

Subd. 5. The department is authorized to enter into a written agreement with a district to provide the services described in subdivision 4 on an actual cost basis to the district and in no event at direct cost expense to the state.

Sec. 5. [TIME OF IMPLEMENTATION.] School districts are encouraged to begin planning, evaluation and reporting to the public pursuant to sections 1, 2 and 3 during the 1977-1978 school year. Insofar as possible, the state board of education shall make technical assistance for planning and evaluation pursuant to section 4 of this act available to school districts upon request during the 1976-1977 school year. After September 1, 1977, the state board of education shall make technical assistance for planning and evaluation pursuant to section 4 of this act available to local school districts upon request. All school districts in the state shall engage in planning, evaluation and reporting to the public pursuant to sections 1, 2 and 3 of this act during the 1978-1979 school year and shall submit a report which has been shared with the public and adopted by the school board to the state board of education by August 1, 1979. During the summer of 1977, the state

board of education shall report to the districts of the state the experiences of the demonstration projects authorized in section 6 of this act and of any similar projects funded from other sources.

Sec. 6. [DEMONSTRATION PROJECTS.] For the 1976-1977 school year, the state board of education shall make grants to several school districts to develop local plans, evaluation techniques using the statewide assessment instruments and procedures or other valid and reliable instruments and procedures for evaluation of student performance, and procedures for reporting to the citizens of the school districts. The state board shall encourage these schools districts to engage in alternative procedures for planning and reporting. The state board of education is encouraged to use available federal funds to support additional demonstration projects. By November 15, 1977, the state board shall report to the education committees of the legislature on the demonstration projects and their direct and indirect costs.

Sec. 7. [APPROPRIATION OF FUNDS.] There is annually appropriated from the state general fund to the department any and all amounts received by the department pursuant to section 4, subdivision 5.

Sec. 8. [APPROPRIATION TO STATE BOARD.] The sum of \$ . . . . . is appropriated to the state board of education from the general fund of the state treasury for the purposes of this act for the fiscal year ending June 30, 1977. Of this amount, \$ . . . . . shall be expended for grants to demonstration projects pursuant to section 6 of this act.

Sec. 9. This act shall be effective the day following final enactment.”.

Amend the title as follows:

Line 4, delete “planning” and insert “learning improvement”.

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1801, A bill for an act relating to commerce; providing remedies for worthless checks; providing penalties; amending Minnesota Statutes 1974, Section 609.535, Subdivisions 1, 2 and 3, and by adding subdivisions.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

*"Section 1. Subdivision 1. For the purpose of this section the term "financial institution" means any bank, savings and loan, credit union, or other entity offering checking account services whether chartered by the state or federal government.*

*Subd. 2. Any financial institution, prior to opening a checking account shall require the applicant, in writing, to:*

*(1) Provide his full name, residence address, residence telephone number, and identification number assigned pursuant to Minnesota Statutes, Section 171.07. If the applicant does not have such an identification number then a driver's license number from another state or any identification number given by the federal or any state government which can be used to identify the applicant may be used; and*

*(2) Answer whether within the past three years he has:*

*(a) had a checking account closed other than voluntarily by the applicant;*

*(b) had checks returned for nonsufficient funds or account closed, which have not subsequently been honored; and*

*(c) been convicted of an offense involving the use of checks.*

*If any of the inquiries are answered in the affirmative the financial institution shall make further reasonable inquiries to determine if a checking account should be opened. Nothing in this subdivision shall prohibit a financial institution from requiring disclosure of additional information.*

*Subd. 3. A financial institution shall, upon request, disclose all transactions and balances of an account whereon a check has been drawn and dishonored for reasons of nonsufficient funds or account closed:*

*(1) To the payee or any subsequent holder who presents the check, such disclosure to be limited to the period of time commencing seven days before and ending seven days after the date of issue; and*

*(2) To a law enforcement officer or a prosecuting attorney investigating an alleged violation of this section, such disclosure to be limited to the period of time commencing 30 days before and ending 30 days after the date of issue.*

*Subd. 4. Any payee or subsequent holder may recover from a financial institution for damages caused to him by the failure*

of the financial institution to substantially comply with this section.

Sec. 2. Minnesota Statutes 1974, Section 609.535, Subdivision 1, is amended to read:

609.535 [ISSUANCE OF WORTHLESS CHECK.] Subdivision 1. [DEFINITIONS.] *As used in this section:*

(1) "Credit" means an arrangement or understanding with the drawee for the payment of the check or other order for the payment of money to which this section applies.

(2) "Drawee" means the bank upon which the check is drawn.

(3) "Drawer" means the person whose name appears on the check as the primary obligor, whether the actual signature be that of himself or of a person authorized to draw the check in his behalf.

(4) "Issue" or "to issue a check" or any similar term includes issuing a check for goods or services, or for any other transfer wherein a check is exchanged, except as provided in subdivision 5 of this section.

Sec. 3. Minnesota Statutes 1974, Section 609.535, Subdivision 2, is amended to read:

Subd. 2. [ACTS CONSTITUTING.] (WHOEVER ISSUES) *No person shall issue any check or other order for the payment of money which, at the time of issuance, he intends shall not be paid (, IS GUILTY OF A MISDEMEANOR). (IN ADDITION RESTITUTION MAY BE ORDERED BY THE COURT.)*

Sec. 4. Minnesota Statutes 1974, Section 609.535, Subdivision 3, is amended to read:

Subd. 3. [PROOF OF INTENT.] (ANY OF) The following (IS) *shall constitute prima facie evidence (SUFFICIENT TO SUSTAIN A FINDING)* that the person at the time he issued the check or other order for the payment of money, intended it should not be paid:

(1) Proof that, at the time of issuance, he did not have an account with the drawee; or

(2) Proof that, at the time of issuance, he did not have sufficient funds or credit with the drawee and that he failed to pay the check or other order within five business days after (MAILING) receipt of notice of (NONPAYMENT OR) dishonor (AS PROVIDED IN THIS SUBDIVISION); or

(3) Proof that, when presentment was made within a reasonable time, the issuer did not have sufficient funds or credit with the drawee and that he failed to pay the check or other order within five business days after (MAILING) receipt of notice of (NONPAYMENT OR) dishonor (AS PROVIDED IN THIS SUBDIVISION).

Notice of (NONPAYMENT OR) dishonor shall be sent, pursuant to section 336.3-508, by the payee or holder of the check or other order to the maker or drawer by certified mail, return receipt requested, to the address (OF RECORD. REFUSAL BY THE MAKER OR DRAWER OF THE CHECK TO ACCEPT CERTIFIED MAIL NOTICE SHALL NOT CONSTITUTE A DEFENSE THAT NOTICE WAS NOT RECEIVED) printed on the check or given at the time of issuance, and a copy of this notice shall be mailed at the same time to the drawee. If the notice to the maker is returned undelivered, notice shall be deemed to have been received by the maker or drawer on the first date of attempted delivery. The notice may state that unless the check is paid in full within five business days after receipt of the notice of dishonor, the payee or holder of the check or other order will or may refer the matter to the proper authorities for prosecution under this section.

Any payee or holder of a check or other order which has been dishonored for reasons of nonsufficient funds or account closed shall not be civilly or criminally liable for giving the notice permitted herein.

Sec. 5. Minnesota Statutes 1974, Section 609.535, is amended by adding a subdivision to read:

*Subd. 3a. Any person violating this section may be sentenced as follows:*

(1) To imprisonment for not more than 30 days, to payment of a fine of not more than \$100, or both, if the aggregate amount of the checks or other orders for the payment of money are less than \$100;

(2) To imprisonment for not more than 90 days nor less than 30 days or to payment of a fine of not more than \$300 nor less than \$100, or both, if the aggregate amount of the checks or other orders for the payment of money are between \$100 and \$300;

(3) To imprisonment for not more than five years nor less than six months or to payment of a fine of not more than \$5,000 nor less than \$500, or both, if the aggregate amount of the checks or other orders for the payment of money are between \$300 and \$2,500; or

(4) To imprisonment for not more than ten years nor less than three years or to payment of a fine of not more than \$10,000.

*nor less than \$3,000, or both, if the aggregate amount of the checks or other orders for the payment of money exceed \$2,500.*

*In any prosecution under section 609.535, the checks or other orders for the payment of money issued by the defendant in violation of this section within any six month period may be aggregated and the defendant charged accordingly in applying the provisions of this section. When two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed and his checks or other orders for the payment of money may be aggregated pursuant to this clause. The election to aggregate checks or other orders for the payment of money within any six month period and to charge the defendant accordingly under this section shall not bar any prosecution of the defendant on the nonaggregated checks or other orders for the payment of money by the defendant during that same six month period.*

Sec. 6. Minnesota Statutes 1974, Section 609.535, is amended by adding a subdivision to read:

*Subd. 3b. In addition to any criminal penalty under this section, restitution may be ordered by the court.*

Sec. 7. Minnesota Statutes 1974, Section 609.535, is amended by adding a subdivision to read:

*Subd. 3c. If a person institutes or causes to be instituted a prosecution for violation of this section and thereafter fails to cooperate fully in the prosecution of the defendant, the court having jurisdiction, on motion of the prosecution attorney and after notice to the person and an opportunity to be heard, may order the person to pay the county in which the prosecution was commenced all costs of the prosecution including a reasonable amount for the time spent on the matter by the prosecuting attorney.*

Sec. 8. Minnesota Statutes 1974, Section 609.535, is amended by adding a subdivision to read:

*Subd. 6. [PAYMENT NO DEFENSE.] After the time period provided by subdivision 3 payment of a dishonored check or other order for the payment of money shall not constitute a defense or ground for dismissal of charges brought under this section, nor shall such payment or an offer of payment be admissible as evidence.*

Sec. 9. Minnesota Statutes 1974, Section 609.535, is amended by adding a subdivision to read:

*Subd. 7. [IDENTITY.] (1) In any prosecution under the provisions of this section, prima facie evidence of the identity*

of the party issuing the check, draft, or order and his authority to draw upon the named account may be established by the following information secured in writing at the time of issuance: the full name, residence address, residence telephone number, and identification number assigned pursuant to Minnesota Statutes, Section 171.07. If the party does not have such an identification number then a driver's license number from another state or any identification number given by the federal or any state government to a party which can be used to identify the party shall be obtained. This subdivision does not prohibit the obtaining of additional information from a party nor does it require anyone to accept a check.

(2) The information listed in clause (1) of this subdivision may be provided by either of two methods: (a) it may be recorded upon the check itself; or (b) the number of a check cashing identification card issued by the accepting party may be recorded upon the check. The check cashing identification card shall be issued only after the information listed in clause (1) of this subdivision has been placed in a permanent file kept by the accepting party.

Sec. 10. Minnesota Statutes 1974, Chapter 549, is amended by adding a section to read:

[549.20] *In any action for payment on a check, or in case of restitution ordered by the court pursuant to section 609.535, which check has been dishonored for reasons of nonsufficient funds or account closed and which check is not honored or the underlying obligation is not otherwise settled within five business days after the drawer's receipt of notice of dishonor, the court shall award to the plaintiff if he is the prevailing party or to the complainant if such complaint has led to a conviction under section 609.535, the sum of \$10 or ten percent of the amount of such check, whichever is greater, in addition to any other relief granted."*

Further, strike the title in its entirety and insert:

"A bill for an act relating to commerce; providing for the opening of checking accounts; imposing a duty on financial institutions; providing remedies for worthless checks; providing penalties; amending Minnesota Statutes 1974, Section 609.535, Subdivisions 1, 2 and 3, and by adding subdivisions; and Chapter 549, by adding a section."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 72, A bill for an act relating to the legislature; providing a bipartisan commission to apportion legislative districts.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. The following amendment to the Minnesota Constitution, Article IV, Sections 2 and 3, is proposed to the people. If the amendment is adopted Article IV, Section 2, will read as follows:

Sec. 2. The number of members who compose the senate and house of representatives shall be prescribed by law. (THE REPRESENTATION IN BOTH HOUSES SHALL BE APPORTIONED EQUALLY THROUGHOUT THE DIFFERENT SECTIONS OF THE STATE IN PROPORTION TO THE POPULATION THEREOF.)

*The state shall be divided into as many separate congressional, senatorial, and representative election districts as there are congressmen, senators and representatives. No representative district shall be divided in the formation of a senate district. The congressional, senatorial and representative districts shall be separately numbered in a regular series.*

*Congressional, senatorial and representative districts shall be composed of compact and contiguous territory and shall be apportioned equally throughout the state on the basis of population. In creating congressional and legislative districts, the integrity of political subdivision boundaries shall be maintained to the extent possible without violating the requirement that districts be apportioned equally on the basis of population.*

and Article IV, Section 3 will read as follows:

Sec. 3. (AT ITS FIRST SESSION AFTER EACH ENUMERATION OF THE INHABITANTS OF THIS STATE MADE BY THE AUTHORITY OF THE UNITED STATES, THE LEGISLATURE SHALL HAVE THE POWER TO PRESCRIBE THE BOUNDS OF CONGRESSIONAL AND LEGISLATIVE DISTRICTS. SENATORS SHALL BE CHOSEN BY SINGLE DISTRICTS OF CONVENIENT CONTIGUOUS TERRITORY. NO REPRESENTATIVE DISTRICT SHALL BE DIVIDED IN THE FORMATION OF A SENATE DISTRICT. THE SENATE DISTRICTS SHALL BE NUMBERED IN A REGULAR SERIES.)

(a) *In each year following that in which the federal decennial census is officially reported as required by federal law, or whenever a new districting is required by court order, the districting commission created under this section shall prescribe anew the bounds of the congressional, senatorial and representative districts in the state.*

*The commission shall also prescribe anew the bounds of senatorial or representative districts whenever the number of members who compose the senate or house has been altered by law.*

*The commission shall be guided by the standards set forth in section 2 and shall assure all persons fair representation.*

(b) *Not later than January 15 of the year following that in which the federal decennial census is officially reported as required by federal law, the governor shall request the persons designated to appoint members of the districting commission.*

(c) (1) *The districting commission shall consist of 13 members and the concurrence of eight shall be required to adopt a final plan of districting.*

*The speaker and minority leader of the house of representatives shall be members. The majority and minority leaders of the senate shall be members. The speaker of the house of representatives, the minority leader of the house of representatives, the majority leader of the senate and the minority leader of the senate each may have the right to appoint a member of his legislative body to serve on the districting commission in his place. The governor shall appoint two members. Two members shall be appointed by the state executive committee of each political party, other than that to which the governor belongs, whose candidate for governor received 20 or more percent of the votes at the most recent gubernatorial election, or by any successor authority to the state executive committee which is charged by law with the administration of the party's affairs.*

*Within ten days after the governor has requested the appointment of a districting commission, the speaker and minority leader of the house of representatives, the majority and minority leaders of the senate, the governor and the state executive committees of the political parties or their successor authorities, shall certify the members they have appointed to the secretary of state, or notify the secretary of state of their failure to make any appointment.*

*Within three days after receiving notice that an appointing authority has failed to appoint its quota of members, the secretary of state shall inform the chief justice of the supreme court. Within ten days after the information has been received, a majority of the entire membership of the supreme court shall appoint those members and certify them to the secretary of state.*

*The commission members appointed and certified shall meet within seven days of their appointment and within 17 days thereafter shall elect, by unanimous vote, the number of members necessary to complete the commission and certify them to the secretary of state, or notify the secretary of state that they are unable to do so. Within three days after receiving notice of failure to complete the membership of the commission, the secretary of state shall inform the chief justice of the state supreme court. Within 17 days after the information has been received, a majority of the entire membership of the supreme court shall appoint the members necessary to complete the commission and certify them to the secretary of state.*

(2) *No United States senator or representative or member of the Minnesota senate or house of representatives, other than the speaker and minority leader of the house, the majority and minority leaders of the senate, or their designees, shall serve on the commission.*

(3) *In making their appointments, the state executive committees or their successor authorities, the original commission members and the supreme court shall give due consideration to the representation of the various geographical areas of the state.*

(4) *Any vacancy on the commission shall be filled within five days in the manner provided for the original appointment.*

(5) *A majority of all the members of the commission shall choose a chairman and a vice chairman and establish its rules of procedure.*

(6) *Members of the commission shall hold office until the new apportionment and districting in which they participated becomes effective. Except for the speaker and minority leader of the house of representatives, the majority and minority leaders of the senate and their designees, they shall not be eligible for election to congress or the state legislature until the general election following the first one under the districting in which they participated.*

(7) *The secretary of state shall be secretary of the commission without vote and in that capacity shall furnish all technical services requested by the commission. Commission members shall be compensated as provided by law.*

(d) (1) *Not later than five months after the commission has been finally constituted, or the population count for the state and its political subdivisions as determined by the federal decennial census is available, whichever is later, the commission shall file its final districting plans and maps of the districts with the secretary of state.*

(2) *Within ten days from the date of the filing, the secretary of state shall publish the final plans once in at least one newspaper of general circulation in each congressional and representative district. The publication shall contain maps showing all the new congressional, senatorial and representative districts in the state and a separate map showing the districts in the principal area served by the newspaper in which publication is made. The publication shall also state the population of the congressional, senatorial, and representative districts having the smallest and largest population, respectively, and the percentage variation of the districts from the average population for congressional, senatorial and representative districts.*

(3) *The final plans shall have the force and effect of law upon the date of the publication.*

(4) *The secretary of state shall keep a public record of all the proceedings of the commission.*

(e) *Within 30 days after any districting plan adopted by the commission is published by the secretary of state, any qualified voter may petition the state supreme court to review the plan. The state supreme court shall have original jurisdiction to review the plan, exclusive of all other courts of this state.*

*If a petition for review is filed, the supreme court shall determine whether the plan complies with the requirements of this constitution and the United States Constitution. If the supreme court determines that the plan complies with constitutional requirements, it shall dismiss the petition within 45 days of the filing of the original petition. If the supreme court, or any United States court, finally determines that the plan does not comply with constitutional requirements, the supreme court, within 45 days of the filing of the original petition or 30 days of the decision of the United States court, shall modify the plan to comply with constitutional requirements and direct that the modified plan be adopted by the commission.*

(f) *If the commission fails to adopt final plans to provide anew the bounds of congressional or senatorial and representative districts by the two specified herein, each member of the commission, individually or jointly with other members, may submit a proposed plan or plans to the supreme court within 30 days after the date for commission action has expired. Within 90 days after the submission, the supreme court shall select the plan which it finds most closely satisfies the requirements of this constitution and, with the modifications it deems necessary to completely satisfy these requirements, direct that it be adopted by the commission and published as provided herein. If no commission member submits a plan by the time specified, a majority of the entire membership of the supreme court shall select a panel of three state court judges, other than supreme court justices, to prescribe anew the bounds of congressional districts,*

*or senatorial and representative districts, or both. The panel shall do so within four months after the date for the submission of individual member plans has expired.*

*The districting prescribed by the panel shall be subject to review by the supreme court and the federal courts in the manner provided for review of a plan adopted by the districting commission.*

*(g) Each new districting made in accordance with the provisions of this article shall govern the next succeeding general elections of congressmen, senators and representatives.*

Sec. 2. The proposed amendment shall be submitted to the people at the 1976 general election. The question proposed shall be:

“Shall the Minnesota Constitution be amended to provide for apportionment of congressional and legislative districts by a commission?”

Yes . . . . .

No . . . . .”.

Further, strike the title in its entirety and insert the following:

“A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Sections 2 and 3; providing for congressional and legislative apportionments by a commission.”.

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 2225, A bill for an act relating to veterans affairs; applications for adjusted compensation; establishing an application time limit; extending the appropriation expiration date; amending Minnesota Statutes, 1975 Supplement, Section 197.973; and Laws 1975, Chapter 3, Section 2.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

S. F. No. 1273, A bill for an act relating to fair campaign practices; permitting corporations to conduct non-partisan voter registration campaigns and provide meeting facilities to political parties and candidates; authorizing the state ethics commission to issue and publish certain advisory opinions; amending Minnesota Statutes 1974, Section 10A.02, Subdivision 12; and Minnesota Statutes, 1975 Supplement, Section 210A.34, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 210A.34, is amended by adding subdivisions to read:

*Subd. 5. It shall not be a violation of this section for a corporation to contribute to or conduct public media projects to encourage individuals to attend precinct caucuses, register, or vote provided that the projects are not controlled by or operated for the advantage of any candidate, political party, or political committee.*

*Subd. 6. It shall not be a violation of this section for a corporation to provide meeting facilities to any political committee, political party or candidate on a nondiscriminatory and nonpreferential basis.*

*Subd. 7. It shall not be a violation of this section for a corporation selling products or services to the public to post on their public premises messages which promote participation in precinct caucuses, voter registration, or elections, provided that such messages are not controlled by or operated for the advantage of any candidate, political party, or political committee.*

*Subd. 8. The total amount of any expenditure or contribution or any one project permitted by subdivisions 5 and 7 which exceeds \$100, together with the date, purpose and the names and addresses of the persons receiving the contribution or expenditures, shall be reported to the secretary of state. The reports shall be filed on a form provided by the secretary of state on the dates required for political committees under the provisions of section 210A.26, subdivision 1. Failure to comply shall be subject to the penalties related to campaign finance reporting under the provisions of this chapter.*

*Sec. 2. This act is effective on the day following final enactment."*

And further amend the title to read:

Page 1, line 3, delete "conduct non-partisan voter".

Page 1, line 4, delete "registration campaigns" and insert "engage in certain political activities".

Page 1, delete all of line 6.

Page 1, line 7, delete everything before "amending".

Page 1, delete all of line 8.

Page 1, line 9, delete "Subdivision 12; and".

Page 1, line 10, delete "a".

Page 1, line 11, delete "subdivision" and insert "subdivisions".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 2308, A bill for an act relating to public employment labor relations; reconciling negotiated contract provisions with existing law; designating the number of arbitrators; modifying the fees chargeable by arbitrators; amending Minnesota Statutes 1974, Sections 179.66, Subdivision 5; and 179.72, Subdivision 6.

Reported the same back with the following amendments:

Page 2, line 13, after "*requests*" insert "*, prior to the submission to the parties of the list of seven arbitrators,*".

Page 2, line 14, after "*shall*" insert "*, by alternately striking names,*".

Page 2, line 14, after "arbitrator" insert "*from the list*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2172, A bill for an act relating to municipalities within Dakota county; providing for financing of the Dakota County League of Municipalities; amending Laws 1967, Chapter 112, Section 1.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2207, A bill for an act relating to the city of Duluth; liquor license for the arena-auditorium complex; amending Laws 1967, Chapter 406, Section 1, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 5, after "in any" insert "*amateur hockey game or*".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1156, A bill for an act relating to political subdivisions; authorizing direct loans to cities, counties and towns; amending Minnesota Statutes 1974, Chapter 465, by adding a section.

Reported the same back with the following amendments:

Page 1, delete lines 10 to 23.

Page 2, delete lines 1 to 14.

Page 2, line 15, delete "*Subd. 3.*" and insert "*For purposes of constructing or acquiring fire halls or fire equipment*".

Page 2, line 15, after "*borrow*" insert "*up to \$100,000*".

Page 2, line 16, delete "*a federal agency*" and insert "*the Farmers Home Administration*".

Page 2, delete line 32.

Page 3, delete lines 1 and 2.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1252, A bill for an act relating to the blind; providing for vending stands and machines to be operated by the blind on property of state governmental subdivisions; amending Minnesota Statutes 1974, Section 248.07, Subdivision 7.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1873, A bill for an act relating to counties; authorizing counties to levy special assessments for county highway improvements within portions of unorganized townships; amending Minnesota Statutes 1974, Section 429.011, Subdivision 2a.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 2033, A bill for an act relating to municipalities; temporary investment of surplus funds; amending Minnesota Statutes, 1975 Supplement, Section 471.561.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1801, 2225, 2308, 2172 and 2207 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 1273, 1156, 1252, 1873 and 2033 were read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Wenstrom, Schumacher, Smogard, Anderson, G., and Sherwood introduced:

H. F. No. 2563, A bill for an act relating to highway traffic regulations; requiring surrender of certain licenses.

The bill was read for the first time and referred to the Committee on Transportation.

Lindstrom, Searle, Dahl, Pleasant and Berg introduced:

H. F. No. 2564, A bill for an act relating to appropriations; abolishing open appropriations for various purposes; providing direct appropriations for debt service and for other purposes previously supported by open appropriations; amending Minnesota Statutes 1974, Sections 16.023; 16A.27; 84B.07; 176.183, Subdivision 2; 192.52; 268.06, Subdivision 25; 299D.03, Subdivision 1; 351.11; 352E.02; 355.46, Subdivision 3; 355.50; 481.15, Subdivision 2; Minnesota Statutes, 1975 Supplement, Section 136A.08, Subdivisions 1 and 2; and Laws 1973, Chapter 567, Section 7; repealing Minnesota Statutes 1974, Sections 124.23; 136.508; 352E.05; 355.31 to 355.39; Minnesota Statutes, 1975 Supplement, Section 261.233.

The bill was read for the first time and referred to the Committee on Appropriations.

Samuelson, Byrne, Wigley, Clark and Corbid introduced:

H. F. No. 2565, A bill for an act relating to public welfare; mental health; allocating fees for services collected by mental health centers.

The bill was read for the first time and referred to the Committee on Appropriations.

Vento introduced:

H. F. No. 2566, A bill for an act relating to education; providing for termination procedure to apply to certain athletic coaches; amending Minnesota Statutes, 1975 Supplement, Section 125.12, Subdivision 4.

The bill was read for the first time and referred to the Committee on Education.

Kostohryz, Knickerbocker, Hanson, Johnson, C., and McCollar introduced:

H. F. No. 2567, A bill for an act relating to education; school districts; authorizing school districts to exceed levy limitations; amending Minnesota Statutes 1974, Sections 353.28, Subdivision 8; and 355.299.

The bill was read for the first time and referred to the Committee on Education.

McCollar; Kelly, R.; Kroening; Begich and Wenstrom introduced:

H. F. No. 2568, A bill for an act relating to insurance; permitting certain insurers to reinsure certain kinds of risks through pooling arrangements or otherwise; amending Minnesota Statutes 1974, Section 60A.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Philbrook, Simoneau, Prah, Novak and Knickerbocker introduced:

H. F. No. 2569, A bill for an act relating to insurance; extending eligibility for continuation of group coverage for certain terminated employees; amending Minnesota Statutes 1974, Section 62A.17, Subdivision 2.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Kroening, Abeln, Sabo, Moe and Fudro introduced:

H. F. No. 2570, A bill for an act relating to retirement; elections to receive a combined service annuity.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton introduced:

H. F. No. 2571, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIII, Section 5; permitting a state lottery for an athletic stadium.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Fugina, Clawson and Johnson, D., introduced:

H. F. No. 2572, A bill for an act relating to health; prohibiting kick-backs for prescribing drugs and medicines.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Ketola introduced:

H. F. No. 2573, A bill for an act relating to health; authorizing the board of health to initiate injunction proceedings for certain violations; authorizing appeals from administrative rulings; amending Minnesota Statutes 1974, Chapter 144, by adding sections.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Doty introduced:

H. F. No. 2574, A bill for an act relating to the city of Duluth and the town of Herman; providing for the duties of paramedics; amending Laws 1975, Chapter 209, Section 3, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Fudro and Simoneau introduced:

H. F. No. 2575, A bill for an act relating to the city of Columbia Heights; providing for the appointment of certain public safety personnel in the city.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kempe, A.; Vento; Kostohryz; Tomlinson and Sieben, H., introduced:

H. F. No. 2576, A bill for an act relating to highways; removing highway construction limitations; repealing Minnesota Statutes, 1975 Supplement, Section 161.123.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kelly, W., introduced:

H. F. No. 2577, A bill for an act relating to bonding; authorizing the sale of general obligation bonds for limited purposes without a referendum.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kroening; Kelly, R.; McCollar and Knickerbocker introduced:

H. F. No. 2578, A bill for an act relating to taxation; providing for state reimbursement of taxing districts for tax reduction granted to Title II and certain other property; amending Minnesota Statutes 1974, Section 273.13, Subdivision 17b; and Chapter 273, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 276.04.

The bill was read for the first time and referred to the Committee on Taxes.

Tomlinson; Sieloff; Kempe, A.; Abeln and Jacobs introduced:

H. F. No. 2579, A bill for an act relating to taxation; providing for additional income-adjusted homestead credit relief in certain cases; amending Minnesota Statutes, 1975 Supplement, Section 290A.04, Subdivision 2, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

#### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, McCarron reported on the progress of H. F. No. 943, now in Conference Committee.

Pursuant to Joint Rule 13, Esau reported on the progress of H. F. No. 1057, now in Conference Committee.

Pursuant to Joint Rule 13, Clawson reported on the progress of H. F. No. 1199, now in Conference Committee.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 749, A bill for an act relating to controlled substances; providing medical and educational intervention, evaluation, and treatment of persons in possession of small amounts of marijuana; providing penalties for possession of small amounts of marijuana; and prohibiting municipalities from enacting ordinances imposing greater civil or criminal penalties than provided by state law for the possession, sale or distribution of small amounts of marijuana; amending Minnesota Statutes 1974, Section 152.15, Subdivision 2, and by adding a subdivision.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 733, A bill for an act relating to rates of interest; permitting lending institutions to charge interest rates on business and agricultural loans of up to five percent more than the federal discount rate at the time the loan was made.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee.

Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

## CONFERENCE COMMITTEE REPORT ON S. F. NO. 733

A bill for an act relating to rates of interest; permitting lending institutions to charge interest rates on business and agricultural loans of up to five percent more than the federal discount rate at the time the loan was made.

May 19, 1975

The Honorable Alec G. Olson  
 President of the Senate  
 The Honorable Martin O. Sabo  
 Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 733 report that we have agreed upon the items in dispute and recommend as follows:

That the house recede from its amendment to page 1, line 17 and that the house recede from its amendment to the title.

We request adoption of this report and repassage of the bill.

Senate Conferees: BALDY HANSEN, LEW W. LARSON and B. ROBERT LEWIS.

House Conferees: BERNARD J. BRINKMAN and M. J. McCAULEY.

Brinkman moved that the report of the Conference Committee on S. F. No. 733 be adopted and that the bill be repassed as amended by the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the Brinkman motion and the roll being called, there were yeas 74, and nays 54, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Metzen	Setzepfandt
Adams, S.	Eken	Kalis	Munger	Sieloff
Albrecht	Erickson	Kelly, W.	Nelsen	Smith
Arlandson	Esau	Kempe, R.	Nelson	Stanton
Biersdorf	Evans	Ketola	Niehaus	Suss
Birnstihl	Ewald	Knickerbocker	Patton	Tomlinson
Brinkman	Fjoslien	Kvam	Peterson	Ulland
Carlson, A.	Forsythe	Laidig	Petrafeso	Vanasek
Casserly	Friedrich	Langseth	Pleasant	Wenzel
Clark	Graba	Lemke	Reding	White
Clawson	Haugerud	Lindstrom	Samuelson	Wieser
Corbid	Heintz	McCarron	Savelkoul	Wigley
Dahl	Johnson, C.	McCauley	Schreiber	Zubay
Dean	Jopp	McEachern	Schulz	Speaker Sabo
DeGroat	Jude	Menning	Searle	

Those who voted in the negative were:

Adams, L.	Berglin	Enebo	Hokanson	Kelly, R.
Anderson, G.	Byrne	Faricy	Jacobs	Kempe, A.
Anderson, I.	Carlson, L.	Fudro	Jaros	Knoll
Beauchamp	Carlson, R.	Fugina	Jensen	Kostohryz
Begieh	Dieterich	George	Johnson, D.	Kroening
Berg	Doty	Hanson	Kahn	Luther

Mangan	Novak	Rice	Sieben, M.	Vento
McCollar	Parish	Sarna	Simoneau	Voss
Moe	Pehler	Schumacher	Skoglund	Wenstrom
Neisen	Philbrook	Sherwood	Smogard	Williamson
Norton	Prahl	Sieben, H.	Swanson	

The motion prevailed and the report was adopted.

S. F. No. 733, A bill for an act relating to rates of interest; permitting lending institutions to charge interest rates on business and agricultural loans of up to five percent more than the federal discount rate at the time the loan was made.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 84, and nays 42, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Jopp	Metzen	Sieloff
Adams, S.	Eckstein	Jude	Neisen	Smith
Albrecht	Eken	Kaley	Nelsen	Stanton
Anderson, I.	Erickson	Kalis	Nelson	Suss
Arlandson	Esau	Kelly, W.	Niehaus	Swanson
Beauchamp	Evans	Kempe, R.	Patton	Tomlinson
Biersdorf	Ewald	Ketola	Peterson	Ulland
Birnstihl	Fjoslien	Knickerbocker	Petrafeso	Vanasek
Brinkman	Forsythe	Kvam	Pleasant	Vento
Carlson, A.	Friedrich	Laidig	Reding	Voss
Carlson, R.	Graba	Langseth	Samuelson	Wenzel
Casserly	Haugerud	Lemke	Savelkoul	White
Clark	Heinitz	Lindstrom	Schreiber	Wieser
Clawson	Hokanson	McCarron	Schulz	Wigley
Corbid	Jacobs	McCauley	Searle	Zubay
Dahl	Jensen	McEachern	Setzepfandt	Speaker Sabo
Dean	Johnson, C.	Menning	Sieben, M.	

Those who voted in the negative were:

Adams, L.	Enebo	Kempe, A.	Norton	Sieben, H.
Anderson, G.	Faricy	Knoll	Novak	Simoneau
Begich	Fudro	Kostohryz	Parish	Skoglund
Berg	Fugina	Kroening	Pehler	Smogard
Berglin	Hanson	Luther	Philbrook	Wenstrom
Byrne	Jaros	Mangan	Prahl	Williamson
Carlson, L.	Johnson, D.	McCollar	Rice	
Dieterich	Kahn	Moe	Sarna	
Doty	Kelly, R.	Munger	Schumacher	

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1223, 1493, 1924, 2051 and 2155.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1838, 1862, 2124 and 2223.

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. 2237.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### FIRST READING OF SENATE BILLS

S. F. No. 1223, A bill for an act relating to public welfare; authorizing grants for programs of child care services; altering allocations of grants; amending Minnesota Statutes 1974, Sections 245.83, Subdivisions 2 and 5; 245.84; 245.85; 245.86; and 245.87.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 1493, A bill for an act relating to natural resources; amending certain laws concerning minnows; amending Minnesota Statutes 1974, Sections 97.40, Subdivision 27; 97.45, Subdivision 15; 97.55, Subdivision 13; 98.46, Subdivision 17; 101.42, Subdivisions 5 and 6; and Minnesota Statutes, 1975 Supplement, Section 98.46, Subdivision 5.

The bill was read for the first time.

Hanson moved that S. F. No. 1493 and H. F. No. 1677, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1924, A bill for an act relating to employment agencies; excluding teacher and nurse placement agencies from the definition of employment agency; amending Minnesota Statutes 1974, Section 184.21, Subdivision 2.

The bill was read for the first time.

Berg moved that S. F. No. 1924 and H. F. No. 1939, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2051, A bill for an act relating to local improvements; council procedure; authorizing percentage payment in advance of completion of improvement on engineer's estimate; amending Minnesota Statutes 1974, Section 429.041, Subdivision 6.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 2155, A bill for an act relating to United Hospital District, Staples, Minnesota; authorizing the issuance of general obligation bonds of the district without the consent of the governing bodies of the municipalities included in the district; excluding the bonds from the net debt of the district; and excluding taxes levied for the payment of the bonds from certain levy limitations.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1838, A bill for an act relating to crimes; accusation; increasing the limitation on time in which an indictment for offering of bribes to or acceptance of bribes by public officers or employees may be found; amending Minnesota Statutes 1974, Section 628.26.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 1862, A bill for an act relating to motor vehicles; registration and taxation; removing certain requirements for notarization; amending Minnesota Statutes, 1975 Supplement, Section 168.10, Subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 2124, A bill for an act relating to cities; increasing the amount of obligations that may be issued for television systems; validating prior issuances; amending Minnesota Statutes 1974, Section 465.70.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 2223, A bill for an act relating to the city of Albert Lea; authorizing a housing finance program; providing for the

issuance of general obligation and revenue bonds to finance the program.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 2237, A bill for an act directing the sale of a certain parcel of tax forfeited land in St. Louis county.

The bill was read for the first time and referred to the Committee on Governmental Operations.

### CALENDAR

S. F. No. 749, A bill for an act relating to intoxicating liquor; investigation of certain license applicants; amending Minnesota Statutes 1974, Section 340.13, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 65, and nays 62, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kempe, R.	Novak	Simoneau
Adams, L.	Enebo	Knickerbocker	Parish	Skoglund
Anderson, I.	Fariy	Knoll	Patton	Smith
Arlandson	Fudro	Kroening	Pehler	Suss
Berg	Hanson	Laidig	Petrafeso	Swanson
Berglin	Hokanson	Lindstrom	Philbrook	Tomlinson
Byrne	Jacobs	Luther	Reding	Ulland
Carlson, A.	Jaros	McCarron	Samuelson	Vento
Carlson, L.	Jensen	McCollar	Sarna	Voss
Carlson, R.	Johnson, D.	Menning	Savelkoul	Wenzel
Clark	Jude	Metzen	Sherwood	White
Dahl	Kelly, R.	Munger	Sieben, H.	Williamson
Dean	Kempe, A.	Nelson	Sieben, M.	Speaker Sabo

Those who voted in the negative were:

Adams, S.	Eckstein	Heinitz	McCauley	Searle
Albrecht	Eken	Johnson, C.	McEachern	Setzepfandt
Anderson, G.	Erickson	Jopp	Moe	Sieloff
Begich	Esau	Kahn	Neisen	Smogard
Biersdorf	Evans	Kaley	Nelsen	Stanton
Birnstihl	Ewald	Kalis	Niehaus	Vanasek
Braun	Fjoslien	Kelly, W.	Norton	Wenstrom
Brinkman	Forsythe	Ketola	Peterson	Wieser
Casserly	Friedrich	Kostohryz	Pleasant	Wigley
Clawson	Fugina	Kvam	Prahl	Zubay
Corbid	George	Langseth	Schreiber	
DeGroat	Graba	Lemke	Schulz	
Dieterich	Haugerud	Mangan	Schumacher	

The bill was not passed.

S. F. No. 43, bill for an act relating to the city of Minneapolis; amending Minnesota Statutes 1974, Section 462.364; repealing Laws 1963, Chapter 405.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jude	Metzen	Sherwood
Adams, L.	Doty	Kahn	Moe	Sieben, H.
Adams, S.	Eckstein	Kaley	Munger	Sieben, M.
Albrecht	Eken	Kalis	Neisen	Sieloff
Anderson, G.	Enebo	Kelly, R.	Nelsen	Simoneau
Anderson, I.	Erickson	Kelly, W.	Nelson	Skoglund
Arlandson	Esau	Kempe, A.	Niehaus	Smith
Beauchamp	Evans	Kempe, R.	Norton	Smogard
Begich	Ewald	Ketola	Novak	Stanton
Berg	Faricy	Knickerbocker	Parish	Suss
Berglin	Forsythe	Knoll	Patton	Swanson
Birnstihl	Friedrich	Kostohryz	Pehler	Tomlinson
Braun	Fudro	Kroening	Peterson	Ulland
Brinkman	Fugina	Kvam	Petrafeso	Yanasek
Byrne	George	Laidig	Philbrook	Vento
Carlson, A.	Graba	Langseth	Pleasant	Voss
Carlson, L.	Hanson	Lemke	Reding	Wenstrom
Carlson, R.	Haugerud	Lindstrom	Samuelson	Wenzel
Casserly	Heimitz	Luther	Sarna	White
Clark	Hokanson	Mangan	Savelkoul	Wieser
Clawson	Jacobs	McCarron	Schreiber	Wigley
Corbid	Jaros	McCauley	Schulz	Williamson
Dahl	Jensen	McCollar	Schumacher	Zubay
Dean	Johnson, D.	McEachern	Searle	Speaker Sabo
DeGroat	Jopp	Menning	Setzepfandt	

Those who voted in the negative were:

Prahl

The bill was passed and its title agreed to.

Erickson and Novak were excused at 3:10 p.m. Carlson, A., was excused at 3:50 p.m. Johnson, C., was excused at 4:20 p.m. Doty; Kelly, R.; and Norton were excused at 5:00 p.m. Abeln and Birnstihl were excused at 5:30 p.m.

## GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the motion of Knickerbocker to recommend re-referral of H. F. No. 2220, to the Committee on Appropriations.

The roll being called, there were yeas 17, and nays 99, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Knickerbocker	Reding	Zubay
Albrecht	Friedrich	McCauley	Savelkoul	
Birnstihl	Jensen	Menning	Schreiber	
DeGroat	Jopp	Peterson	Sherwood	

Those who voted in the negative were:

Adams, L.	Dieterich	Johnson, C.	Metzen	Sieben, M.
Adams, S.	Eckstein	Johnson, D.	Moe	Sieloff
Anderson, G.	Eken	Jude	Munger	Simoneau
Anderson, I.	Enebo	Kahn	Neisen	Skoglund
Arlandson	Esau	Kaley	Nelsen	Smith
Beauchamp	Evans	Kalis	Nelson	Smogard
Begich	Ewald	Kelly, R.	Niehaus	Stanton
Berg	Faricy	Kelly, W.	Norton	Suss
Berglin	Fjoslien	Kempe, A.	Parish	Swanson
Braun	Forsythe	Kempe, R.	Pehler	Tomlinson.
Brinkman	Fudro	Knoll	Petrafeso	Ulland
Byrne	Fugina	Kostohryz	Philbrook	Vanasek
Carlson, A.	George	Kroening	Pleasant	Vento
Carlson, L.	Graba	Kvam	Prahl	Voss
Carlson, R.	Hanson	Laidig	Samuelson	Wenstrom
Casserly	Haugerud	Lindstrom	Sarna	Wenzel
Clark	Heinitz	Luther	Schulz	White
Corbid	Hokanson	Mangan	Schumacher	Wieser
Dahl	Jacobs	McCarron	Setzpfandt	Speaker Sabo
Dean	Jaros	McCollar	Sieben, H.	

The motion did not prevail.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 608 offered by Setzpfandt:

Page 2, delete lines 23 to 29.

Further, amend the title as follows:

Line 3, delete "regulating".

Line 4, delete "hours for minor sugar beet employees;"

Lines 6 and 7, delete "; and Section 181A.07, Subdivision 1".

The roll being called, there were yeas 74, and nays 38, as follows:

Those who voted in the affirmative were:

Adams, L.	Anderson, G.	Berg	Brinkman	Corbid
Adams, S.	Beauchamp	Biersdorf	Byrne	Dean
Albrecht	Begich	Braun	Carlson, R.	DeGroat

Eckstein	Heinitz	Lindstrom	Niehaus	Sieloff
Eken	Jacobs	Luther	Norton	Smith
Esau	Jopp	Mangan	Peterson	Smogard
Evans	Jude	McCauley	Philbrook	Suss
Ewald	Kaley	McCollar	Reding	Swanson
Farcy	Kelly, R.	McEachern	Savelkoul	Ulland
Fjoslien	Kelly, W.	Menning	Schreiber	Wenstrom
Friedrich	Knickerbocker	Metzen	Schulz	Wenzel
Fudro	Kvam	Moe	Schumacher	Wieser
Graba	Laidig	Neisen	Searle	Wigley
Hanson	Langseth	Nelsen	Setzepfandt	Zubay
Haugerud	Lemke	Nelson	Sherwood	

Those who voted in the negative were:

Abeln	Enebo	Ketola	Petrafero	Stanton
Anderson, I.	Fugina	Knoll	Pleasant	Tomlinson
Ariandson	Hokanson	Kostohryz	Prahl	Vanasek
Carlson, L.	Jaros	Kroening	Sarna	Vento
Casserly	Johnson, D.	Munger	Sieben, H.	Voss
Clark	Kahn	Parish	Sieben, M.	Speaker Sabo
Dahl	Kempe, A.	Patton	Simoneau	
Dieterich	Kempe, R.	Pehler	Skoglund	

The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 608, as amended, offered by Kelly, W.:

Page 2, delete lines 18 to 22.

The roll being called, there were yeas 59, and nays 53, as follows:

Those who voted in the affirmative were:

Adams, S.	Eckstein	Jude	McCollar	Setzepfandt
Albrecht	Eken	Kaley	McEachern	Sherwood
Anderson, G.	Esau	Kalis	Menning	Sieloff
Beauchamp	Evans	Kelly, W.	Neisen	Smith
Begich	Ewald	Knickerbocker	Nelsen	Smogard
Biersdorf	Fjoslien	Kvam	Niehaus	Wenstrom
Birnstihl	Friedrich	Laidig	Peterson	Wenzel
Braun	Graba	Langseth	Savelkoul	Wieser
Brinkman	Haugerud	Lemke	Schreiber	Wigley
Corbid	Heinitz	Lindstrom	Schulz	Williamson
Dean	Jensen	Luther	Schumacher	Zubay
DeGroat	Jopp	McCauley	Searle	

Those who voted in the negative were:

Abeln	Dahl	Jaros	McCarron	Pleasant
Adams, L.	Dieterich	Johnson, D.	Moe	Prahl
Anderson, I.	Enebo	Kahn	Munger	Reding
Ariandson	Farcy	Kempe, A.	Nelson	Sarna
Byrne	Fudro	Kempe, R.	Parish	Sieben, H.
Carlson, L.	Fugina	Ketola	Patton	Sieben, M.
Carlson, R.	Hanson	Knoll	Pehler	Simoneau
Casserly	Hokanson	Kroening	Petrafero	Skoglund
Clark	Jacobs	Mangan	Philbrook	Stanton

Suss                      Tomlinson              Vento                      White                      Speaker Sabo  
Swanson                  Vanasek                  Voss

The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 608, as amended, offered by Kelly, W.:

Page 1, line 19, delete "Persons".

Page 1, delete lines 20 to 24.

Page 2, delete lines 1 to 16.

The roll being called, there were yeas 52, and nays 64, as follows:

Those who voted in the affirmative were:

Adams, S.	Eken	Jopp	Lindstrom	Sieloff
Albrecht	Esau	Jude	McEachern	Smith
Anderson, G.	Evans	Kaley	Menning	Smogard
Beauchamp	Ewald	Kalis	Niehaus	Suss
Begich	Fjoslien	Kelly, W.	Peterson	Wenstrom
Biersdorf	Forsythe	Ketola	Savelkoul	Wieser
Braun	Friedrich	Knickerbocker	Schreiber	Wigley
Brinkman	Graba	Kvam	Schulz	Zubay
Corbid	Haugerud	Laidig	Schumacher	
DeGroat	Heinitz	Langseth	Searle	
Eckstein	Jensen	Lemke	Setzepfandt	

Those who voted in the negative were:

Adams, L.	Dieterich	Knoll	Parish	Simoneau
Anderson, I.	Enebo	Kroening	Patton	Skoglund
Arlandson	Faricy	Luther	Pehler	Stanton
Berg	Fudro	Mangan	Petrafeso	Swanson
Berglin	Fugina	McCarron	Philbrook	Tomlinson
Byrne	Hanson	McCauley	Pleasant	Vanasek
Carlson, L.	Hokanson	McCollar	Prahl	Vento
Carlson, R.	Jacobs	Metzen	Reding	Voss
Casserly	Jaros	Moe	Samuelson	Wenzel
Clark	Johnson, D.	Munger	Sarna	White
Clawson	Kahn	Neisen	Sherwood	Williamson
Dahl	Kempe, A.	Nelsen	Sieben, H.	Speaker Sabo
Dean	Kempe, R.	Nelson	Sieben, M.	

The motion did not prevail and the amendment was not adopted.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 608, as amended, offered by Luther:

Page 2, after line 17, insert a subdivision to read:

*"Subd. 2. Regulations established pursuant to section 177.28, subdivision 3 notwithstanding, no reductions from wages shall*

*be allowed for lodging furnished by the employer to employees covered by this section."*

The roll being called, there were yeas 52, and nays 55, as follows:

Those who voted in the affirmative were:

Adams, L.	Dieterich	Kempe, A.	Patton	Stanton
Anderson, I.	Enebo	Kempe, R.	Pehler	Swanson
Arlandson	Faricy	Ketola	Pleasant	Tomlinson
Berglin	Fudro	Knoll	Prahl	Vanasek
Byrne	Fugina	Kroening	Reding	Voss
Carlson, L.	Hanson	Luther	Samuelson	White
Carlson, R.	Hokanson	Mangan	Sarna	Williamson
Casserly	Jacobs	McCollar	Sieben, H.	Speaker Sabo
Clark	Johnson, D.	Moe	Sieben, M.	
Clawson	Jude	Nelson	Simoneau	
Dahl	Kahn	Parish	Skoglund	

Those who voted in the negative were:

Adams, S.	Eken	Jopp	McEachern	Searle
Albrecht	Esau	Kaley	Menning	Setzepfandt
Anderson, G.	Evans	Kalis	Neisen	Sherwood
Beauchamp	Ewald	Kelly, W.	Nelsen	Sieloff
Begich	Fjoslien	Knickerbocker	Niehaus	Smith
Biersdorf	Forsythe	Kvam	Peterson	Smogard
Braun	Friedrich	Laidig	Petrafeso	Wenstrom
Brinkman	Graba	Langseth	Savelkoul	Wenzel
Corbid	Haugerud	Lemke	Schreiber	Wieser
DeGroat	Heinitz	Lindstrom	Schulz	Wigley
Eckstein	Jensen	McCauley	Schumacher	Zubay

The motion did not prevail and the amendment was not adopted.

Pursuant to Rule 1.6, a roll call was taken on the motion of Pehler to recommend passage of H. F. No. 608, as amended.

The roll being called, there were yeas 57, and nays 58, as follows:

Those who voted in the affirmative were:

Adams, L.	Dieterich	Kempe, R.	Parish	Skoglund
Anderson, I.	Enebo	Knoll	Patton	Stanton
Arlandson	Faricy	Kroening	Pehler	Swanson
Berg	Fudro	Luther	Philbrook	Tomlinson
Berglin	Fugina	Mangan	Pleasant	Vanasek
Byrne	Hanson	McCarron	Prahl	Voss
Carlson, L.	Hokanson	McCollar	Reding	White
Carlson, R.	Jacobs	Metzen	Samuelson	Williamson
Casserly	Jaros	Moe	Sarna	Speaker Sabo
Clark	Johnson, D.	Munger	Sieben, H.	
Clawson	Kahn	Neisen	Sieben, M.	
Dahl	Kempe, A.	Nelson	Simoneau	

Those who voted in the negative were:

Adams, S.	Eken	Jude	McEachern	Sherwood
Albrecht	Esau	Kaley	Menning	Sieloff
Anderson, G.	Evans	Kalis	Nelsen	Smith
Beauchamp	Ewald	Kelly, W.	Niehaus	Smogard
Begich	Fjoslien	Ketola	Peterson	Suss
Biersdorf	Forsythe	Knickerbocker	Petrafaso	Wenstrom
Braun	Friedrich	Kvam	Savelkoul	Wenzel
Brinkman	Graba	Laidig	Schreiber	Wieser
Corbid	Haugerud	Langseth	Schulz	Wigley
Dean	Heinitz	Lemke	Schumacher	Zubay
DeGroat	Jensen	Lindstrom	Searle	
Eckstein	Jopp	McCauley	Setzepfandt	

The motion did not prevail.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. Nos. 1249 and 1814 upon which it recommended progress.

S. F. No. 840 upon which it recommended progress retaining its place on General Orders.

H. F. No. 510 which it recommended be returned to its author.

H. F. No. 995 upon which it recommended progress retaining its place on General Orders.

H. F. No. 2220 upon which it recommended to pass with the following amendment offered by Moe:

Page 1, line 16, after "inmates," strike "*pay them wages at least equal to minimum*".

Page 1, line 17 strike "*wages established by law*".

S. F. No. 1794 upon which it recommended to pass with the following amendment offered by Schreiber:

Page 2, after line 2 insert:

"Sec. 3. Minnesota Statutes 1974, Section 488A.14, Subdivision 6, is amended to read:

Subd. 6. [REPLEVIN.] If the controversy concerns the ownership or possession, or both, of personal property the value of which does not exceed the sum of (\$500) \$1,000, the judge, in his discretion, may direct an officer of the court to take possession of the property immediately and hold it subject to the further order of the court, without the giving of any bond whatever.

Sec. 4. Minnesota Statutes 1974, Section 488A.31, Subdivision 6, is amended to read:

Subd. 6. [REPLEVIN.] If the controversy concerns the ownership or possession, or both, of personal property the value of which does not exceed the sum of (\$500) \$1,000, the judge, in his discretion, may direct an officer of the court to take possession of the property immediately and hold it subject to the further order of the court, without the giving of any bond whatever."

Renumber the sections.

Further, amend the title as follows:

Page 1, line 5, delete "and" and insert "488A.14, Subdivision 6;".

Page 1, line 5, after "3" insert "; and 488A.31, Subdivision 6".

H. F. No. 1897 upon which it recommended to pass as amended by the Committee of the Whole on Wednesday, February 18, 1976 and with the following amendment offered by Fugina:

Page 1, line 12, after the word "licensee" insert the following: "*except those licensees operating on Rainy Lake*".

Further, amend the title as follows:

Line 3, strike the words "Rainy Lake and".

H. F. No. 608 upon which it recommended progress with the following amendments:

Offered by Setzepfandt:

Page 2, delete lines 23 to 29.

Further, amend the title as follows:

Line 3, delete "regulating".

Line 4, delete "hours for minor sugar beet employees;".

Lines 6 and 7, delete "; and Section 181A.07, Subdivision 1".

Offered by Kelly, W.:

Page 2, delete lines 18 to 22.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

## MOTIONS AND RESOLUTIONS

Fugina moved that the names of Begich and McCollar be added as authors on H. F. No. 2572. The motion prevailed.

Faricy moved that the name of Menning be added as an author on H. F. No. 1615. The motion prevailed.

Jude moved that the name of Vanasek be stricken as an author on H. F. No. 2404. The motion prevailed.

Jopp moved that the names of Mann and Adams, S., be added as authors on H. F. No. 2520. The motion prevailed.

Vento moved that the name of Clawson be added as an author on House Concurrent Resolution No. 23. The motion prevailed.

Anderson, I., moved that the following bills be unofficially engrossed and printed for the House:

S. F. No. 749, to include floor amendments.

S. F. No. 840, to include floor amendments.

S. F. No. 1156, to include committee amendments.

S. F. No. 1273, to include committee amendments.

S. F. No. 1794, to include floor amendments.

The motion prevailed.

## MOTION FOR RECONSIDERATION

Haugerud moved that the vote whereby S. F. No. 749 was not passed on the Calendar for today be now reconsidered. The motion prevailed.

S. F. No. 749 was reported to the House.

Lindstrom moved that S. F. No. 749 be returned to General Orders and be placed at the top of General Orders. The motion prevailed.

## ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 8, 1976. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Monday, March 8, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1976

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EIGHTY-THIRD DAY

SAINT PAUL, MINNESOTA, FRIDAY, MARCH 5, 1976

The Senate met on Friday, March 5, 1976, which was the Eighty-third Legislative Day of the Sixty-Ninth Session of the Minnesota State Legislature. The House of Representatives did not meet on this date.



## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## EIGHTY-FOURTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 8, 1976

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Dieterich	Kahn	Moe	Setzepfandt
Adams, L.	Eckstein	Kaley	Munger	Sherwood
Adams, S.	Enebo	Kalis	Neisen	Sieben, H.
Albrecht	Erickson	Kelly, R.	Nelsen	Sieben, M.
Anderson, G.	Esau	Kelly, W.	Nelson	Sieloff
Anderson, I.	Evans	Kempe, A.	Niehaus	Simoneau
Arlandson	Ewald	Kempe, R.	Norton	Skoglund
Beauchamp	Faricy	Ketola	Novak	Smith
Begich	Fjoslien	Knickerbocker	Osthoff	Smogard
Berg	Forsythe	Knoll	Patton	Stanton
Berglin	Friedrich	Kostohryz	Pehler	Suss
Biersdorf	Fudro	Kroening	Peterson	Swanson
Birnstihl	Fugina	Kvam	Petrafaso	Tomlinson
Braun	George	Laidig	Philbrook	Ulland
Brinkman	Graba	Langseth	Pleasant	Vanasek
Byrne	Hanson	Lemke	Prahl	Vento
Carlson, A.	Haugerud	Lindstrom	Reding	Voss
Carlson, L.	Heinitz	Luther	Rice	Wenstrom
Carlson, R.	Hokanson	Mangan	St. Onge	Wenzel
Casserly	Jacobs	Mann	Samuelson	White
Clark	Jaros	McCarron	Sarna	Wieser
Clawson	Jensen	McCauley	Savelkoul	Wigley
Corbid	Johnson, C.	McCollar	Schreiber	Williamson
Dahl	Johnson, D.	McEachern	Schulz	Zubay
Dean	Jopp	Menning	Schumacher	Speaker Sabo
DeGroat	Jude	Metzen	Searle	

A quorum was present.

Doty, Eken and Volk were excused. Parish and Spanish were excused until 3:00 p.m.

The Chief Clerk proceeded to read the Journals of the preceding days. On the motion of Vanasek the further readings were dispensed with and the Journals were approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2225, 2172, 2207, 2308, 608, 1801, 1897 and 2220 and S. F. Nos. 1838, 1862, 2124, 2223, 1223, 1493, 1924, 2051, 2155, 2237, 1273, 1156 and 1794 have been placed in the members' files.

S. F. No. 1924 and H. F. No. 1939, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Berg moved that S. F. No. 1924 be substituted for H. F. No. 1939 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1493 and H. F. No. 1677, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 1677, page 5, lines 12 to 14 read: "preserving minnows; (LOCAL) minnow (DEALER) *retailer*, \$2.50 plus \$10 for each vehicle used to transport minnows.

(2) To raise fish in a private hatchery, \$5."

Whereas, S. F. No. 1493, page 5, lines 12 and 13 read: "preserving minnows; (LOCAL) minnow (DEALER) *retailer*, \$2.50.

(2) To raise fish in a private hatchery, \$5."

Further, the title of H. F. No. 1677, line 4 reads: "Statutes 1974, Section 97.40, Subdivision 27;".

Whereas, line 4 of the title of S. F. No. 1493 reads: "Statutes 1974, Sections 97.40, Subdivision 27;".

## SUSPENSION OF RULES

Hanson moved that the rules be so far suspended that S. F. No. 1493 be substituted for H. F. No. 1677 and that the House File be indefinitely postponed. The motion prevailed.

## PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
ST. PAUL 55155

March 5, 1976

The Honorable Martin Sabo  
Speaker of the House

Sir:

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. 369, An act relating to the legislature; providing for the filing of state documents with the legislature; establishing duties of legislative reference library; amending Minnesota Statutes 1974, Sections 3.195; and 3.302, Subdivision 3.

H. F. No. 717, An act relating to optometric and osteopathic education; higher education coordinating board; providing for a study of the availability of educational opportunities in optometry and osteopathy for Minnesota students.

H. F. No. 719, An act relating to real estate; providing for the extent of a lien; amending Minnesota Statutes 1974, Section 514.03, Subdivision 3.

H. F. No. 933, An act relating to elections; requiring that uncontested nonpartisan officers appear at the end of the ballot; amending Minnesota Statutes, 1975 Supplement, Section 203A.33, by adding a subdivision.

H. F. No. 951, An act relating to education; state universities; authorizing the state university board to enter into reciprocity agreements with educational institutions in other states and foreign countries; amending Minnesota Statutes 1974, Section 136.111, Subdivisions 1 and 2.

H. F. No. 1104, An act relating to highway traffic regulations; equipment on certain vehicles; requiring tires on certain vehicles to meet requirements of the commissioner of public safety; prohibiting the sale, other than to a dealer, of certain vehicles with unsafe tires; and prescribing penalties.

H. F. No. 1191, An act relating to the city of Austin; membership of new police and firemen in the public employees retirement association.

Sincerely,

WENDELL R. ANDERSON  
Governor

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
ST. PAUL 55155

March 8, 1976

The Honorable Martin Sabo  
Speaker of the House

Sir:

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. 1527, An act relating to motor vehicles; providing for licensing and taxation; providing penalties; amending Minnesota Statutes.

H. F. No. 1995, An act relating to education; eye protection requirements for certain industrial and scientific courses; defining industrial quality eye protective devices; amending Minnesota Statutes 1974, Section 126.20, Subdivision 6.

H. F. No. 2170, An act relating to towns; election of officers; submittal of optional plans of town government to electors; amending Minnesota Statutes, 1975 Supplement, Sections 367.03, Subdivision 1; and 367.31, Subdivision 1.

Sincerely,

WENDELL R. ANDERSON  
Governor

### REPORTS OF STANDING COMMITTEES

Eken from the Committee on Agriculture to which was referred:

S. F. No. 1238, A bill for an act relating to Lincoln county; authorizing Lincoln county to perform or contract for the performance of weather modification activities.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 16, the terms defined in this section have the meanings given them.

Subd. 2. "Weather modification" means any activity performed in connection with placing or attempting to place any substance in the atmosphere of clouds within the atmosphere, including fog, with the intention of and for the purpose of producing artificial changes in the composition, motions and resulting behavior of the atmosphere or clouds within the atmosphere, including fog.

Subd. 3. "Person" means any person, firm, association, organization, partnership, company, corporation, private or public, county, city, trust or other public agency.

Subd. 4. "Operation" means the performance of weather modification activities entered into for the purpose of producing, or attempting to produce, a certain modifying effect within one geographical area over one continuing time interval not exceeding one year.

Subd. 5. "Board" means the Minnesota weather modification control board established by section 3.

Sec. 2. [SOVEREIGN RIGHT CLAIMED BY STATE.] It is declared that the state of Minnesota claims its sovereign right to use for the best interest of its residents the moisture contained in the clouds and atmosphere within its sovereign state boundaries.

Sec. 3. [WEATHER MODIFICATION CONTROL BOARD; CREATION.] Subdivision 1. There is established within the department of agriculture a board to be known as the Minnesota weather modification control board. The board shall be composed of 11 members. The board shall include as permanent members one representative each from the departments of agriculture and natural resources. They shall be appointed by the commissioners of their respective departments, and shall be ex officio members and serve for indefinite terms. The ex officio members shall not serve as chairman but shall otherwise have the same rights and duties as the other members, including, but not limited to, the right to vote. The governor shall appoint nine members, at least three who are scientists and/or conversant with weather modification problems, and at least three members who are representative of the agricultural community.

The members shall first be appointed for the following terms: three for one year, three for two years, and three for three years. All appointments thereafter shall be for a term of three years and until their successors shall qualify, except that in the case of a vacancy the appointment shall be made to fill the unexpired term.

Subd. 2. The board may employ, within the financial resources available to it, an administrative officer in the unclassified service and technical experts, professional personnel, and other agents

and employees, permanent and temporary, as it may require, and shall determine their qualifications, duties, and compensation. The board may call upon the attorney general for such legal services as it may require. It shall have authority to prescribe the powers and duties of its officers and employees, and to delegate to its chairman or to one or more of its other officers or members or administrative officer such of its own powers and duties as it may deem proper. The administrative officer shall serve at the pleasure of the board and may be dismissed only upon the advice and recommendation of the board.

Subd. 3. The board shall annually designate its chairman. A member of the board shall hold office so long as he shall retain the office by virtue of which he shall be serving on the board. A majority of the board shall constitute a quorum. The ex officio members of the board shall receive no compensation for their services on the board, but shall be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of their duties on the board. The other members of the board shall receive \$35 per day for each day while engaged in the performance of their official duties and shall be reimbursed for all expenses, including traveling expenses necessarily incurred in connection with their duties as members of the board.

Subd. 4. The commissioner of administration shall provide and make available within the department of agriculture suitable and adequate office facilities and space for the board.

Sec. 4. [POWERS AND DUTIES.] Subdivision 1. The board, pursuant to Minnesota Statutes, Chapter 15, may adopt whatever rules and regulations are necessary to implement the license and permit program established pursuant to sections 1 to 16.

Subd. 2. The board may carry on research related to weather modification including evaluation of the effects of weather modification activities within the state by staff members, or by contract. Evaluation of weather modification programs shall, if practical and within limits of available funding, include components of economic and environmental analysis which delineate the economic and environmental implications of the programs.

Subd. 3. The board shall utilize to the extent possible the facilities and technical resources of public and private institutions in the state.

Subd. 4. The board may enter into contracts or memoranda of agreement and do all things necessary to cooperate with the United States government, and to qualify for, accept and disburse any private grant intended for the administration of sections 1 to 16. Notwithstanding any other law the board is designated the state agency to apply for, accept and disperse federal

funds made available to the state for the purposes of sections 1 to 16.

Subd. 5. The board may cooperate with other states to jointly carry out research and planning in weather modification.

Subd. 6. The board may advise persons, groups, and local units of government on weather modification and distribute informational material relating to weather modification. The board may review and comment on all county programs of weather modification.

Subd. 7. On or before January 15 of each year, the board shall submit a report to the legislature and governor describing the weather modification operations within the state during the preceding year and the social, economic and environmental impact of the operations. The report shall also include the board's recommendations for legislative action and any other information the board may consider useful to the legislature.

Subd. 8. The board by rule and regulation adopted pursuant to Minnesota Statutes, Chapter 15, shall require persons engaged in weather modification to submit reports of their activities and operations and any other information deemed necessary by the board.

Sec. 5. [COUNTY PROGRAMS OF WEATHER MODIFICATION.] Counties may, only after approval of the board, and subject to the requirements of sections 1 to 16, conduct programs of weather modification and levy taxes therefor, not in excess of limitations provided by law. Counties may participate and conduct programs with the state or jointly with other states. No program may be conducted within the county without prior approval by the county board.

Sec. 6. [LICENSES.] Subdivision 1. No person shall engage in weather modification without a license issued by the board. Applications for weather modification licenses shall be on forms prescribed and furnished by the board and shall be accompanied by a fee of \$35. The board shall issue licenses pursuant to its regulations and only to applicants who demonstrate to the satisfaction of the board good character, adequate education and sufficient competence in the field of meteorology and cloud physics to engage in weather modification and who pay a fee of \$100. If the applicant is an organization, the competence must be demonstrated by the individuals who are to supervise and conduct the weather modification. The license shall be valid for one year. The board may waive the license fee in situations it deems appropriate.

Subd. 2. The board may renew a license annually if the applicant has the qualifications necessary for issuance of an original license and pays a fee of \$100.

Subd. 3. The moneys collected as fees shall be deposited with the state treasurer in the general fund.

Sec. 7. [SUSPENSION; REVOCATION; REFUSAL TO RENEW LICENSE.] The board may suspend, revoke, or refuse to renew a license for any one or any combination of the following causes:

- (1) Incompetency;
- (2) Dishonest practice;
- (3) False or fraudulent representation in obtaining a license or permit under sections 1 to 16 or rules and regulations promulgated thereunder;
- (4) Failure to comply with any of the provisions of sections 1 to 16 or of rules and regulations promulgated thereunder; or
- (5) Aiding other persons who fail to comply with any of the provisions of sections 1 to 16 or rules and regulations promulgated thereunder.

Sec. 8. [INVESTIGATION.] The board may investigate any operation or research and development activities of any person applying for a license and of any person holding or claiming to hold a license or permit.

Sec. 9. [PERMITS.] Subdivision 1. No person shall conduct an operation without a permit issued by the board. Applications for permits shall be on forms prescribed and furnished by the board. The board shall issue permits pursuant to its regulations on terms and conditions as the board deems necessary. Permits shall be issued only to applicants who hold a valid weather modification license, pay a fee of \$100 and furnish proof of financial responsibility pursuant to subdivision 2. Prior to conducting an operation, the permittee shall publish notice of the operation as the board shall require by regulation, and shall give written notice to the county boards of the counties over which the operation is to be conducted and counties contiguous thereto. The permit shall be valid for one year or until the operation terminates, whichever first occurs.

Subd. 2. The applicant shall demonstrate to the satisfaction of the board that he has the ability to respond in damages for liability which might reasonably result from the operation for which the permit is sought.

Subd. 3. The fees collected for permits shall be deposited with the state treasurer in the general fund.

Subd. 4. To the extent the board deems necessary, emergency weather modification operations for the purpose of controlling fire, frost, sleet, hail, fog, or wind shall be exempt from the permit requirements.

Subd. 5. The board may renew a permit annually if the applicant has the qualifications necessary for issuance of an original permit and pays a fee of \$100.

Sec. 10. [SUSPENSION; REVOCATION AND REFUSAL TO RENEW PERMIT.] Subdivision 1. The board may suspend or revoke a permit if it appears that the permittee no longer has the qualifications necessary for the issuance of an original permit or has violated any provision of sections 1 to 16 or of any rules or regulations promulgated thereunder.

Subd. 2. The board may refuse to renew a permit if it appears from the operational records and reports of the permittee that an original permit would not be issuable for the operation, or if the permittee has violated any provisions of sections 1 to 16 or of any rules or regulations promulgated thereunder.

Sec. 11. [MODIFICATION OF PERMIT.] Subdivision 1. The board may revise the conditions and limits of a permit if:

(a) The permittee is given notice and a hearing on whether there is a need for the revision and the board finds that a modification of the conditions and limits of a permit is necessary to protect the public health, safety or welfare, or the environment.

(b) If it appears to the board that an emergency situation exists or is impending which could endanger the public safety, health or welfare, or the environment, the board may without prior notice or a hearing, immediately modify the conditions and limits of a permit, or order temporary suspension of the permit. The order shall include notice of a hearing to be held within ten days thereafter on the question of permanently modifying the conditions and limits, continuing the suspension of the permit, removing the changes or lifting the suspension.

Subd. 2. Failure to comply with an order temporarily suspending an operation or modifying the conditions and limits of a permit shall be grounds for immediate revocation of the permit and of the license of the person controlling the operation.

Subd. 3. The permittee shall notify the board of any emergency which can reasonably be foreseen, or of any existing emergency situations which might be caused or affected by the operation. Failure by the permittee to so notify the board may be grounds, at the discretion of the board, for revocation of the permit and of the license of the person controlling the operation.

Sec. 12. [PENALTY FOR VIOLATIONS.] Any person violating any of the provisions of sections 1 to 16 or of any valid rule or regulation promulgated thereunder is guilty of a misdemeanor, and each day such violation continues constitutes a separate offense.

Sec. 13. [JUDICIAL REVIEW.] All final administrative decisions of the board are subject to judicial review pursuant to the provisions of Minnesota Statutes, Chapter 15. The proceedings for judicial review shall be commenced in the district court of the county in which the party applying for review resides. If such party is not a resident of Minnesota, the venue shall be in the district court of Ramsey county.

Sec. 14. [IMMUNITY.] Nothing in sections 1 to 16 shall be construed to impose or accept any liability or responsibility by the state, the officers and employees of the state and the board for any injury caused by activities undertaken under sections 1 to 16 by persons granted licenses or permits under sections 1 to 16 or exempt from the permit requirement.

Sec. 15. [LIABILITY.] Subdivision 1. An operation or research and development activity conducted under the license and permit requirements of sections 1 to 16 or exempt from them is not an ultrahazardous or an abnormally dangerous activity.

Subd. 2. Dissemination of weather modification agents into the atmosphere or clouds within the atmosphere, including fog, by a licensee or a person exempt from the license and permit requirements of sections 1 to 16, acting within the scope of the permit or exemption, shall not in itself give rise to a cause of action.

Subd. 3. Except as expressly provided in sections 1 to 16, nothing in sections 1 to 16 shall prevent any person adversely affected by a weather modification operation or research and development activity from recovering damages resulting from intentional harmful actions or negligent conduct by a person conducting the weather modification operation or research and development activity.

Subd. 4. Failure to obtain a license and permit, when required by sections 1 to 16, before conducting an operation or operational activities when one knows the operation or activities constitute a violation of the conditions or limits of permits, shall constitute negligence per se and shall give rise to liability for all harm caused thereby.

Subd. 5. Other than in legal actions charging failure to obtain a license and permit, the fact that a person holds a license or was issued a permit under sections 1 to 16, or that a person has complied with the rules and regulations made by the board pursuant

to sections 1 to 16, is not admissible as a defense in any legal action which may be brought under this section against such person.

Sec. 16. [INJUNCTION.] The board may, in its discretion, in addition to the other remedies provided in sections 1 to 16, apply to a district court having venue and jurisdiction, for an injunction to restrain repetitious violations of the provisions of sections 1 to 16 and of any valid rule or regulation promulgated thereunder.

Sec. 17. [APPROPRIATION.] The sum of \$49,000 is appropriated to the Minnesota weather modification control board from the general fund for the following purposes:

- (a) To cover administrative costs of running the board;
- (b) To cover the cost of hiring personnel or consultants to promulgate the rules and regulations relating to weather modification prescribed by sections 1 to 16; and
- (c) To begin developing an evaluation system for determining downwind effects of weather modification activities.

Notwithstanding Minnesota Statutes, Section 16A.28 or other law, this appropriation shall not lapse but remain available for expenditure until the purposes for which the appropriation was made have been accomplished or abandoned.”

Further, strike the title in its entirety and insert:

“A bill for an act relating to weather modification; creating the Minnesota weather modification control board; prescribing its powers and duties; providing for weather modification research; requiring the obtaining of licenses and permits prior to engaging in weather modification; prescribing penalties; appropriating money.”

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1581, A bill for an act relating to licensing of electricians; fees for license and license renewal; amending Minnesota Statutes 1974, Section 326.242, Subdivision 8.

Reported the same back with the following amendments:

Page 1, line 18, delete "\$10" and insert "\$15".

Page 1, line 19, strike "\$20" and insert "\$10".

Page 1, line 22, delete "\$35" and insert "\$60".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1883, A bill for an act relating to telephone companies; requiring telephone companies engaged in certain operations to receive a permit from the public service commission; requiring the companies to notify the public service commission before terminating or suspending operation; providing for a hearing; permitting the public service commission to issue orders and rules.

Reported the same back with the following amendments:

Page 1, line 14, after "equipment," insert "with a retail value of \$150 or more,".

Page 1, line 16, after "systems" insert "to other than regulated telephone companies".

Page 1, delete lines 24 and 25.

Page 2, delete line 1.

Renumber following subdivisions in sequence.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 2048, a bill for an act relating to highways; authorizing the use by certain local business and religious establishments of certain advertising devices on certain highways; amending Minnesota Statutes 1974, Sections 160.283, by adding a subdivision; and 160.284.

Reported the same back with the following amendments:

Page 1, line 14, delete "The".

Page 1, delete lines 15 to 17.

Page 1, line 18, delete "*services known to highway travelers.*".

With the recommendation to when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 2389, A bill for an act relating to intoxicating liquor; restrictions upon places of sale; amending Minnesota Statutes 1974, Sections 340.07, Subdivision 13; and 340.353, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 17, delete "*mechanical*" and insert "*coin operated*".

Page 2, line 11, delete "*mechanical*" and insert "*coin operated*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 1997, A bill for an act relating to education; expanding reimbursement program for community school programs; authorizing state reimbursement for programs for children in state institutions; appropriating money; amending Minnesota Statutes, 1975 Supplement, Sections 124.271, Subdivision 2; and 124.32, Subdivision 3a; repealing Minnesota Statutes 1974, Section 275.39.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. [121.90] [DEFINITIONS.] "*Receivables*", "*liabilities*", "*fund balances*", "*revenues*" and "*expenditures*" have the meanings specified in the Uniform Financial Accounting and Reporting System for Minnesota School Districts.

Sec. 2. [121.91] [ADVISORY COUNCIL ON UNIFORM FINANCIAL ACCOUNTING AND REPORTING STANDARDS.] *Subdivision 1. There is created an advisory council on uniform financial accounting and reporting standards, composed of 13 members appointed as follows:*

(a) *Two employees of the state department of education appointed by the commissioner of education;*

(b) *An employee of the office of state auditor appointed by the state auditor;*

(c) *One licensed certified public accountant appointed by the state board of education;*

(d) *Nine persons who are public school employees whose positions involve activities related to school financing and accounting, appointed by the state board.*

*Professional associations composed of persons eligible to be appointed under clauses (c) and (d) may recommend nominees from their associations to the state board.*

*Subd. 2. The council shall expire, and the terms, compensation and removal of members shall be as provided in section 15.059. The state board shall determine the length of terms of the initial members consistent with section 15.059.*

*Subd. 3. The council shall annually select a chairman and secretary from its membership. Meetings shall be held at the call of the chairman or any three members.*

Sec. 3. [121.92] [UNIFORM FINANCIAL ACCOUNTING AND REPORTING STANDARDS.] *Subdivision 1. The council shall recommend to the state board uniform financial accounting and reporting standards for school districts. Prior to October 1, 1976, the state board shall adopt uniform financial accounting and reporting standards to be used by school districts in the state which are consistent with this act and with generally accepted accounting principles and practices. The standards so adopted shall be known as the Uniform Financial Accounting and Reporting System for Minnesota School Districts.*

*Subd. 2. The state board shall meet the requirements of chapter 15 in the initial adoption of these standards. In periodically revising these standards, the board need not meet the requirements of chapter 15, but these revisions shall not be effective until 20 days after their publication in the state register. Any interested person may petition the state board for revision of these standards pursuant to the procedures set forth in section 15.0415.*

Sec. 4. [121.93] [REVENUE RECOGNITION.] *Subdivision 1. School district revenues shall be recognized and reported on the district books of account in accordance with this section.*

*Subd. 2. Revenues shall be recorded in a manner which will clearly indicate that they are applicable to a specific accounting period and fund.*

*Subd. 3. Receivables shall be recorded in a manner which clearly reflects amounts of money due to a particular fund from public and private sources at the date of each accounting statement.*

*Subd. 4. All current levies of local taxes, including portions assumed by the state, shall be recognized as receivable at the beginning of the calendar year during which collection normally takes place. Such receivables shall be reserved for use in the subsequent fiscal year. Payments of current taxes including but not limited to March personal property tax settlements, received prior to July 1, shall be recorded as revenue to be earned as of July 1 with appropriate adjustments to the receivables and the reserves for such taxes. All current taxes received prior to July 1 plus the balance of the reserves shall be recognized as revenue of July 1.*

*Subd. 5. Foundation aid, endowment fund apportionment, and guarantee aid shall be recognized as revenue of the fiscal year for which the aids are designated by statute.*

*Subd. 6. Transportation aids, including depreciation aid, and any categorical aids not otherwise provided for in this section shall be recognized as revenue of the fiscal year for which these aids are designated by statute.*

*Subd. 7. Summer school aid shall be recognized as revenues and recorded as receivables during the fiscal year in which the summer school session ends; provided that nothing in this subdivision shall be construed to provide for a different rate of aid than that provided in section 124.20.*

*Subd. 8. "Categorical reimbursement" aids are those aids for which the expenditures of the prior fiscal year are used only for determination of the amount. These aids shall be recognized as revenues and recorded as receivables in the fiscal year designated for payment.*

*Subd. 9. Interest shall be recognized in the fiscal year during which earned, and shall be allocated proportionally to the funds from which the resources were invested.*

*Subd. 10. Federal aids or grants shall be recognized as revenues and recorded as receivables in the fiscal year during which the eligible expenditures are recognized.*

*Subd. 11. State aids or grants, that are paid as a matching of the expenditure, shall be recognized as revenues and recorded as receivables in the fiscal year during which the eligible expenditures are recognized.*

*Subd. 12. Other revenues not specified in this section shall be recognized as revenue and shall be recorded in the fiscal year earned.*

*Subd. 13. Deviations from the principles set forth in this section shall be evaluated and explained in footnotes to audited financial statements.*

*Subd. 14. The state board shall specify the fiscal year or years to which the revenue from any aid or tax levy is applicable if Minnesota Statutes do not so specify.*

**Sec. 5. [121.94] [EXPENDITURE RECOGNITION.]** *Subdivision 1. School district expenditures shall be recognized and reported on the district books of account in accordance with this section.*

*Subd. 2. There shall be fiscal year-end recognition of expenditures and the related offsetting liabilities recorded in each fund in accordance with the Uniform Financial Accounting and Reporting System for Minnesota School Districts.*

*Subd. 3. Purchase orders, itemized in detail, for other than inventory supply items, which are issued to outside vendors and based on firm prices shall be recorded as expenditures in the fiscal year designated at the time of the issuance of the order.*

*Subd. 4. Inventory supply items may be recorded as expenditures at the time of the issuance of the purchase order or at the time of delivery to the school district's subordinate unit or other consumer of the item.*

*Subd. 5. Salaries and wages shall be recorded as expenditures in the fiscal year in which the personal services are performed.*

*Subd. 6. Other payable items shall be recorded in the fiscal year in which the liability is incurred.*

*Subd. 7. Deviations from the principles set forth in this section shall be evaluated and explained in footnotes to audited financial statements.*

**Sec. 6. [121.95] [REQUIREMENT FOR ACCOUNTING, BUDGETING AND REPORTING.]** *Subdivision 1. On or before June 30, 1977, each Minnesota school district shall adopt the Uniform Financial Accounting and Reporting System for Minnesota School Districts provided for in section 3 of this act.*

*Subd. 2. [UNAUDITED FINANCIAL STATEMENTS.] Each Minnesota school district shall submit to the commissioner by August 15, 1977 and August 15 of each year thereafter, an unaudited financial statement for the preceding fiscal year. This statement shall be submitted on forms prescribed by the commissioner after consultation with the advisory council on uniform financial accounting and reporting standards.*

*Subd. 3. [AUDITED FINANCIAL STATEMENTS.] Prior to June 30 of the calendar year following the submission of the unaudited financial statement, the school district shall provide to the commissioner and state auditor audited financial statements prepared in a form which will allow comparison with and correction of the unaudited statement.*

*Subd. 4. [BUDGET REPORTING.] Each Minnesota school district shall submit to the department by August 15, 1977, and by August 15 of each year thereafter, on forms prescribed by the commissioner, the revenue and expenditure budgets adopted for that fiscal year.*

*Subd. 5. All governmental units formed by joint powers agreements entered into by school districts pursuant to sections 123.351 or 471.59 or any other law shall be subject to the provisions of this section.*

**Sec. 7. [121.96] [CASH FLOW; SCHOOL DISTRICT REVENUES; BORROWING FOR CURRENT OPERATING COSTS.]** *Subdivision 1. The commissioner of finance shall remit all payments of state aids to school districts in conformance with the dates provided by law or, when not so provided, with a schedule of aid payments to be established by the commissioner of education in consultation with other affected state agencies.*

*Subd. 2. The auditors or finance officers of Minnesota counties shall remit all payments of taxes to the school districts in conformance with the provisions of section 276.11. School districts which have need for tax remittance advances may secure them from the counties by making formal requests in conformance with section 276.11.*

*Subd. 3. Minnesota school districts may issue tax and aid anticipation certificates in conformance with the provisions of sections 124.71 to 124.781, with the additional provision that the proceeds of such borrowing or any other method of borrowing shall be recorded as liabilities of the funds for which the taxes were levied, or for which the aids are receivable. Nothing*

*in this subdivision shall provide authority for borrowing against the tax levies and aids of one school district fund for the purpose of increasing the available cash balance of another fund.*

*Subd. 4. Unless otherwise provided by law, no district shall, for the purpose of increasing the available cash balance of another fund, borrow or transfer funds from the building construction fund, debt redemption fund, trust and agency fund, or from any sinking fund for outstanding bonds issued for any purpose. For the purpose of insuring fund integrity, separate bank accounts shall be maintained for building construction funds, debt redemption funds, trust and agency funds, and sinking funds for outstanding bonds. Nothing in this subdivision shall be construed to prohibit the use of common bank accounts for other funds unless prohibited by law.*

**Sec. 8. [121.97] [STATUTORY OPERATING DEBT.]**  
*Subdivision 1. The "statutory operating debt" of a school district means the net negative fund balances in all school district funds, other than capital expenditure and building construction, debt service, trust and agency, and post-secondary vocational-technical education funds, calculated as of June 30 of each year in accordance with the Uniform Financial Accounting and Reporting System for Minnesota School Districts.*

*Subd. 2. The commissioner shall establish a uniform auditing or other verification procedure for school districts to determine whether a statutory operating debt exists in any Minnesota school district as of June 30, 1977. If a school district applies to the commissioner for a statutory operating debt verification or if the unaudited financial statement for the school year ending June 30, 1977 reveals that a statutory operating debt might exist, the commissioner shall require a verification of the amount of the statutory operating debt which actually does exist.*

*Subd. 3. If an audit or other verification procedure conducted pursuant to subdivision 2 determines that a statutory operating debt exists and does not come within the provisions of subdivision 4, a district shall follow the procedures established pursuant to section 11 of this act to eliminate this operating debt.*

*Subd. 4. If the amount of the statutory operating debt verified pursuant to subdivision 2 is less than five percent of the most recent fiscal year's expenditure amount for the funds considered under subdivision 1, the net negative fund balance shall not qualify as statutory operating debt to be eliminated in accordance with the procedures established pursuant to section 11 of this act.*

*Subd. 5. The commissioner of education shall certify the amount of statutory operating debt for each school district. Prior to June 30, 1979, the commissioner may, on the basis of corrected figures, adjust the total amount of statutory operating debt certified for any district.*

*Subd. 6. On January 15, 1998, the commissioner of education shall report to the legislature on the districts for which the procedures established pursuant to section 11 of this act have been insufficient to eliminate the statutory operating debt of the district, determined as of June 30, 1977.*

*Subd. 7. This section and the procedures established pursuant to section 11 of this act shall be applicable only to common, independent, and special school districts and districts formed pursuant to Laws 1967, Chapter 822, as amended, and Laws 1969, Chapters 775 and 1060, as amended. This section and the procedures established pursuant to section 11 of this act shall not apply to Independent School District No. 625.*

*Subd. 8. Any district eligible to eliminate its statutory operating debt in accordance with the procedures established pursuant to section 11 of this act shall disclose its statutory operating debt retirement plan by footnote to the audited financial statement.*

*Subd. 9. The commissioner shall establish a uniform reporting procedure for school districts to determine whether a statutory operating debt exists in any Minnesota school district as of June 30, 1976, and to estimate the amount of such statutory operating debt. The commissioner shall report his findings to the legislature by January 1, 1977.*

**Sec. 9. [121.98] [EXPENDITURE LIMITATIONS.]** *Subdivision 1. Beginning in fiscal year 1978 and each year thereafter, a district which is eligible to eliminate its statutory operating debt in accordance with the procedures established pursuant to section 11 of this act shall limit its expenditures in each fiscal year to the amount of revenue recognized in the same fiscal year in accordance with the Uniform Financial Accounting and Reporting System for Minnesota School Districts. The expenditures of the district for each fiscal year shall be limited so that the statutory operating debt calculation made pursuant to section 8 of this act for that fiscal year does not result in a statutory operating debt greater than the statutory operating debt certified as of June 30, 1977 and adjusted by the commissioner, increased by two and one half percent of the district's operating expenditures for the previous fiscal year.*

*Subd. 2. Beginning in fiscal year 1978 and each year thereafter, any district not subject to subdivision 1 shall limit its expenditures so that its appropriate fund balances shall not constitute operating debt as defined and limited in section 8, subdivision 4, of this act.*

*Subd. 3. If a school district does not limit its expenditures in accordance with this section, the commissioner shall so notify the appropriate committees of the legislature by no later than January 1 following the end of the fiscal year.*

Sec. 10. [121.99] [PARTICIPATION IN COMPUTER SYSTEMS.] *Subdivision 1. On or before July 1, 1980, all Minnesota school districts shall convert financial accounting reporting operations to a computer based financial management accounting and reporting system utilizing regional or other computing facilities. Multi-dimensional accounts and records shall be required as defined in the Uniform Financial Accounting and Reporting System for Minnesota School Districts.*

*Subd. 2. After July 1, 1980, participation in a computer based financial management accounting and reporting system shall be mandatory. The form of this participation shall be appealable to the commissioner.*

Sec. 11. [121.991] [ELIMINATION OF STATUTORY OPERATING DEBT.] *The purpose of this section is to provide for the establishment of procedures to eliminate statutory operating debt for all Minnesota school districts. No later than January 1, 1977, the commissioner shall report to the legislature his recommendations for procedures to eliminate statutory operating debt for all Minnesota school districts. This report shall include any information available to the commissioner regarding possible increases in statutory operating debt for school districts between June 30, 1976 and June 30, 1977, and justifications for these increases. It is the intention of the legislature to establish procedures for the elimination of statutory operating debt during the 1977 session.*

*No later than January 1, 1978, the commissioner shall submit a final report to the legislature on the increases in statutory operating debt for school districts between June 30, 1976 and June 30, 1977.*

Sec. 12. Minnesota Statutes 1974, Section 120.17, is amended by adding a subdivision to read:

*Subd. 9. After July 1, 1977, no resident of a district who is eligible for special instruction and services pursuant to this section shall be denied provision of this instruction and service on a shared time basis because of attendance at a nonpublic school as defined in section 123.932, subdivision 3.*

Sec. 13. Minnesota Statutes 1974, Section 120.73, Subdivision 1, is amended to read:

120.73 [AUTHORIZED FEES.] *Subdivision 1. A school board is authorized to require payment of fees in the following areas:*

(a) *In any program where the resultant product, in excess of minimum requirements and at the pupil's option, becomes the personal property of the pupil;*

(b) Admission fees or charges for extra curricular activities, where attendance is optional;

(c) A security deposit for the return of materials, supplies, or equipment;

(d) Personal physical education and athletic equipment and apparel, although any pupil may provide his own if it meets reasonable requirements and standards relating to health and safety established by the school board;

(e) Items of personal use or products which a student may purchase at his own option such as student publications, class rings, annuals, and graduation announcements;

(f) Fees specifically permitted by any other statute;

(g) Field trips considered supplementary to a district educational program;

(h) Any authorized voluntary student health and accident benefit plan;

(i) For the use of musical instruments owned or rented by the district, a reasonable rental fee not to exceed either the rental cost to the district or the annual depreciation plus the actual annual maintenance cost for each instrument ;

*(j) Transportation of pupils to and from extra-curricular activities conducted at locations other than school, where attendance is optional;*

*(k) Behind-the-wheel automobile, behind-the-wheel motorcycle, and motorcycle classroom education courses outside of the regular school hours provided the charge shall not exceed the actual cost of these courses to the school district.*

Sec. 14. Minnesota Statutes 1974, Section 120.74, Subdivision 1, is amended to read:

120.74 [PROHIBITED FEES.] Subdivision 1. A school board is not authorized to charge fees in the following areas:

(a) Textbooks, workbooks, art materials, laboratory supplies, towels;

(b) Supplies necessary for participation in any instructional course except as authorized in sections 120.73 and 120.75;

(c) Field trips which are required as a part of a basic education program or course;

(d) Graduation caps, gowns, any specific form of dress necessary for any educational program, and diplomas;

(e) Instructional costs for necessary school personnel employed in any course or educational program required for graduation;

(f) Library books required to be utilized for any educational course or program;

(g) Admission fees, dues, or fees for any activity the pupil is required to attend;

(h) Any admission or examination cost for any required educational course or program;

(i) Locker rentals ;

(j) *Transportation of pupils (1) to and from school as authorized pursuant to section 123.39 or (2) for which state transportation aid is authorized pursuant to section 124.223.*

Sec. 15. Minnesota Statutes 1974, Section 121.21, is amended by adding a subdivision to read:

*Subd. 4a. No district shall expend funds from any source for construction of, additions to or expansion of facilities of an area vocational-technical school without the approval of the state board if the construction, addition or expansion requires the expenditure of an amount equal to or greater than \$75 per pupil unit in average daily membership in the school or changes the perimeter walls of an existing facility. No construction, addition or expansion which requires the expenditure of less than \$75 per pupil unit and does not change a perimeter wall shall be carried out without the approval of the commissioner of education.*

Sec. 16. Minnesota Statutes, 1975 Supplement, Section 122.23, Subdivision 15, is amended to read:

Subd. 15. If no district is divided by virtue of the proceedings, all of the assets, real and personal, of the districts involved and all legally valid and enforceable claims and contract obligations of the districts pass to the new district. If a district is divided by virtue of the proceedings, upon receipt of the order of the commissioner, the auditor of the county containing the greatest land area of the new district shall present a copy of the plat and supporting statement and orders issued in the proceedings to the (COUNTY BOARD AT ITS NEXT REGULAR MEETING) commissioner, together with such information as is available to him concerning the assets and liabilities not secured by bonds of each district, any part of which is included in the newly created district. Thereafter within 30 days the (COUNTY BOARD)

*commissioner* shall issue (ITS) *his* order, *approved by the state board*, providing for a division of the assets *and liabilities* of the districts involved and apportioning and dividing these assets *and liabilities* according to such terms as (IT) *he* may deem just and equitable. In making this division of assets and liabilities, the (COUNTY BOARD) *commissioner* may consider the amount of bonded debt to be assumed by property in each area under the provisions of this section. If the order of consolidation transfers any real estate interest to the new district or to another district, the order apportioning assets and liabilities may impose a dollar claim on the district receiving the real estate in favor of any other district involved in an amount not exceeding the reasonable value of the real estate interest involved, which claim shall be paid in the manner provided by law for the enforcement of judgments.

Sec. 17. Minnesota Statutes, 1975 Supplement, Section 122.45, Subdivision 1, is amended to read:

122.45 [DISTRIBUTION AND DIVISION OF ASSETS AND LIABILITIES; TAXATION.] Subdivision 1. Title to all the property, real and personal, of any district dissolved under the provisions of sections 122.41 to 122.52 and all legally valid and enforceable claims and contract obligations, pass to the district to which such dissolved district is attached. If a district is divided by virtue of the proceedings, the (COUNTY BOARD) *commissioner* shall issue (ITS) *his* subsequent order, *approved by the state board*, providing for the division of the assets and liabilities according to such terms as (IT) *he* may deem just and equitable.

Sec. 18. Minnesota Statutes 1974, Section 122.45, Subdivision 2, is amended to read:

Subd. 2. As of the effective date of the attachment, all the taxable property in the newly enlarged district is taxable for the payment of any bonded debt theretofore incurred by any component district or territory in the proportion which the assessed valuation of that part of a preexisting district which is included in the newly enlarged district bears to the assessed valuation of the entire preexisting district as of the time of the attachment. This apportionment shall be made by the county auditor and shall be incorporated as an annex to the order of the (COUNTY BOARD) *commissioner* dividing the assets and liabilities of the component parts. This subdivision shall not relieve any property from any tax liability for payment of any bonded obligation but taxable property in the newly enlarged district becomes primarily liable for the payment of bonded debts to the extent of the proportion stated.

Sec. 19. Minnesota Statutes 1974, Section 122.45, Subdivision 3a, is amended to read:

Subd. 3a. (a) Liabilities of a dissolved district existing at the time of the attachment other than bonded debt within the purview of subdivision 2 shall be obligations of the consolidated district after attachment (in the amount and kind determined by the (COUNTY BOARD) *commissioner* according to subdivision 1, where a dissolved district is divided), for the payment of which the consolidated district has a right to reimbursement by special levy or levies. The amount of reimbursement will be equal to the liabilities of the dissolved district for which the consolidated district is obligated less the aggregate of the following which has been or will be received by the consolidated district at or after the time of attachment from or as a result of the dissolution and attachment of the dissolved district:

(1) All taxes inuring to the consolidating district upon levies made by the dissolved district;

(2) All cash, bank accounts, investments, and other current assets;

(3) Earned state aids of the dissolved districts;

(4) Returns from the sale of property of the dissolved district.

(b) The amount of such special levy so computed shall be certified to the county auditor with the other tax requirements of the consolidated district but separately stated and identified. The auditor shall add the amount of special levy so certified to the school rate for the territory in the consolidated district which came from the dissolved district and include it in the levy on the taxable property in that territory; provided, the county auditor shall not spread more of the amount certified for special levy in any year than will amount to 20 percent of the school levy without the special levy, leaving the remaining part of the certified amount for levy in successive years without further certification. Any amount of reimbursement to which it is entitled omitted by the consolidated district from its initial certification for special levy may be certified in a subsequent year for levy in the same manner as the levy upon initial certification.

The levy authorized by this subdivision shall be in addition to those otherwise authorized by (EXTRA SESSION LAWS 1971, CHAPTER 31, ARTICLE 20) *section 275.125*.

Sec. 20. Minnesota Statutes, 1975 Supplement, Section 124.04, is amended to read:

124.04. [CAPITAL EXPENDITURE TAXING AUTHORITY.] In addition to the tax levy prescribed by law for general and special school purposes, the board of any district may levy annually an amount such that the sum of the levy and attached

machinery aid for capital outlay purposes calculated pursuant to section 273.138, subdivision 3, clause (1), shall not exceed \$70 per pupil unit, or in districts where the pupil unit count is increased pursuant to section 124.17, subdivision 1, clause (7), \$75 per pupil unit. *For purposes of computing allowable levies under this section, pupil units shall include only those units identified in section 124.17, subdivision 1, clauses (1), (2), (4), (5), (6) and (7).* No levy under this section shall exceed 10 mills on each dollar of assessed valuation of the taxable property in the district as adjusted for the preceding year by the equalization aid review committee notwithstanding the provisions of sections 272.64 and 275.49 (, PROVIDED THAT SAID LEVY MAY NOT EXCEED BY MORE THAN TWO MILLS (THREE MILLS IF THE DISTRICT ADDS UNITS PURSUANT TO SECTION 124.17, SUBDIVISION 1, CLAUSE (7)) THE LEVY UNDER THIS SECTION IN THE PREVIOUS YEAR AND PROVIDED FURTHER THAT ANY DISTRICT WHICH DID NOT LEVY PURSUANT TO THIS SECTION IN 1972 MAY CERTIFY A MAXIMUM LEVY OF SIX MILLS NOT TO EXCEED \$65 PER PUPIL UNIT IN 1974). The tax so levied shall be collected in the manner provided by law for the collection of school taxes. The proceeds of the tax may be used only to acquire land, (IMPROVE) and (REPAIR SCHOOL SITES,) to equip(,) and reequip (, REPAIR AND IMPROVE) buildings and permanent attached fixtures, and to pay leasing fees for (COMPUTERS AND) computer (SERVICES) systems hardware, computer terminals and telecommunications equipment, and related property software. *The proceeds of this tax may also be used for capital improvement and repair of school sites, buildings and permanent attached fixtures and for the payment of any special assessments levied against the property of the district authorized pursuant to section 429.02 or 435.19.* Subject to the commissioner's approval, the tax proceeds may also be used to rent or lease buildings for school purposes and to acquire or construct buildings. *The state board shall promulgate rules establishing the criteria to be used by the commissioner in approving and disapproving district applications requesting the use of capital expenditure tax proceeds for the renting or leasing of buildings for school purposes and the acquisition or construction of buildings. The approval criteria for purposes of building acquisition and construction shall include: the appropriateness of the proposal with respect to the district's long term needs; the availability of adequate existing facilities; and the economic feasibility of bonding because of the proposed building's size or cost.* The board shall establish a fund in which the proceeds of this tax shall be accumulated until expended.

The proceeds of the tax shall not be used for custodial or other maintenance services.

Sec. 21. Minnesota Statutes, 1975 Supplement, Section 124.17, Subdivision 1, is amended to read:

**124.17 [DEFINITION OF PUPIL UNITS.] Subdivision 1.** Pupil units for each resident pupil in average daily membership shall be counted as follows:

(1) In an elementary school, for kindergarten and for handicapped pre-kindergarten pupils as defined in section 120.03, and enrolled in one-half day sessions throughout the school year or the equivalent thereof, approved by the commissioner of education, one-half pupil unit and other elementary pupils, one pupil unit.

(2) In secondary schools, one and four-tenths pupil units. Pupils enrolled in the seventh and eighth grades of any school shall be counted as secondary pupils.

(3) In area vocational-technical schools one and one-half pupil units. This clause shall expire June 30, 1976.

(4) To meet the problems of educational overburden caused by broken homes, poverty and low income, each pupil in clauses (1) and (2) from families receiving aid to families with dependent children or its successor program shall be counted as an additional five-tenths pupil unit. By May 1 of each year the department of public welfare is directed to furnish to the department of education, and to each school district to the extent the information pertains to it, that information concerning children from families with dependent children which is necessary to calculate pupil units. Additional aids to a district for such pupils may be distributed on a delayed basis until the department of education publicly certifies that the information needed for paying such aids is available on such a timely basis that such aids may be paid concurrently with other foundation aids.

(5) In every district where the number of pupils from families receiving aid to families with dependent children or its successor program exceeds five percent of the total actual pupil units in the district for the same year, as computed in clauses (1) and (2), each such pupil shall be counted as an additional one-tenth of a pupil unit for each percent of concentration over five percent of such pupils in the district. The percent of concentration shall be rounded down to the nearest whole percent for purposes of this clause, provided that in districts where the percent of concentration is less than six, no additional pupil units shall be counted under this clause for pupils from families receiving aid to dependent children or its successor program and provided further that no such pupil shall be counted as more than one and one-tenth additional pupil units pursuant to clauses (4) and (5). Such weighting shall be in addition to the weighting provided in clauses (1), (2), (3), and (4). School districts are encouraged to allocate a major portion of the aids that they receive on account of clauses (4) and (5) to primary grade programs and services, particularly to programs and services that involve participation of parents. Each district receiving aids on

account of both clauses (4) and (5) shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all such aids received.

(6) Where the total pupil units of a district are used as a multiplier in determining foundation aids and spending and levy limitations and where the actual number of pupil units has decreased from the prior year, the number of pupil units shall equal the average of actual pupil units for the prior and current years in a district with boundaries coterminous with the boundaries of a city of the first class and shall be increased by .6 times the difference between the actual pupil units for the two years in any other district. *Only pupil units as computed in clauses (1) and (2) shall be included for purposes of computations made pursuant to this clause.*

(7) In districts maintaining classified secondary schools where the actual number of pupil units has increased from the prior year by two percent or more, the additional pupil units over the prior year, as computed in clauses (1) and (2), shall be multiplied times one-tenth for each percent of increase over the prior year and a number of pupil units equal to the product shall be added to the other units for the district. The percent of increase shall be rounded up to the next whole percent for purposes of this clause, provided that in districts where the percent of increase is less than two, no additional pupil units shall be added to the other units for the district and provided further that the number of pupil units of increase over the prior year shall under no circumstances be multiplied by more than five-tenths.

(8) Only pupil units in clauses (1) and (2) shall be used in computing adjusted maintenance cost per pupil unit.

Sec. 22. Minnesota Statutes, 1975 Supplement, Section 124.17, Subdivision 2, is amended to read:

Subd. 2. Membership for pupils in grades kindergarten through twelve and for handicapped prekindergarten pupils shall mean the number of pupils on the current roll of the school, counted from the date of entry until withdrawal. The date of withdrawal shall mean the day the pupil permanently leaves the school or the date it is officially known that the pupil has left or has been legally excused; provided that any pupil, regardless of age, who has been absent from school without a legally justifiable excuse for 15 consecutive school days shall be dropped from the roll and classified as withdrawn. Nothing in Extra Session Laws 1971, Chapter 31, shall be construed as waiving the compulsory attendance provisions cited in section 120.10. Average daily membership shall equal the sum for all pupils of the number of days of the school year each pupil is enrolled in the district's schools divided by the number of days said schools are in session. For districts operating 12 months schools, days schools are in session shall mean the number of session days required by section 124.19, subdivision 1. The

average daily membership of a pupil enrolled on a shared time basis shall equal the ratio of the total minutes for which such pupil is enrolled and the minimum minutes required during the year for a regularly enrolled public school pupil. Foundation aid for shared time pupils shall equal the amount which would accrue if shared time pupil units, counted pursuant to (THIS SECTION) *subdivision 1, clauses (1) and (2)*, were added to the district's total pupil units used in determining its foundation aid. *Foundation aid for shared time pupils shall be in addition to any other aid to which the district is otherwise entitled and shared time pupil units shall not be used for any other computation under subdivision 1 or for any computation under section 124.04.* A district shall not be entitled to transportation aid under section (124.22) *124.222* for pupils enrolled on a shared time basis unless the statutes specifically provide for transportation aid to such student. This subdivision shall be effective July 1, 1975 as applied to shared time foundation aid and July 1, 1976 as applied to pupils in area vocational-technical schools.

Sec. 23. Minnesota Statutes 1974, Section 124.212, is amended by adding a subdivision to read:

*Subd. 20. No adjustments to foundation aid payments, resulting from omissions in school district reports except those adjustments determined by the legislative auditor, shall be made after December 15 of the fiscal year immediately following the fiscal year for which such aid adjustments are required.*

Sec. 24. Minnesota Statutes, 1975 Supplement, Section 124.212, Subdivision 8a, is amended to read:

Subd. 8a. (1) Notwithstanding any provisions of any other law to the contrary, the adjusted assessed valuation used in calculating foundation aid shall include only that property which is currently taxable in the district. For districts which received payments under sections 124.215, subdivision 2a; 124.25; 124.30; (360.133; 360.135; AND) 124.28; *473.633 or 473.635*; the foundation aid shall be reduced by: The previous year's payment to the district pursuant to said sections times the ratio of the maximum levy allowed the district under section 275.125, subdivision 2a, to the total levy allowed by section 275.125, but not to exceed 45 percent in 1975-1976 and 50 percent in 1976-1977 of the previous year's payment.

(2) For districts which received payments under sections 294.21 to 294.28; 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; the foundation aid shall be reduced in the August adjustment payment by the previous fiscal year's payment to the district pursuant to said sections times the ratio of the maximum levy allowed the district under section 275.125,

subdivision 2a, to the total levy allowed by section 275.125 for collection in the calendar year ending during the aforementioned fiscal year, but not to exceed 40 percent in the August 1975 adjustment, 45 percent in the August 1976 adjustment, and 50 percent in the August 1977 adjustment of the previous fiscal year's payment.

Sec. 25. Minnesota Statutes, 1975 Supplement, Section 124.271, Subdivision 2, is amended to read:

Subd. 2. In fiscal year 1977 and each year thereafter, the state shall pay 50 cents per capita to each school district which is operating a community school program in compliance with the rules (AND REGULATIONS) established by the state board and which has levied (AT LEAST) *the lesser of \$1 per capita or the maximum permissible certified levy* for community services pursuant to section 275.125, subdivision 8, for use in that year.

Sec. 26. Minnesota Statutes 1974, Section 124.32, as amended by Laws 1975, Chapter 432, Sections 48 to 50, is amended to read:

124.32 [HANDICAPPED CHILDREN.] Subdivision 1. The state shall pay to any district (AND UNORGANIZED TERRITORY);:

(a) for the employment in its educational program for handicapped children, (65) *no less than 50 and no more than 80* percent of the salary of essential personnel, but this amount shall not exceed (\$10,000) *\$12,000* for the normal school year for each full time person employed, or a pro rata amount for a part time person or a person employed for a limited time, (INCLUDING BUT NOT LIMITED TO SUMMER SCHOOL) *whether the essential personnel are employed by a district alone or jointly with another district or districts;*

(b) (FOR THE EMPLOYMENT OF AN INDIVIDUAL JOINTLY WITH ANOTHER DISTRICT OR DISTRICTS OR UNORGANIZED TERRITORY IN ITS EDUCATIONAL PROGRAM FOR HANDICAPPED CHILDREN, 65 PERCENT OF THE SALARY OF ESSENTIAL PERSONNEL, BUT THIS AMOUNT SHALL NOT EXCEED \$10,000 FOR THE NORMAL SCHOOL YEAR FOR EACH FULL TIME PERSON EMPLOYED, OR A PRO RATA AMOUNT FOR A PART TIME PERSON OR A PERSON EMPLOYED FOR A LIMITED TIME INCLUDING BUT NOT LIMITED TO SUMMER SCHOOL) *plus 10 percent of the salaries of essential personnel employed in its educational program for handicapped children, for the purpose of recognizing additional support costs of educational programs for handicapped children;*

(c) less (i) 25 percent of the foundation aid formula allowance for each handicapped child in average daily membership who receives special instruction and services for more than 50 but less than 80 percent of the time school is in session, and (ii) 50 percent of the foundation aid formula allowance for each handicapped child in average daily membership who receives special instruction and services for 80 percent or more of the time school is in session.

For the 1976-1977 school year, the foundation aid formula allowance per pupil unit shall be the lesser of \$960 or the greater sum computed pursuant to section 124.212, subdivision 7b, clause (2). The computation in clause (c) shall be based on the foundation aid formula allowance per pupil unit in the child's district of residence. For the purposes of computations pursuant to clause (c), each handicapped child shall be counted as prescribed in section 120.17, subdivision 1, clause (1) or (2). The actual percent of the salaries of essential personnel paid by the state pursuant to clause (a) shall be determined by the commissioner within the limits of the appropriation for special education for the school year.

For special instruction or training and services provided pursuant to section 120.17, subdivision 2, clause (h), by contract with public, private or voluntary agencies other than Minnesota school districts, the state shall pay each district:

(1) the percent of the amount of the contract which is equal to the actual percent of the salaries of essential personnel paid by the state pursuant to clause (a);

(2) less 50 percent of the foundation aid formula allowance of the district.

Subd. 2. The state shall (REIMBURSE) pay each district (OR UNORGANIZED TERRITORY) for supplies and equipment purchased or rented for use in the instruction of handicapped children in the amount of one-half of the sum actually expended by the district (OR UNORGANIZED TERRITORY) but not to exceed an average of \$50 in any one school year for each handicapped child receiving instruction.

Subd. 3a. The purpose of this subdivision is to change the method of funding of educational programs for handicapped children from reimbursement based on past expenditures to a current funding basis. Beginning July 1, 1976, the state shall not reimburse expenditures from the 1975-1976 school year programs, including 1976 summer school programs, but shall pay aids for the 1976-1977 school year programs and for each year thereafter on a current funding basis.

Subd. 3b. (1) Notwithstanding the provisions of subdivision 3a, any school district which in the 1974-1975 school year

*issued certificates of indebtedness in anticipation of receipt of reimbursements for special education may continue to account for aid to handicapped children on a reimbursement basis subject to approval by the commissioner of education.*

(2) *Districts eligible under clause (1) shall establish a special reserve account, which shall be designated "reserve account for current financing of special education" on its books and records. Each year beginning in the 1976-1977 school year the district shall place in this account 16 2/3 percent of the amount which it would have been entitled to receive in 1976-1977 based on 1975-1976 expenditures pursuant to Minnesota Statutes, 1975 Supplement, Section 124.32, Subdivision 1 and Minnesota Statutes 1974, Section 124.32, Subdivision 2. The funds in this account shall be used only for the purposes for which special education aid can be used, but the amount shall be used only to meet temporary cash needs and shall never supplement district revenues or income for the purpose of increasing the district's special education expenditures or budgets.*

(3) *In fiscal year 1977 or any year thereafter, districts eligible under clause (1) shall not issue certificates of indebtedness in anticipation of receipt of reimbursements for special education in an amount which exceeds the amount which it would have been entitled to receive in 1976-1977 as specified in clause (2), less the balance in the reserve account for current financing of special education. When the funds in this reserve account equal the amount which the district would have been entitled to receive in 1976-1977 as specified in clause (2), the district shall thereafter account for aid for special education on a current funding basis.*

Subd. 4. The aids provided for handicapped children shall be paid to the district providing the special instruction and services. Foundation aid shall be paid to the district (OR UNORGANIZED TERRITORY) of the pupils' residence. The total amount of aid paid may not exceed the amount expended for handicapped children (FOR) in the school year for which the aid is paid.

Subd. 5. When a handicapped child is placed in a residential facility approved by the commissioner and established primarily to serve handicapped children and when the child's educational program is approved by the commissioner, the state shall pay to the resident district not to exceed 65 percent of instructional costs charged to the resident district, less the foundation aid per pupil unit payable to the resident district. Not more than \$400,000 shall be spent annually for purposes of implementing this subdivision. If that amount does not suffice, the aid shall be prorated among all qualifying districts.

The following types of facilities may be approved by the commissioner:

(a) A residential facility operated by a public school district and designed to serve the low incidence handicapped, the multiple handicapped, or the most severely handicapped children, either within or outside of the state, or, a state residential school outside of the state.

(b) A private, nonsectarian residential facility designed to provide educational services for handicapped children either within or outside of the state.

(c) A state hospital or private nonsectarian residential center designed to provide care and treatment for handicapped children.

Subd. 6. The state shall (REIMBURSE) pay each district (OR UNORGANIZED TERRITORY) the actual cost incurred in providing instruction and services for a handicapped child whose district of residence has been determined by sections 120.17, subdivisions 7 or 8a, and who is temporarily placed in a state institution or a licensed residential facility for care and treatment. This section does not apply for a child placed in a foster home or a foster group home.

Upon following such procedure as requested by the commissioner of education a district (OR UNORGANIZED TERRITORY) providing instruction and services for such handicapped child may bill the state the actual cost incurred in providing said services including transportation costs and a proportionate amount of capital outlay and debt service, minus the amount of foundation aid, special education aid, transportation aid, and any other aid earned in behalf of such child, such action pursuant to limits set forth in section 124.32, subdivision 4.

*Subd. 7. Before June 1, 1976 and before May 1 of each year thereafter, each district providing special instruction and services to handicapped children shall submit to the commissioner an application for approval of these programs and their budgets for the next school year. The application shall include an enumeration of the costs eligible for state aid pursuant to this section and of the estimated number and grade level of handicapped children in average daily membership in the district who will receive special instruction and services for more than 50 and less than 80 percent and for 80 percent or more, of the time school is in session during the next school year. The application shall also include any other information deemed necessary by the commissioner for the calculation of state aid and the evaluation of the program's compliance with the rules and standards of the state board. On or before August 1, 1976 and before July 1 of each year thereafter, the commissioner shall approve, disapprove or modify each application, and notify each applying district of his action and of the estimated level of aid for the programs. The commissioner may provide procedures for districts to submit additional applications for program and budget ap-*

*proval during the school year, for programs needed to meet changes in the needs of handicapped children in the district.*

*Subd. 8. Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program the state shall pay to each school district 45 percent of its estimated special education aid for the school year on or before each of the following dates: September 30 and December 30. The final aid distribution to the district shall be made on or before August 31 of the following year.*

*Subd. 9. Beginning with the summer of 1977, the state shall pay aid for summer school programs for handicapped children on the basis of the sections of Minnesota Statutes providing aid for handicapped children for the preceding school year. Separate applications shall be submitted for program and budget approval for summer school programs. The commissioner shall approve, disapprove or modify the applications and notify the districts of his action and of the estimated level of aid for the summer school programs. Aid for these programs shall be paid on or before the October 1 after the summer when the programs are conducted.*

Sec. 27. Minnesota Statutes, 1975 Supplement, Section 124.43, Subdivision 1, is amended to read:

124.43 [CAPITAL LOANS.] Subdivision 1. To the extent moneys are from time to time available hereunder, the committee is authorized, after review and recommendation by the state board of education, to effect capital loans to school districts. Proceeds of such loans shall be used only for sites for school buildings and for acquiring, bettering, furnishing, or equipping school buildings under contracts to be entered into within 12 months from and after the date on which each loan is granted. Applications with the accompanying data specified in subdivision 2 shall be filed between October 1 of any year and June 1 next following. No application shall be approved unless the state board of education certifies that the loan is needed to replace facilities dangerous to the health and safety of pupils, or to provide for pupils for whom no adequate facilities exist; that such facilities could not be made available by consolidating the district with an adjacent district without substantially lowering the fiscal capacity of that district or so increasing its area that it would no longer be viable; and that existing institutions or facilities within the area could not be acquired or leased to provide the needed facilities safely and at a lower cost. The state board shall make recommendations to the committee. No loan shall be approved for any district exceeding an amount computed as follows:

- (1) The amount voted by the district under subdivision 2;
- (2) Plus the aggregate principal amount of general obligation bonds of the district outstanding on the date of approval,

not exceeding the limitation on net debt of the district in section 475.53, subdivision 4, or 30 percent of the adjusted assessed value, whichever is less;

(3) Less the maximum net debt permissible for the district on the date of approval, under the limitation in section 475.53, subdivision 4, or 30 percent of the adjusted assessed value, whichever is less; and

(4) Less any amount by which the amount voted exceeds the total cost of the facilities for which the loan is granted, as estimated in accordance with subdivision 4, provided that the loan may be approved in an amount computed as provided in clauses (1) to (3), subject to subsequent reduction in accordance with this clause (4).

Sec. 28. Minnesota Statutes, 1975 Supplement, Section 124.-561, Subdivision 3, is amended to read:

Subd. 3. [BUDGETS.] Before January 1, 1976, and before January 1 of each year thereafter post-secondary vocational-technical school budgets for the following fiscal year shall be submitted to the state board for vocational education. The state board for vocational education shall approve the budgets for each district (AT) *prior to June 1 of each year after a consolidated public hearing held pursuant to (CHAPTER 15, WHICH SHALL BE HELD PRIOR TO JUNE 1 OF EACH YEAR AND WHICH SHALL CONTINUE UNTIL ALL INTERESTED PERSONS, REPRESENTATIVES, AND ORGANIZATIONS HAVE HAD AN OPPORTUNITY TO BE HEARD) section 29 of this act.* The total amount of reimbursement payments approved for fiscal year 1975 payable in fiscal year 1976 shall not exceed by more than 14 percent the amount appropriated for post-secondary vocational-technical education for payment in fiscal year 1975. No district shall increase its operating deficit during fiscal year 1976 unless authorized to do so by the state board for vocational education. The state board for vocational education shall before September 1, 1975 promulgate rules and regulations which establish the approval criteria for budgets, including responsiveness to current and projected manpower needs of population groups to be served in the various geographic areas and communities of the state, particularly disadvantaged and handicapped persons; adequacy of evaluation of programs; and other criteria set forth in the state plan for vocational education. The commissioner, in cooperation with the department of finance, shall establish program budget standards by which area vocational-technical institutes shall submit financial requests.

Sec. 29. Minnesota Statutes, 1975 Supplement, Section 124.-561, is amended by adding a subdivision to read:

*Subd. 3a. The consolidated public hearing held by the state board pursuant to section 124.561, subdivision 3 shall take place with at least six board members present and shall continue until all interested persons, representatives, and organizations have had an opportunity to be heard. Notice of intention to hold the hearing shall be given at least 20 days prior to the date set for the hearing by United States mail to each district submitting a post-secondary vocational school budget, and to other interested persons, representatives, and organizations who register their names with the commissioner of education for that purpose, and in the state register. The department of education shall make available at least one free copy of the proposed disposition of budgets to any person requesting it. Unless the commissioner determines that the use of an audio magnetic recording device is more appropriate, a court reporter shall keep a record at every hearing. A transcript of the hearing record shall be made available upon the request of any person, provided that the request is in writing and the cost of preparing the transcript is borne by the requesting person. After allowing written material to be submitted and added to the hearing record for five days after the public hearing ends, the commissioner of education shall proceed as promptly as possible to write a report containing the proposed final disposition of budgets. This report shall contain findings and conclusions based on substantial evidence from the hearing record to support the proposed final disposition. The report shall be available to all affected school districts upon request for at least 15 days before the state board takes final action on the budgets. Any district which is adversely affected by the proposed final disposition of budgets may demand and shall be given an opportunity to be heard in support of modification of the proposed disposition at the meeting at which the state board takes final action on the budgets; provided, the state board may place reasonable restrictions on the length of time allowed for testimony.*

Sec. 30. Minnesota Statutes, 1975 Supplement, Section 124.562, Subdivision 2, is amended to read:

*Subd. 2. Membership for pupils in post-secondary vocational-technical schools shall mean the number of pupils on the current roll of the school, counted from the date of entry until withdrawal. The date of withdrawal shall mean the day the pupil permanently leaves the school or the date it is officially known that he has left or has been legally excused; provided that any pupil, regardless of age, who has been absent from school without a legally justifiable excuse for 15 consecutive school days shall be dropped from the roll and classified as withdrawn. No pupil who is counted in average daily membership pursuant to this section shall be counted in average daily membership in any district pursuant to section 124.17, subdivision 2, unless he is eligible to earn foundation aid pursuant to section 120.80 or is attending a post-secondary vocational-technical school course on a part time basis in addition to spending six hours per day in a secondary program. (AVERAGE DAILY MEMBERSHIP SHALL*

EQUAL THE SUM FOR ALL PUPILS OF THE NUMBER OF DAYS OF THE SCHOOL YEAR EACH PUPIL IS ENROLLED IN A POST-SECONDARY VOCATIONAL-TECHNICAL SCHOOL IN A DISTRICT DIVIDED BY 175.) Average daily membership for pupils who are enrolled (ON A PART TIME BASIS) *in post-secondary vocational-technical schools*, but not including adult vocational pupils, shall equal (a) the sum for all pupils of the number of days of the school year each pupil is enrolled in a post-secondary vocational-technical school in the district times the number of hours per day each student is enrolled divided by (THE NUMBER OF HOURS THE SCHOOL IS IN SESSION PER DAY) *six* (b) divided by 175 ; *provided the number of hours which are counted for average daily membership for any pupil in any one program shall in no event exceed the number of hours approved by the state board for completion of the program.* For a post-secondary vocational-technical school, the normal school year shall be at least the number of session days required by section 124.19, subdivision 1. In all post-secondary vocational-technical schools, the minimum length of the school day for each pupil, exclusive of the noon intermission, shall be six hours. Exceptions may be made by the local school administration for approved programs to meet individual student needs.

Sec. 31. Minnesota Statutes, 1975 Supplement, Section 124.563, Subdivision 3, is amended to read:

Subd. 3. Post-secondary vocational categorical and capital expenditure aid shall be apportioned by the state board for vocational education at the consolidated public hearing held pursuant to section 124.561, subdivision 3. All post-secondary vocational categorical and capital expenditure aid approved at this public hearing shall be distributed to the districts on or before August 1, December 1, March 1 and June 1 of each year. Additional post-secondary vocational categorical and capital expenditure aid may be distributed on or before March 1 and June 1 *of each year* if it is apportioned at a consolidated public hearing held (IN) *before February 15 of that year (PURSUANT TO CHAPTER 15) in the manner specified in section 29 of this act.* On the date of each post-secondary vocational categorical and capital expenditure aid payment, the state board shall report to the appropriate committees of the legislature on the distribution of post-secondary vocational categorical and capital expenditure aid. The report shall include (a) the recipients of the aid; (b) the amounts distributed, and (c) the reasons for these distributions.

Sec. 32. Minnesota Statutes, 1975 Supplement, Section 124.563, is amended by adding a subdivision to read:

*Subd. 4. Notwithstanding the provisions of section 16.16 or 16A.57 or any other law to the contrary, the state board for vocational education may expend any part it deems necessary of any amount appropriated by the legislature for any year for post-*

*secondary vocational categorical aid for the payment of post-secondary vocational foundation aid pursuant to section 124.562 for that year.*

Sec. 33. Minnesota Statutes, 1975 Supplement, Section 124.564, is amended to read:

124.564 [POST-SECONDARY VOCATIONAL DEBT SERVICE AID.] *Subdivision 1.* The state board for vocational education shall pay to qualifying districts post-secondary vocational debt service aid equal to the state portion of debt service costs. The state portion of debt service costs shall equal the amount necessary to make payments for bonds issued to finance post-secondary vocational facilities and for interest thereon multiplied by the average of the district's nonresident reimbursement percentage pursuant to Minnesota Statutes 1974, Section 121.21, Subdivision 5, in fiscal years 1973, 1974 and 1975. The local portion of debt service costs shall equal the amount necessary to make these payments, less the state portion of debt service costs. No district shall qualify for this post-secondary vocational debt service aid unless it has certified a levy equal in amount to the local portion of debt service costs, pursuant to section 275.125, subdivision 4, *or has on hand in its sinking fund an amount equal to the local portion of debt service costs.* Post-secondary vocational debt service aid shall be utilized solely for payments for bonds issued to finance post-secondary vocational facilities and for interest thereon (**AND THOSE BOND AND INTEREST PAYMENTS SHALL BE MADE SOLELY WITH PROCEEDS FROM THIS AID AND THE LOCAL DEBT SERVICE LEVY**). *No district shall transfer funds from any source into its sinking fund for the purpose of payments of principal and interest on these bonds unless the transfer is approved by the commissioner.* In addition, the state board for vocational education shall pay to districts which expended cash balances to finance the construction of new post-secondary vocational facilities and which the state board prior to May 15, 1975 agreed to repay for these expenditures the amount of the repayment specified in the agreement. Funds received in repayment shall revert to the fund of origin in the district. This section shall be effective July 1, 1976.

*Subd. 2.* *On or before October 1 of each year, the commissioner shall certify to the county auditor of each county in which a district qualifying for post-secondary vocational debt service aid is headquartered the amount of post-secondary vocational debt service aid, determined pursuant to this section, which the district will receive in the next fiscal year. The county auditor shall deduct 105 percent of this amount from the tax levy made and filed pursuant to section 475.61, subdivision 1, for principal and interest on bonds issued to finance post-secondary vocational facilities, which is collectible in the next calendar year.*

Sec. 34. Minnesota Statutes, 1975 Supplement, Section 124.565, Subdivision 2, is amended to read:

Subd. 2. Any person who has attained his 21st birthday and who would, but for that fact, qualify under subdivision 1 to attend a post-secondary vocational-technical school without tuition, may attend the school without tuition (SUBJECT TO THE OTHER PROVISIONS OF THIS SUBDIVISION), if he entered active military service in any branch of the armed forces of the United States before his 21st birthday, *was a Minnesota resident at the time of induction into the armed forces and had been a Minnesota resident during the six months immediately preceding induction*, and (WHO) has (THEN) been separated or discharged from active military service under conditions other than dishonorable, and if he applies for admission to the school before his 29th birthday. Time after separation or discharge from military service spent as an in-patient in a hospital or similar institution for treatment of an illness or disability or in recovery from an illness or disability that prevents gainful occupation or study shall be added to the time allowed for application.

Sec. 35. Minnesota Statutes, 1975 Supplement, Section 124.611, Subdivision 1, is amended to read:

124.611 [ELIGIBLE TEACHER PROGRAM.] Subdivision 1. Any teacher who has been (OR WILL BE) placed on unrequested leave of absence pursuant to section 125.12, subdivision 6a or 6b, *or has been discharged pursuant to section 125.17, subdivision 4, clause (5)*, as a result of a discontinued position, lack of pupils or financial limitations, may apply (BY MAY 1, 1976,) to the state board of education to be classified as an eligible teacher. The state board shall approve applications of teachers on unrequested leave of absence (FROM DISTRICTS WHICH, ACCORDING TO CRITERIA ESTABLISHED BY THE STATE BOARD, ARE EXPERIENCING COST LIMITATIONS BECAUSE OF SEVERELY DECLINING ENROLLMENTS) *and teachers discharged pursuant to section 125.17, subdivision 4, clause (5)*. By June 1, 1976, the state board shall issue a list of approved eligible teachers *for the purpose of informing districts of the availability of these teachers; provided that nothing in this subdivision shall be construed to prohibit the state board from approving teacher applications received after publication of the list, but prior to December 31, 1976.*

Sec. 36. Minnesota Statutes, 1975 Supplement, Section 124.611, Subdivision 2, is amended to read:

Subd. 2. Any district which has not placed (OR WILL NOT PLACE) any teachers on unrequested leave of absence pursuant to section 125.12, subdivision 6a or 6b *or has not discharged any teachers pursuant to section 125.17, subdivision 4, clause (5)*, may petition the state board of education (BY JULY 1, 1976) to be eligible to receive aid for hiring an eligible teacher.

(THE STATE BOARD OF EDUCATION SHALL APPROVE OR DISAPPROVE EACH PETITION BY AUGUST 1, 1976,

GIVING PRIORITY TO DISTRICTS WHICH HAVE A HIGH PROPORTION OF INEXPERIENCED TEACHERS, INCREASING ENROLLMENTS AND COST LIMITATIONS WHICH PREVENT THE EMPLOYMENT OF EXPERIENCED TEACHERS.)

Eligible teacher aid shall be paid *according to the following schedule:*

(1) In the 1976-1977 school year (TO), the hiring school district (IN) shall receive an amount equal to 80 percent of the difference between the B.A. minimum salary in the hiring district and the salary which the teacher would receive in that year in the hiring district based upon his training, credits and experience(.);

(2) In the 1977-1978 school year, the hiring district shall receive (ELIGIBLE TEACHER) aid equal to 60 percent of the (AMOUNT CALCULATED IN THE FIRST YEAR) salary difference in clause (1);

(3) In the 1978-1979 school year the hiring district shall receive (ELIGIBLE TEACHER) aid equal to 40 percent of the (AMOUNT CALCULATED FOR THE FIRST YEAR,) salary difference in clause (1); and

(4) In the 1979-1980 school year and thereafter such aids shall terminate.

Sec. 37. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.213] [AID RECAPTURE.] *In any year when the amount of the maximum levy allowed for any district by section 275.125, subdivision 2a, clause (1) or (2), exceeds the product of (a) the district's foundation aid formula allowance for the corresponding school year under section 124.212 and (b) the number of pupil units computed for the district under section 124.17 for that school year, an amount equal to the difference between the levy as certified and the specified product shall be deducted in the following order from the aids for the purposes specified receivable during the same school year pursuant to the following sections: (1) transportation aid pursuant to section 124.222; (2) secondary vocational aid pursuant to section 124.57; (3) special education aid pursuant to section 124.32. For the 1977-1978 school year, the foundation aid formula allowance shall equal the lesser of \$1,015 or the sum of the greater sum computed pursuant to section 124.212, subdivision 7b, clause (2), and the greater of (a) five-sixths of the difference that results when such greater sum is subtracted from \$1,015, or (b) \$55. This section shall apply to school years commencing with the 1977-1978 school year.*

Sec. 38. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.572] [CURRENT FUNDING FOR ADULT VOCATIONAL EDUCATION.] *The purpose of this section is to change the method of funding adult vocational programs from reimbursement based on past expenditures to a current funding basis. Beginning July 1, 1977, the state shall not reimburse expenditures from the 1976-1977 school year programs, but shall pay aids for the 1977-1978 school year programs and for each year thereafter on a current funding basis.*

Sec. 39. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.573] [CURRENT FUNDING FOR SECONDARY VOCATIONAL EDUCATION.] *The purpose of this section is to change the method of funding secondary vocational programs from reimbursement based on past expenditures to a current funding basis. Beginning July 1, 1978, the state shall not reimburse expenditures from the 1977-1978 school year programs, but shall pay aids for the 1978-1979 school year programs and for each year thereafter on a current funding basis.*

Sec. 40. Minnesota Statutes, 1975 Supplement, Section 275.125, Subdivision 2a, is amended to read:

Subd. 2a. (1) In 1975, a school district may levy for all general and special school purposes, an amount equal to the amount raised by the 1974 adjusted assessed valuation of the district times the number of mills, not to exceed 29, that bears the same relation to 29, as the greater sum computed pursuant to section 124.212, subdivision 7b, clause (2), bears to \$960.

(2) In 1976, a school district may levy for all general and special school purposes, an amount equal to the amount raised by the 1975 adjusted assessed valuation of the district times the number of mills, not to exceed 29, that bears the same relation to 29, as the sum of the greater sum computed pursuant to section 124.212, subdivision 7b, clause (2), and the greater of (a) five-sixths of the difference that results when such greater sum is subtracted from \$1015, or (b) \$55, bears to \$1015.

(3) For any district levying less than 95 percent of the maximum levy allowable in clauses (1) and (2), beginning with the levy certified in 1976, payable in 1977, the foundation aid to the district for the 1977-1978 school year, and for subsequent levies, foundation aid for subsequent school years, calculated pursuant to section 124.212, shall be reduced by 50 percent of the amount of the difference between the actual levy and the maximum levy allowable under clauses (1) and (2). In the application of this clause, the maximum levy allowable under clauses (1) and (2)

shall be reduced by any reduction of this levy which is required by section 275.125, subdivision 9 or any other law.

(4) The levy authorized by clauses (1) or (2) may be increased in any amount which is approved by the voters of the district at a referendum called for the purpose. Such a referendum may be called by the school board or shall be called by the school board upon written petition of qualified voters of the district. The referendum shall be held on a date set by the school board. Only one such election may be held in a single school year. The question on the ballot shall be whether a specific millage which will yield a specific amount based on the most recent assessed valuation may be added to that authorized by clauses (1) or (2). If approved, the amount provided by the millage applied to each year's assessed valuation shall be authorized for certification until revoked by the voters of the district at a subsequent referendum, which may be called by the school board and which shall be called by the school board upon the written petition of qualified voters of the district unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. A petition authorized by this clause shall be effective if signed by a number of qualified voters in excess of 15 percent, or 10 percent if the school board election is held in conjunction with a general election, of the average number of voters at the two most recent district wide school elections. A referendum invoked by petition shall be held within three months of submission of the petition to the school board unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. Notwithstanding any law to the contrary, the approval of 50 percent plus one of those voting on the question is required to pass a referendum.

Sec. 41. Minnesota Statutes, 1975 Supplement, Section 275.125, Subdivision 4, is amended to read:

Subd. 4. *A school district may levy the amounts necessary to make payments for bonds issued and for interest thereon, including the bonds and interest thereon, issued as authorized by section 275.125, subdivision 3, clause (7) (C), as it read in Minnesota Statutes 1974 (, AND); the amounts necessary for repayment of debt service loans and capital loans (,); the amount authorized for capital expenditures pursuant to section 124.04 (, AND); the amount authorized for liabilities of dissolved districts pursuant to section 122.45 (AND); the amounts necessary to pay the district's obligations under section 268.06, subdivision 25; and the amounts necessary to pay the district's obligations under section 127.05.*

Sec. 42. Minnesota Statutes, 1975 Supplement, Section 275.125, Subdivision 5, is amended to read:

Subd. 5. For school transportation services, a school district may levy an amount not to exceed the amount raised by a levy of one mill times the adjusted assessed valuation of the taxable property of the district for the preceding year. A district may levy under this subdivision for the annual cash payments to be made for the purchase of buses, but only for that portion of the payments not offset by state transportation aid received on account of depreciation (, AND PROVIDED FURTHER THAT). Beginning with the levy certified in 1975, a district may levy for transportation costs or other related services which are approved by the commissioner as necessary because of extraordinary traffic hazards for the current fiscal year.

Sec. 43. Minnesota Statutes, 1975 Supplement, Section 275.125, Subdivision 8, is amended to read:

Subd. 8. (1) In 1975, and each year thereafter, a district with a population of more than 15,000 persons which has established a community school advisory council pursuant to section 121.88 may levy an amount of money raised by the greater of (A) \$1 per capita, or (B) the number of EARC mills not to exceed the number of EARC mills necessary in 1973 to raise \$1 per capita in 1973. In 1975, and each year thereafter, a district with a population of fewer than 15,000 persons which has established a community school advisory council pursuant to section 121.88, may levy an amount of money raised by the greater of (A) \$2 per capita, or (B) the number of EARC mills not to exceed the number of EARC mills necessary in 1975 to raise \$2 per capita in 1975. These levies shall be used for community services including summer school, nonvocational adult programs, recreation programs, and programs contemplated by sections 121.85 to 121.88.

(2) A district which provides 95 percent or more of the cost of the recreation program for the municipalities and townships in which the district or any part thereof is located may, with the approval of the commissioner, levy an additional amount, not to exceed one mill times the adjusted assessed valuation of the district for the preceding year, to be used for the costs of the recreation program; provided that in 1977 and each year thereafter, only Independent School Districts No. 77 and No. 624 shall be authorized to levy pursuant to this clause.

(3) A school district shall be authorized to make a levy pursuant to this subdivision only after it has filed a certificate of compliance with the commissioner of education, certifying that members of the school board have met with members of the governing bodies of the county, municipality or township in which the school district, or any part thereof, is located, in order to discuss methods of increasing mutual cooperation between such bodies.

(4) The population of the district for purposes of this subdivision is the population determined as provided in section 275.14 or as certified by the department of education from the most recent federal census.

Sec. 44. Minnesota Statutes, 1975 Supplement, Section 275.125, Subdivision 9, is amended to read:

Subd. 9. (1) Districts which receive payments which result in deductions from foundation aid pursuant to section 124.212, subdivision 8a, *clause (1)*, shall reduce the permissible levies authorized by subdivisions 3 to 14 by (25 PERCENT IN 1973, 50 PERCENT IN 1974, 75 PERCENT IN 1975, AND 100 PERCENT FOR EACH YEAR THEREAFTER OF) that portion of the previous year's payment not deducted from foundation aid on account of the payment (, UNLESS SUCH A LEVY REDUCTION IS OTHERWISE REQUIRED BY LAW). The levy reductions shall be made in the proportions that each permissible levy bears to the sum of the permissible levies. *Reductions in levies pursuant to this clause shall be made prior to the reductions in clause (2).*

(2) Notwithstanding any other law to the contrary, districts which received payments pursuant to sections 294.21 to 294.28; 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; and any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; shall not include a portion of these aids in their permissible levies pursuant to those sections, but instead shall reduce the permissible levies authorized by section 275.125 to be (SPREAD) *certified* in the calendar year in which the deduction from foundation aid is made pursuant to section 124.212, subdivision 8a, by the portion of the previous fiscal year's payment which was not deducted from foundation aid in that calendar year pursuant to section 124.212, subdivision 8a.

(3) *The amount of any increased levy authorized by referendum pursuant to section 275.125, subdivision 2a, clause (4) shall not be reduced pursuant to this subdivision. The amount of any levy authorized by section 275.125, subdivision 4, to make payment for bonds issued and for interest thereon, shall not be reduced pursuant to this subdivision.*

(4) *Notwithstanding any law to the contrary, any amounts received by districts in any fiscal year pursuant to sections 294.21 to 294.28; 298.23 to 298.28; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; or any law imposing a tax on severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; and not deducted from foundation aid pursuant to section 124.212, subdivision 8a, clause (2), and not applied to reduce levies pursuant to this subdivision shall be paid*

*to the commissioner of finance on or before March 15 of the next fiscal year. The commissioner of finance shall deposit any amounts received pursuant to this clause in the taconite property tax relief fund in the state treasury, established pursuant to section 16A.70 for purposes of paying the taconite homestead credit as provided in section 273.135.*

Sec. 45. Minnesota Statutes, 1975 Supplement, Section 275-125, Subdivision 14, is amended to read:

Subd. 14. Districts maintaining a post-secondary vocational-technical school may levy additional amounts as follows:

(1) A district maintaining a post-secondary vocational-technical school shall assume responsibility for a local share of the district post-secondary vocational deficit. The local share shall be 30 percent, or 15 percent in Independent School District Nos. 595 and 793, of the district post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education pursuant to section 124.561, subdivision 4.

(2) For the purpose of eliminating the local share of its post-secondary vocational deficit, a district may petition the commissioner of education for authority to make an additional levy. Before such a levy may be made, it must be approved by the commissioner. The approval shall specify the years in which the additional levy may be made and shall specify its dollar amount. No levy so approved shall be made in more than four successive years, beginning with the levy certified in 1975, and shall not annually exceed .25 mills in a district in a city of the first class, 1.5 mills in districts formed pursuant to Laws 1969, Chapter 1060, as amended; Laws 1969, Chapter 775, as amended; or Laws 1967, Chapter 822, as amended, or three mills in any other district maintaining a post-secondary vocational-technical school times the adjusted assessed valuation of the district for the preceding year as determined by the equalization aid review committee. Under no circumstances may a district levy a total amount greater than the local share of its post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education.

(3) If the additional levy allowed in clause (2) of this subdivision would be insufficient to eliminate the local share of the district's post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education, it may petition the commissioner of education for authority to issue general obligation bonds in an amount sufficient to meet the deficiency. Before the bonds may be issued, they must be authorized by the commissioner. The authorization shall specify a term not to exceed seven years and the amount of the bond issue, provided that the **(LEVY AUTHORIZATION TO PAY THE PRINCIPAL AND INTEREST ON THE BONDS MAY NOT ANNUALLY)** amount of principal and interest due in any year on the bonds will not,

*based on the 1974 adjusted assessed valuation of the district as determined by the equalization aid review committee, exceed .25 mills in a district in a city of the first class, .5 mills in districts formed pursuant to Laws 1969, Chapter 1060, as amended; Laws 1969, Chapter 775, as amended; or Laws 1967, Chapter 822, as amended, or six mills in any other district maintaining a post-secondary vocational-technical school (TIMES THE 1974 ADJUSTED ASSESSED VALUATION OF THE DISTRICT AS DETERMINED BY THE EQUALIZATION AID REVIEW COMMITTEE; PROVIDED, HOWEVER, THAT THE MILL LIMITATION IS SUBJECT TO THE PROVISIONS OF SECTION 475.74). The bonds authorized by this section shall be secured, sold and issued pursuant to the provisions of chapter 475, except as otherwise provided (HEREIN) in this subdivision. The bonds shall not be included in computing any debt limitation for (A) the district and no election shall be required for their sale and issuance.*

(4) A district may not be authorized an additional levy under both clauses (2) and (3) of this subdivision.

(5) The state shall assume responsibility for 70 percent, or in Independent School District Nos. 595 and 793 for 85 percent, of a district's post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education. The state portion of the deficit shall be paid to each district in fiscal years 1977 and 1978 in two equal payments, provided that the levy for the district's portion of the deficit has been approved by the commissioner and the required portion for the 1975 levy has been certified to the county auditor.

Sec. 46. *Notwithstanding any law to the contrary the department of education may pay \$27,090.75 from the sum appropriated pursuant to Laws 1975, Chapter 432, Section 96, Clause (1) for the year ending June 30, 1976, to Independent School District No. 332 for foundation aid not paid in fiscal years 1972 and 1973.*

Sec. 47. *For the 1975-1976 school year, a district providing post-secondary vocational education to pupils who are not residents of the district shall receive foundation aid for these pupils, but only for those who qualify to attend a post-secondary vocational-technical school without tuition pursuant to section 124.565, subdivision 1 or 2.*

Sec. 48. *Notwithstanding the provisions of Minnesota Statutes, Section 16.16 or 16A.57 or any other law to the contrary, the state board for vocational education may expend any part it deems necessary of the amount appropriated by Laws 1975, Chapter 432, Section 96, Clause (11), for post-secondary vocational deficit payments, for the payment of post-secondary vocational foundation aid pursuant to Minnesota Statutes, Section 124.562, for the 1976-1977 school year.*

Sec. 49. [APPROPRIATION.] *Subdivision 1. There is appropriated from the general fund of the state treasury to the department of education the sums indicated in this section for the years and purposes specified.*

*Subd. 2. For special education aid for the fiscal year ending June 30, 1976, \$1,000,000, is appropriated; for the fiscal year ending June 30, 1977, \$2,925,600, is appropriated.*

*(a) The appropriations in this subdivision shall be added to the sums appropriated for the years designated in Laws 1975, Chapter 432, Section 96, Clause (3).*

*(b) The appropriations in this subdivision and in Laws 1975, Chapter 432, Section 96, Clause (3), for the year ending June 30, 1977, include \$2,300,000 for the payment of special education aid for 1976 summer school programs and if the appropriation for this purpose is insufficient, the aid shall be prorated among all qualifying districts. This payment shall be made on the basis and at the rate prescribed for 1975 summer school programs in Minnesota Statutes, 1975 Supplement, Section 124.32, Subdivision 1 and Minnesota Statutes 1974, Section 124.32, Subdivision 2. This payment shall be made on or before October 1, 1976. This payment shall be made notwithstanding the provisions of Minnesota Statutes, 1975 Supplement, Section 124.32, Subdivision 3a.*

*(c) The appropriations in this subdivision and in Laws 1975, Chapter 432, Section 96, Clause (3), for the year ending June 30, 1977, include \$200,000 for reimbursement of the actual cost incurred by school districts for instruction and services for handicapped children whose districts of residence are determined pursuant to Minnesota Statutes, Section 120.17, Subdivision 8a and who are temporarily placed in state institutions or licensed residential facilities for care and treatment for the 1975-1976 school year and 1976 summer school. If the appropriation for this purpose is insufficient, the aid shall be prorated among all qualifying districts. This reimbursement shall be made on the same basis and at the same rate as for the 1974-1975 school year and 1975 summer school pursuant to Minnesota Statutes 1974, Section 124.32, Subdivision 6. This reimbursement shall be made notwithstanding the provisions of Minnesota Statutes, 1975 Supplement, Section 124.32, Subdivision 3a.*

*(d) The appropriations in this subdivision and in Laws 1975, Chapter 432, Section 96, Clause (3), for the year ending June 30, 1977, include \$2,500,000 for the payment of aid according to the provisions of Minnesota Statutes, 1975 Supplement, Section 124.32, Subdivision 5, for educational programs during the 1975-1976 school year and 1976 summer school. This payment shall be made notwithstanding the annual expenditure limit of \$400,000 specified in Minnesota Statutes, 1975 Supplement, Section 124.32, Subdivision 5 and notwithstanding the provisions*

*of Minnesota Statutes, 1975 Supplement, Section 124.32, Subdivision 3a.*

*Subd. 3. For implementation of the Uniform Financial Accounting and Reporting System for Minnesota School Districts, the sum of \$100,000 is appropriated for the fiscal year ending June 30, 1976.*

*The appropriation in this subdivision is for the implementation of the Uniform Financial Accounting and Reporting System for Minnesota School Districts. This appropriation shall be used for dissemination of materials, inservice training of public school personnel, and for additional departmental personnel necessary to implement this system; provided that not to exceed \$50,000 of this appropriation shall be used to hire additional personnel beyond the existing complement of the department for this purpose. Any unexpended balance remaining from the appropriation in this subdivision shall not cancel but shall be available for the second year of the biennium.*

**Sec. 50. [REPEALER.]** *Minnesota Statutes 1974, Sections 122.54 and 275.39, are repealed.*

**Sec. 51. [EFFECTIVE DATES.]** *Sections 15, 16, 17, 18, 19, 27, 28, 29, 35, 36, 46, 47 and 49 shall be effective the day following final enactment. Section 26, Subdivisions 3b and 7, shall be effective the day following final enactment."*

Further, amend the title by striking it in its entirety and insert:

"A bill for an act relating to the operation of state government; providing for aids to education, tax levies and the distribution of tax revenues; changing the funding of special education, adult vocational education and secondary vocational education to a current funding basis; granting certain powers and duties to school districts, the commissioner of education, and the state board of education; establishing a uniform financial accounting and reporting system for Minnesota school districts; requiring the provision of special education on a shared time basis to non-public school pupils; appropriating money; amending Minnesota Statutes 1974, Sections 120.17, by adding a subdivision; 120.73, Subdivision 1; 120.74, Subdivision 1; 121.21, by adding a subdivision; 122.45, Subdivisions 2 and 3a; 124.212, by adding a subdivision; 124.32, as amended; Chapter 124, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 122.23, Subdivision 15; 122.45, Subdivision 1; 124.04; 124.17, Subdivisions 1 and 2; 124.212, Subdivision 8a; 124.271, Subdivision 2; 124.43, Subdivision 1; 124.561, Subdivision 3, and by adding a subdivision; 124.562, Subdivision 2; 124.563, Subdivision 3, and by adding a subdivision; 124.564; 124.565, Subdivision 2; 124.611, Subdivisions 1 and 2; 275.125, Subdivisions 2a, 4, 5, 8, 9, and 14; repealing Minnesota Statutes 1974, Sections 122.54 and 275.39."

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1372, A bill for an act relating to waters and drainage; drainage systems; authorizing reconsideration of engineers' and viewers' reports in certain instances; allowing consideration of changed circumstances due to inflation; amending Minnesota Statutes 1974, Section 106.241.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 2148, A bill for an act relating to game and fish; removing lynx from the definition of unprotected animals; authorizing the commissioner of natural resources to establish a season for taking lynx; amending Minnesota Statutes 1974, Section 100.27, Subdivision 7; Minnesota Statutes, 1975 Supplement, Sections 100.26, Subdivision 1; and 100.27, Subdivision 3.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 2264, A bill for an act relating to natural resources; providing for investigation of peat resources; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Appropriations.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 2492, A bill for an act relating to environmental protection; limiting the sale and use of organic compounds known

as polychlorinated biphenyls; permitting exemptions; requiring labels; defining terms; providing a penalty.

Reported the same back with the following amendments:

Page 2, line 7, after "after" insert "there is opportunity for".

Page 2, line 13, delete "January" and insert "July".

Page 2, line 15, after "shall" insert "any person sell".

Page 2, line 16, delete "be sold".

Page 2, line 19, after "rules" insert "by January 1, 1977,".

Page 2, line 20, delete "by July".

Page 2, line 21, delete "1, 1977" and insert "which shall include consumer goods, as defined by the agency, purchased prior to the effective date of this act".

Page 2, delete lines 25 and 26 and insert "Subd. 4. [PENALTIES.] The provisions of this act and all rules, regulations, standards and certificates of exemption adopted or issued by the agency may be enforced by any one or any combination of the remedies provided in section 115.071."

Further amend the title as follows:

Page 1, line 5, delete "a".

Page 1, line 6, delete "penalty" and insert "penalties".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 101, A bill for an act relating to insurance; establishing certain compulsory insurance for aircraft; amending Minnesota Statutes 1974, Sections 60A.081; 360.59, by adding a subdivision; and Chapter 360, by adding a section.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 60A.081, is amended to read:

**60A.081 [AIRCRAFT INSURANCE.]** *Subdivision 1.* No policy of insurance issued or delivered in this state covering any loss, damage, expense, or liability arising out of the ownership, maintenance, or use of an aircraft, shall exclude or deny coverage because the aircraft is operated in violation of federal or civil air regulations, state law or regulations, or local ordinances. This section does not prohibit the use of specific exclusions or conditions in the policy which relate to:

- (1) Certification of an aircraft in a stated category by the federal aviation administration.
- (2) Certification of a pilot in a stated category by the federal aviation administration.
- (3) Establishing requirements for pilot experience.
- (4) Establishing limitations on the use of the aircraft.

*Provided, that no policy of insurance issued or delivered in this state covering any such loss, damage, expense, or liability arising out of the ownership, maintenance, or use of an aircraft, shall in any event exclude or deny coverage to persons other than the pilot or owner of the aircraft because the aircraft is being operated in breach of a policy condition or exclusion requiring certification of an aircraft in a stated category by the federal aviation administration, or establishing limitations on the use of the aircraft, or requiring certification of the pilot in a stated category by the federal aviation administration or by establishing requirements for pilot experience.*

*Subd. 2.* No policy of insurance issued or delivered in this state covering an aircraft equipped with passenger seats and covering liability hazards shall be issued excluding coverage for injury to or death of passengers except as to a policy of insurance exclusively covering "commercial operations" as defined by section 360.013, subdivision 11, when the pilot of the aircraft shall have in force a separate policy of insurance providing for coverage on the aircraft as required by section 3 of this act.

*Subd. 3.* The provisions of this section shall not apply as to any policy issued covering aircraft being used in air commerce as defined by Minnesota Statutes, Section 360.511, Subdivision 4.

**Sec. 2.** Minnesota Statutes 1974, Chapter 360, is amended by adding a section to read:

**[360.0216] [OPERATOR OF AIRCRAFT DEEMED AGENT OF OWNER.]** *When an aircraft is operated within the airspace above this state or upon the ground, surface or waters of this state by a person other than the owner, with the consent of the owner, expressed or implied, the operator shall*

*in case of accident be deemed the agent of the owner of the aircraft in its operation.*

Sec. 3. Minnesota Statutes 1974, Section 360.59, is amended by adding a subdivision to read:

*Subd. 10. [CERTIFICATE OF INSURANCE.] When an application for registration is filed a certificate of insurance shall accompany it. The certificate shall evidence that the aircraft is insured with a liability policy with limits of not less than \$200,000 aggregate liability and not less than \$100,000 per seat passenger liability for both personal and property damage. The certificate shall state the effective date and terms of the coverage. No certificate of registration shall be issued pursuant to subdivision 3 in the absence of a certificate of insurance. In the event of cancellation of the insurance the insurer shall notify the department of aeronautics at least ten days prior to the date on which the insurance coverage is to be terminated. Unless a new certificate of insurance is filed with the department the registration certificate for the aircraft shall be revoked forthwith.*

Sec. 4. Minnesota Statutes 1974, Section 360.91, is amended to read:

**360.91 [VIOLATIONS.]** *Whoever violates or fails to comply with the provisions of sections 360.81 to 360.91 (SHALL BE) or sections 5 or 6 of this act is guilty of a misdemeanor, and each day a violation continues to exist shall constitute a separate offense.*

Sec. 5. Minnesota Statutes 1974, Chapter 360, is amended by adding a section to read:

**[360.92] [PROVISION RELATING TO OPERATION OR PERMISSION TO OPERATE AIRCRAFT WITHIN STATE OF MINNESOTA WITHOUT LIABILITY INSURANCE.]** *It is a misdemeanor for an owner to operate or permit to be operated an aircraft registered or based within the state of Minnesota without liability insurance protecting passengers and third persons for both personal injury and property damage resulting from the operation of the aircraft; provided, that the limits of coverage for personal injury and property damage protection shall be not less than those limits provided for under section 3 of this act.*

Sec. 6. Minnesota Statutes 1974, Chapter 360, is amended by adding a section to read:

**[360.93] [RESPONSIBILITY OF PERSONS ENGAGED IN COMMERCIAL OPERATION TO ASCERTAIN EXISTENCE OF MINIMAL INSURANCE COVERAGES.]** *Any per-*

*son engaged in commercial operations as defined by section 360.013, subdivision 11, who causes or authorizes the operation of aircraft, with or without the right of legal control (in capacity of owner, lessee or otherwise) of the aircraft, shall be responsible for determining that there is in force such minimal insurance coverages required by this chapter for the protection of passengers and third persons from damages for personal injury or death, or property damage, resulting in the operation of any such aircraft; provided that in any case and subject to the penalties provided for herein, every commercial operator causing or authorizing the operation of such aircraft shall disclose to such authorized pilot using or operating such aircraft both the limits and extent of any liability insurance coverages that may be applicable to the operation of such aircraft.*

Sec. 7. *This act is effective for operations of aircraft after June 1, 1976."*

Further amend the title.

Page 1, line 5, after "subdivision;" insert "360.91;"

Page 1, line 6, delete "a section" and insert "sections".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1826, A bill for an act relating to credit unions; allowing credit unions to act as trustees or custodians of employee pension benefit plan accounts; allowing credit unions to take second mortgages on real estate; amending Minnesota Statutes 1974, Sections 52.04; and 52.16.

Reported the same back with the following amendments:

Page 1, line 9, delete "1974" and insert ", 1975 Supplement".

Page 2, line 11, after "Administration" and before the semicolon, insert ". The restrictions imposed by this clause shall not apply to share accounts and deposit accounts of Minnesota central credit union in U.S. central credit union".

Pages 4 and 5, delete all of section 2.

Further amend the title as follows:

Page 1, line 4, delete "allowing credit".

Page 1, delete line 5.

Page 1, line 6, delete "1974, Sections" and insert ", 1975 Supplement, Section" and delete the semicolon.

Page 1, line 7, delete "and 52.16".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 2109, A bill for an act relating to automobile insurance; changing priority of certain benefits; requiring certain premium reductions; providing income loss coverage to disabled unemployment compensation recipients; amending Minnesota Statutes 1974, Sections 65B.44, Subdivision 3; 65B.61; and 65B.70, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 65B.44, Subdivision 3, is amended to read:

Subd. 3. [DISABILITY AND INCOME LOSS BENEFITS.] Disability and income loss benefits shall reimburse 85 percent of the injured person's loss of present and future gross income from inability to work proximately caused by the nonfatal injury subject to a maximum of \$200 per week. *If the person is receiving unemployment compensation benefits and the injury renders him ineligible to receive the benefits then his income loss shall be the unemployment compensation benefits he has been rendered ineligible to receive and he shall be reimbursed for 100 percent of such benefits.* Compensation for loss of income from work shall be reduced by any income from substitute work actually performed by the injured person or by income the injured person would have earned in available appropriate substitute work which he was capable of performing but unreasonably failed to undertake.

For the purposes of this section "inability to work" shall mean disability which continuously prevents the injured person from engaging in any substantial gainful occupation or employment, for wage or profit, for which he is or may by training become reasonably qualified.

Sec. 2. Minnesota Statutes 1974, Section 65B.61, is amended to read:

65B.61 [BENEFITS PRIMARY; SUBTRACTIONS; COORDINATION.] Subdivision 1. Basic economic loss benefits shall be primary with respect to benefits, except for those paid or payable under a workmen's compensation law *and medicare payments under title 18 of the social security act*, which any person receives or is entitled to receive from any other source as a result of injury arising out of the maintenance or use of a motor vehicle.

*Subd. 1a. [MEDICARE PAYMENTS.] Medicare payments under title 18 of the social security act shall be primary with respect to basic economic loss but not to worker's compensation benefits. Medicare benefits paid or payable shall be subtracted from a loss in computing the medical expense portion of basic economic loss benefits payable.*

Subd. 2. Benefits paid or payable under a workmen's compensation law because of the injury or death shall be subtracted in computing basic economic loss benefits, but only to the extent that they exceed any deductible applicable to the basic economic loss benefits.

Subd. 3. Any legally constituted entity, other than a reparation obligor obligated to pay benefits under a plan of reparation security or an insurer or employer obligated to pay benefits under a workmen's compensation law or a payer of medicare benefits, may coordinate any benefits it is obligated to pay for loss incurred as a result of injury arising out of the maintenance or use of a motor vehicle with basic economic loss benefits.

Subd. 4. Notwithstanding subdivision 3, no entity may coordinate benefits unless it provides those persons who purchase benefits from it with an equitable reduction or savings in the direct or indirect cost of the purchased benefits. If the benefits to be coordinated are provided to an individual through a group, program, contract or other arrangement for which another person pays in whole or in part, the entity coordinating benefits shall return to the individual or use for his benefit any reduction or savings in the direct or indirect cost of the benefits.

Sec. 3. Minnesota Statutes 1974, Section 65B.70, is amended by adding a subdivision to read:

*Subd. 7. [OLD OR DISABLED INSUREDS; MEDICARE ELIGIBLES.] Reparation obligors shall offer a plan of reparation security at reduced rates to persons aged 65 years or older or to persons totally disabled and receiving social security disability benefits which shall contain an exclusion of income loss benefits payable to that person or to any person described above who elects to be excluded.*

*Reparation obligors shall offer a plan of reparation security at reduced rates to persons with medicare coverage under title 18 of the social security act. The reduction in rates shall relate to the fact that section 2 makes medicare payments primary with respect to medical expense benefits payment."*

With the recommendation that when so amended the bill do pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 2224, A bill for an act relating to banking; providing for mailed notice of automatic renewal of time deposits and possible penalties or loss of interest or reduction of interest; amending Minnesota Statutes 1974, Chapter 47, by adding a section.

Reported the same back with the following amendments:

Page 2, line 2, delete "1975" and insert "1976".

Page 2, line 3, delete "1975" and insert "1976".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 2295, A bill for an act relating to optometric services; providing for inclusion of optometric services in benefits for expenses incurred for medical treatment or services; amending Minnesota Statutes 1974, Section 62A.15, Subdivision 1, and by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 16, delete "for".

Page 1, line 17, delete "*chiropractic services*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 2496, A bill for an act relating to commerce; interest rates on money; exempting agricultural credit corporations from interest rate limitations; amending Minnesota Statutes 1974, Section 334.06.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 2145, A bill for an act relating to elections; providing for an increased income tax checkoff; providing for redistribution of moneys in the elections campaign fund; providing limitations on political contributions; amending Minnesota Statutes 1974, Sections 10A.27; 10A.30, Subdivision 2; 10A.31; and 10A.32, Subdivisions 2 and 4.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1974, Section 10A.12, Subdivision 5, is amended to read:

Subd. 5. Notwithstanding subdivision 1, any association may, if not prohibited by law, transfer to its political fund money from that part of its treasury financed by dues or membership fees. *Upon written request to the treasurer of the political fund, dated prior to January 1 in any year, any member of an association shall be refunded that portion of his membership dues or fees intended for political purposes and transferred to the fund during the ensuing year.* Pursuant to section 10A.20, the source of the dues or membership fees must be disclosed if an aggregate amount in excess of \$50 of any member's dues, membership fees and voluntary contributions are transferred to the political fund within one year.

Sec. 2. Minnesota Statutes 1974, Chapter 10A, is amended by adding a section to read:

[10A.261] *Nothing in this chapter shall be construed as abridging the right of an association to communicate with its membership.*

Sec. 3. Minnesota Statutes 1974, Section 10A.27, is amended to read:

10A.27 [ADDITIONAL LIMITATIONS.] Subdivision 1. *In any year, except as provided in subdivision 2, no political committee, political fund, or individual, except a (POLITICAL PARTY) candidate or (THE) his principal campaign committee (OF A CANDIDATE) shall make expenditures on his behalf or in opposition to (THE) his opponent (OF A CANDIDATE), or transfer funds to (THE) his principal campaign committee (OF A CANDIDATE), in an amount in excess of (TEN PERCENT OF THE AMOUNT THAT MAY BE SPENT BY OR ON BEHALF OF THAT CANDIDATE AS SET FORTH IN SECTION 10A.25) \$200 in the case of candidates for governor and lieutenant governor running jointly, attorney general, secretary of state, state auditor, or state treasurer, and \$100 in the case of a candidate for the senate or house of representatives.*

Subd. 2. (NO POLITICAL PARTY SHALL MAKE EXPENDITURES ON BEHALF OF A CANDIDATE OR TRANSFER FUNDS TO THE PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE IN AN AMOUNT IN EXCESS OF 50 PERCENT OF THE AMOUNT THAT MAY BE SPENT BY OR ON BEHALF OF THAT CANDIDATE AS SET FORTH IN SECTION 10A.25.)

*Notwithstanding the provisions of subdivision 1, a political party may expend on behalf of a candidate or transfer to his principal campaign committee an amount not to exceed ten percent of his expenditure limits in 1977, and not to exceed five percent of his expenditure limits in 1978.*

*For the purpose of this subdivision only, a political party includes its organization within congressional districts, legislative districts, counties, municipalities, and legislative bodies.*

Subd. 3. Expenditures by a political party on behalf of candidates of that party generally, without referring to any of them specifically in any advertisement published or posted, on any broadcast, or in any telephone conversation, if that conversation mentions three or more candidates, shall not be subject to the limitations of section 10A.25, subdivision 2, or this section.

Subd. 4. For the purposes of this section, *with the exception of subdivision 2, (A POLITICAL PARTY INCLUDES) a political party's organization within congressional districts, counties, legislative districts, municipalities, wards, precincts, and any legislative body which are required to file financial statements under section 10A.20 are distinct political committees.*

Subd. 5. *Nothing in this chapter shall limit expenditures by a political committee, political fund, or individual which are made without the authorization or consent, express or implied, of a candidate or his agent, provided the political committee, political fund, or individual complies with the provisions of section 10A.17.*

Sec. 4. Minnesota Statutes 1974, Section 10A.30, Subdivision 2, is amended to read:

Subd. 2. Within the state elections campaign fund account there shall be maintained a separate (ACCOUNTS) *account* for the candidates of each political party and a general account.

Sec. 5. Minnesota Statutes 1974, Section 10A.31, is amended to read:

10A.31 [DESIGNATION OF INCOME TAX PAYMENTS.]

Subdivision 1. Effective with the taxable years beginning after December 31, (1973) 1975, every individual whose income tax liability after personal credit for the taxable year is (\$1) \$2 or more may designate that (\$1) \$2 shall be paid into the state elections campaign fund. In the case of a joint return of husband and wife having an income tax liability of (\$2) \$4 or more, each spouse may designate that (\$1) \$2 shall be paid.

Subd. 2. The taxpayer may designate that the (\$1) \$2 be paid into the account of a political party or into the general account.

Subd. 3. The commissioner of the department of revenue shall on the first page of the income tax form notify the taxpayer of his right to allocate (\$1) \$2 of his taxes ((2) \$4 if filing a joint return) to finance the election campaigns of state candidates. The form shall also contain language prepared by the commissioner which permits the taxpayer to direct the state to allocate the (\$1) \$2 (or (\$2) \$4 if filing a joint return) to (ONE OF THE FOLLOWING): (i) *one of* the major political parties; (ii) (THE NAME OF) any minor political party provided that (IF) a petition is filed to qualify as a minor political party (IT BE FILED) by June 1 of that taxable year; (AND) *or* (iii) (DISTRIBUTION TO) all qualifying candidates as provided by this section.

Subd. 4. All moneys designated by individual taxpayers for the state elections campaign fund shall be credited to the appropriate account in the general fund of the state and shall be annually appropriated for distribution as set forth in subdivisions 5, 6 and 7.

Subd. 5. ((A)) In each fiscal year (, 40 PERCENT OF) the moneys in each account shall be set aside for candidates for statewide office(.) *as follows:*

((B) OF THE AMOUNT SET ASIDE IN CLAUSE) (a) (, 40) 21 percent shall be distributed to the candidates for governor and lieutenant governor jointly; (24) 3.6 percent shall be distributed to the candidate for attorney general; and (12) 1.8 percent each shall be distributed to the candidates for secretary of state, state treasurer and state auditor. If there is no nominee

of that party for one of the offices, the share set aside for that office shall be distributed to the other statewide candidates of that party in the same proportions as the original amount. *If there is no nominee of that party for any statewide office, the shares set aside shall be distributed to all other candidates of that party in proportion to their shares as set forth in subdivisions 6 and 7.*

((C)) (b) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account, of the state elections fund to the appropriate candidates who are to appear on the ballot for the general election as prescribed in (CLAUSES) clause (a) (AND (B)).

((D)) (c) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in the same proportions as provided in clause ((B)) (a), in an equal amount to each candidate who received at least five percent of the vote cast in the general election for the office for which he was a candidate.

Subd. 6. (a) In each of the fiscal years during the period in which the state senate serves a four year term which commences after April 13, 1974, (20)  $23 \frac{1}{3}$  percent of the moneys in each account shall be set aside for candidates for state senate. In each of the fiscal years during the period in which the state senate serves a two year term, (AND IN 1975 AND 1976, 30) 35 percent of the moneys in each account shall be set aside for candidates for state senate.

(b) The amount set aside in clause (a) shall be distributed in equal shares to each of the candidates for state senate of that party. *If a political party has no candidate for state senate, the amount set aside shall be distributed to all other candidates of that party in proportion to their shares as set forth in subdivisions 5 and 7.*

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account to the appropriate candidates who are to appear on the ballot for the general election as prescribed in clauses (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in an equal amount to each candidate who received at least ten percent of the votes cast in the general election for the office for which he was a candidate.

Subd. 7. (a) In each of the fiscal years during the period in which the state senate serves a four year term which commences after April 13, 1974, (40)  $46 \frac{2}{3}$  percent of the moneys in each account shall be set aside for candidates for state representatives. In each of the fiscal years during the period in which the state senate serves a two year term, (AND IN 1975 AND 1976, 30) 25 percent of the moneys in each account shall be set aside for candidates for state representatives.

(b) The amount set aside in clause (a) shall be distributed in equal shares to each of the candidates for state representative of that party. *If a political party has no candidate for state representative, the amount set aside shall be distributed to all other candidates of that party in proportion to their shares as set forth in subdivisions 5 and 6.*

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account, to the appropriate candidates who are to appear on the ballot for the general election as prescribed in clauses (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in an equal amount to each candidate who received at least ten percent of the votes cast in the general election for the office for which he was a candidate.

Sec. 6. Minnesota Statutes 1974, Section 10A.32, Subdivision 2, is amended to read:

Subd. 2. No candidate shall be entitled to receive from the state election campaign fund an amount greater than the total amount actually expended by or on behalf of the candidate (DURING HIS CAMPAIGN) *in the year of the election. If the report required to be filed 30 days after the general election indicates that the amount received by the candidate is greater than the amount expended on his behalf, the treasurer of his principal campaign committee shall refund to the state treasurer an amount equal to the difference. The refund in the form of a check or money order shall be submitted with such report and the commission shall forward the refund to the state treasurer.*

Sec. 7. Minnesota Statutes 1974, Section 10A.32, Subdivision 3, is amended to read:

Subd. 3. As a condition of receiving any funds from the state elections campaign fund, any candidate, prior to receipt of the funds, shall agree *by stating in writing to the commission on or before September 1 that expenditures on his behalf shall not ex-*

*ceed the expenditure limits as set forth in section 10A.25 and that his principal campaign committee shall not accept contributions exceeding 105 percent of the difference between the amount which may legally be expended by him or on his behalf (OF THAT CANDIDATE,) and the amount which (THE CANDIDATE ) he receives from the state elections campaign fund. Any amount by which his total contributions exceed 105 percent of the difference shall be refunded to the state treasurer. The refund in the form of a check or money order shall be submitted to the commission with the report due 30 days after the election.*

*For the purposes of this subdivision only, the total amount to be received by each candidate is calculated to be his share of the party account plus the amount in the general account set aside for that office divided by the number of candidates on the general ballot for that office. If the amount actually received by the candidate is greater by reason of a lesser number of qualifying candidates sharing in the funds in the general account, and his contributions thereby exceed 105 percent of the difference, the agreement shall not be considered violated.*

Sec. 8. Minnesota Statutes 1974, Section 10A.32, Subdivision 4, is amended to read:

Subd. 4. If a political party for whose candidates funds have been accumulated in the state elections campaign fund does not have a candidate for (STATEWIDE) any office (, STATE REPRESENTATIVE OR STATE SENATOR), the moneys (WHICH WOULD BE USED FOR DISTRIBUTION TO THAT CATEGORY OR CATEGORIES) shall be (TRANSFERRED TO THE GENERAL) maintained in that account until the year of the next general election. If in two successive general election years that political party does not have a candidate for any office, the accumulated funds shall be transferred to the general account.

Sec. 9. *If any provision of this act is declared unconstitutional, the entire act is void.*

Sec. 10. *This act is effective January 1, 1977 and shall apply to 1976 income tax returns filed in 1977."*

Further, strike the title in its entirety and insert the following:

"A bill for an act relating to elections; providing for an increased income tax checkoff, redistribution of moneys in the elections campaign fund, and limitations on political contributions; amending Minnesota Statutes 1974, Sections 10A.12, Subdivision 5; 10A.27; 10A.30, Subdivision 2; 10A.31; and 10A.32, Subdivisions 2, 3 and 4; and Chapter 10A, by adding a section.

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Taxes.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 595, A bill for an act relating to retirement; authorized expenditures of firemen's relief associations; amending Minnesota Statutes 1974, Section 424.31.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1913, A bill for an act relating to the city of Waseca; authorizing lump sum firemen's service pensions.

Reported the same back with the following amendments:

Page 1, line 8, delete "retired" and insert "retiring".

Page 1, line 8, delete "after" and insert "upon completing at least".

Page 1, line 11, after "years" insert "of service".

Page 1, line 11, after "\$500" insert "per year of service".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1918, A bill for an act relating to the city of Shakopee; authorizing an increase in fire department relief association lump sum service benefits.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1919, A bill for an act relating to public employees; providing for an automatic pay increase to state employees who pass the certified professional secretary examination.

Reported the same back with the following amendments:

Page 1, line 6, delete "Subdivision 1."

Page 1, line 10, delete "granted an automatic two step salary".

Page 1, delete lines 11 to 22.

Page 2, delete line 1, and insert "assured that the certification will be taken into consideration when opportunity for promotion becomes available."

Further amend the title:

Line 2, delete "an".

Line 3, delete all of line 3 and insert "state recognition of".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1960, A bill for an act relating to the firemen's relief association of the city of Goodview; providing that years of service with the Goodview volunteer fire department shall be treated as years of service with the Goodview firemen's relief association; repealing Laws-1974, Chapter 188.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1961, A bill for an act relating to the city of Chanhassen; firemen's service pensions.

Reported the same back with the following amendments:

Page 1, line 9, delete "to retired members".

Page 1, line 10, after "has" insert "reached the age of 50 years and who has".

Page 1, line 11, after "performed" insert "at least".

Page 1, after line 12, insert a new section to read:

"Sec. 2. This act is effective upon approval by the governing body of the city of Chanhassen and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1962, A bill for an act relating to the city of Wadena; increasing payments for firemen's relief association service pensions.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1963, A bill for an act relating to the city of Mound; firemen's service pensions; amending Laws 1973, Chapter 175, Section 1, as amended.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1964, A bill for an act relating to the city of Newport; volunteer firemen's service pensions.

Reported the same back with the following amendments:

Page 2, line 4, delete "\$120" and insert "\$90".

Page 2, line 8, delete "\$600" and insert "\$450".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1966, A bill for an act relating to judges; authorizing certain retired judges and their dependents to participate in the state employee hospital benefits and medical benefits program; amending Minnesota Statutes 1974, Section 43.491, by adding a subdivision.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1967, A bill for an act relating to the city of Rockford; proportionate service pensions and financing requirements of the firemen's relief association.

Reported the same back with the following amendments:

Page 2, after line 14, insert a new section to read:

"Sec. 3. Payments of lump sum service pensions from the special fund of the association made prior to the effective date of this act are validated if consistent with the minimum service requirement set forth in section 1 of this act."

Renumber the remaining section.

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2007, A bill for an act relating to the city of Wayzata; volunteer firemen's service pensions; amending Laws 1973, Chapter 472, Section 1.

Reported the same back with the following amendments:  
Page 1, line 14, delete "\$800" and insert "\$750".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2009, A bill for an act relating to the city of Eveleth; firemen's pensions therein; amending Laws 1935, Chapter 208, Section 11, as added.

Reported the same back with the following amendments:

Page 1, line 18, after the period insert "*No retired member or surviving widow shall receive increases under both Laws 1975, Chapter 200, and this act.*"

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2010, A bill for an act relating to the city of Eveleth; increase in police pensions; amending Laws 1965, Chapter 636, Section 8, as added.

Reported the same back with the following amendments:

Page 1, line 18, after the period insert "*No retired member or surviving widow shall receive increases under both Laws 1975, Chapter 186, and this act.*"

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2024, A bill for an act relating to the tax court; establishing the tax court as a full time court; creating a small claims division; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 15A.083, Subdivi-

sion 4; 271.01, Subdivisions 1 and 4a, and by adding a subdivision; 271.02; 271.03; 271.04; 271.06, Subdivisions 1, 2, 3, 4, 6, and by adding a subdivision; 271.07; 271.08; 271.09, Subdivisions 1, 2, and 3; 271.10, Subdivisions 1 and 2; 271.12; 271.13; 271.14; 271.15; 271.17; 271.18; 271.20; and 490.121, Subdivision 2; and Chapter 271, by adding sections; and Minnesota Statutes, 1975 Supplement, Section 124.212, Subdivision 11; repealing Minnesota Statutes 1974, Sections 271.001; 271.01, Subdivisions 2 and 3; 271.06, Subdivision 5; 271.11; and 271.16.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2053, A bill for an act authorizing the conveyance by the state of a certain easement over certain lands in the county of Washington.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2090, A bill for an act relating to the city of Worthington; volunteer firemen's service pensions.

Reported the same back with the following amendments:

Page 1, line 12, delete "50" and insert "55".

Page 1, after line 20, insert a new subdivision to read:

"Subd. 2. All payments of service pensions from the special fund of the Worthington volunteer firemen's relief association in excess of the amounts authorized by Minnesota Statutes, Section 69.06, but not in excess of the amounts authorized by this act made prior to the effective date of this act are hereby deemed authorized."

Renumber the remaining subdivision.

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2107, A bill for an act relating to public employees; providing for payment of attorney's fees necessary to obtain benefits for survivors of peace officers killed in line of duty; amending Minnesota Statutes 1974, Chapter 352E, by adding a section.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2116, A bill for an act relating to the legislature; creating a legislative commission on housing and community development; prescribing its powers and duties; requiring a report and budget estimate; and appropriating money.

Reported the same back with the following amendments:

Page 2, line 21, delete "and".

Page 2, after line 21, insert a new clause to read:

"(e) The development and recommendation to the legislature of a state-wide policy on housing and community development; and".

Re-letter the remaining clause.

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2154, A bill for an act relating to the operation and structure of state government; eliminating certain qualifications for the office of commissioner of personnel; amending Minnesota Statutes 1974, Section 43.001, Subdivision 2.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2155, A bill for an act relating to retirement; proportionate annuities for members of various funds; amending Minnesota Statutes, 1975 Supplement, Section 356.32, Subdivision 2.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2159, A bill for an act relating to the city of Minneapolis; municipal employees survivor benefits; amending Minnesota Statutes 1974, Section 422A.23, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Section 422A.23, Subdivision 4.

Reported the same back with the following amendments:

Page 1, line 14, reinstate the stricken language.

Page 1, line 19, before "child" reinstate the stricken language.

Page 1, line 20, reinstate the stricken language.

Page 2, after line 23, add new sections to read:

*"Sec. 4. Nothing in this act shall decrease or increase benefits paid as of the effective date of this act.*

*Sec. 5. This act is effective upon approval by the city council of the city of Minneapolis and upon compliance with Minnesota Statutes, Section 645.021."*

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2297, A bill for an act authorizing the conveyance of lands and structures comprising Count Beltrami state monument to the town of Turtle Lake in Beltrami county; specifying the terms and conditions of such conveyance.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2321, A bill for an act relating to the city of Sauk Rapids; fireman's lump sum service pensions; amending Laws 1973, Chapter 481, Section 1.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H. from the Committee on Governmental Operations to which was referred:

H. F. No. 2338, A bill for an act relating to the city of Fergus Falls; firemen's service pensions; amending Laws 1971, Chapter 2, Section 1.

Reported the same back with the following amendments:

Page 1, line 14, reinstate the stricken language and delete the new language.

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2399, A bill for an act relating to Indian affairs; re-naming the board on Indian affairs; providing a change in membership for the board; changing the duties of the board; amending Minnesota Statutes 1974, Section 3.922, as amended.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2518, A bill for an act relating to the city of Hastings; removing certain restrictions on the use of certain lands conveyed by the state to the city; amending Extra Session Laws 1967, Chapter 18, Section 2.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1926, A bill for an act relating to drugs; clarifying the prohibition against sale or possession of legend drugs by certain persons; authorizing county detoxification centers to purchase and possess legend drugs; amending Minnesota Statutes 1974, Section 151.37, Subdivision 5.

Reported the same back with the following amendments:

Page 1, line 14, delete "county" and insert "local".

Further amend the title:

Line 4, delete "county" and insert "local".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2093, A bill for an act relating to health; providing that persons eligible for medical assistance have free selection of a medical care vendor; amending Minnesota Statutes, 1975 Supplement, Sections 256D.03, Subdivision 3; and 261.21, Subdivision 2.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2342, A bill for an act relating to state hospitals; providing certain name changes; amending Minnesota Statutes

1974, Sections 252.025, Subdivision 1; 253.201; 253A.02, by adding a subdivision; and 254.05.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2538, A bill for an act relating to health; requiring certain health care facilities to establish grievance procedures; mandating study of in-service education; requiring insurers to report malpractice claims made against facilities; authorizing the board of health to collect and review information.

Reported the same back with the following amendments:

Page 1, line 13, delete "an in-hospital" and insert "a".

Page 1, line 17, delete "known to" and insert "which may be recognized as having an".

Page 1, line 17, after "influence" insert "on".

Page 2, line 6, delete "upon admission to the".

Page 2, line 7, delete "facility".

Page 2, after line 9, insert the following:

"Subd. 3. [RULES PROMULGATED.] The state board of health shall by rule establish:

(a) minimum standards and procedural requirements for the grievance or complaint mechanism;

(b) descriptions of the types of complaints subject to the grievance or complaint procedure;

(c) the form and manner in which patient notices shall be made; and

(d) provisions for fines of up to \$200 for failure to comply with this law."

Page 2, line 18, delete "a facility licensed under Minnesota".

Page 2, line 19, delete "Statutes, Chapters 144 or 145" and insert "acute care hospitals, health maintenance organizations, and outpatient surgery centers".

Page 2, line 29, before "The" insert "On December 1, 1976 and every December 1 thereafter,".

Page 3, delete line 4 and insert "Subd. 3. A".

Page 3, line 5, delete "section 3 of".

Page 3, line 6, delete "this act" and insert "this section."

Page 3, after line 7, add the following sections:

"Sec. 4. [APPROPRIATION.] The sum of \$35,000 is hereby appropriated from the general fund to the state board of health for the purpose of this act for the biennium ending June 30, 1977.

Sec. 5. [EFFECTIVE DATE.] This act shall be effective on final passage except for sections 1 and 2 which shall be effective on adoption of rules."

Further amend the title as follows:

Line 7, after "information" insert "; appropriating money".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 1228, A bill for an act relating to courts; juvenile court records; establishing a procedure for expunging the records; providing a penalty; amending Minnesota Statutes 1974, Chapter 260, by adding a section.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1974, Section 260.015, is amended by adding subdivisions to read:

*Subd. 15. "Juvenile records" means all records, except traffic offense records, pertaining to a juvenile insofar as they relate*

tohis apprehension, detention, adjudication or disposition, maintained by any public agency, including these keepers of juvenile records: all local and municipal police departments, sheriff's departments, highway patrol, detention centers, court services, probation officers, the bureau of criminal apprehension, juvenile courts, department of natural resources, welfare departments, and the department of corrections. Juvenile records does not include records of proceedings held pursuant to sections 260.125 or 260.193, or adoption, neglect, or termination of parental rights proceedings.

Subd. 16. "Sealing" of a juvenile record means removal from the keepers of juvenile record files and storage in a place separately maintained for sealed juvenile records, and deleting the case from the court's docket.

Subd. 17. "Expunge" means to physically erase or destroy juvenile records or remove all initial references in a computer memory system to the name, address and any other reference pertaining to the juvenile's identification or his juvenile record.

Sec. 2. Minnesota Statutes 1974, Chapter 260, is amended by adding a section to read:

[260.162] *Subdivision 1. [AUTOMATIC SEALING.]* When an individual becomes 18 years of age, or the juvenile court's jurisdiction over him terminates, whichever is later, all keepers of juvenile records shall seal the juvenile records pertaining to that person, subject to the provisions of subdivision 2. These records shall not be reopened except upon a court order if the court finds that reopening is in the best interest of the person to whom the records pertain or vital to the public interest.

Subd. 2. [EXEMPTION.] Any keeper of a juvenile record may petition the juvenile court for a juvenile record to be exempted from the provisions of subdivision 1 upon notice to the individual who is the subject of the record. An exemption may be granted upon proper cause shown to the court that the juvenile's future involvement with the criminal court may reasonably be expected, where there is evidence of an extensive past juvenile record, or the individual has been certified as an adult offender, or has been adjudicated a delinquent for an offense involving death, sexual penetration, use of firearms, or great bodily harm as defined in section 609.02, subdivision 8. The court shall determine the period for which the exemption shall apply, and may reconsider its determination at any time.

Subd. 3. [NOTICE TO THE INDIVIDUAL.] When a juvenile's records have been sealed pursuant to subdivision 1, the juvenile court shall notify him that his records have been sealed and that he need not disclose the past existence of a juvenile record, nor that he committed any act upon which the juvenile record was based, or any other information pertaining to a juvenile

record. The juvenile shall also be informed of his right to petition the court for expunction under section 260.185, subdivision 2.

Subd. 4. [NON-DISCLOSURE.] All sealed records shall be closed to public inspection and be considered confidential within the meaning of section 15.162, subdivision 2a; the existence or contents of these records shall not be disclosed to anyone except authorized personnel within the agency having custody of the records. Response to all requests for information shall be: "We regret that we are not allowed by law to examine our records to determine whether or not they contain any information of interest to you." Research by authorized personnel shall be conducted pursuant to sections 15.164 and 15.165.

Subd. 5. [INQUIRY AS TO JUVENILE RECORDS.] No person shall inquire, nor provide a form which inquires, whether an individual has ever had a juvenile record or committed an act upon which a juvenile record was based, or any other information pertaining to a juvenile record. No person may be terminated from employment, in whole or in part, for failure to disclose the existence of his juvenile record.

Subd. 6. [FORMS.] The supreme court shall, by August 1, 1976, design standardized forms for use by juvenile courts to notify a juvenile of the sealing order and its effect, and keepers of juvenile records of the expunction order; and forms for use by keepers of juvenile records to give notice of compliance or contest of the order.

Subd. 7. [EFFECT AND RETROACTIVITY.] This act is effective, notwithstanding the provisions of section 138.17, and shall be applied retroactively.

Sec. 3. Minnesota Statutes 1974, Section 260.185, Subdivision 2, is amended to read:

Subd. 2. [DESTRUCTION OF RECORDS PERMITTED.] Except when legal custody is transferred under the provisions of subdivision 1, clause (d), the court may expunge the adjudication of delinquency (AT ANY TIME THAT IT DEEMS ADVISABLE) on its own motion or upon petition of the juvenile. The court shall issue the order whenever it appears after investigation that (a) the individual will probably not commit a felony, and (b) the existence of a juvenile record will create a barrier to his obtaining employment. The determination of need for expunction shall be based on characteristics of the individual, rather than on the category of the offense, or his age, race, sex or family background.

Upon its determination that an expunction order shall issue, the court shall send copies of the order to the county attorney and to the following agencies known by it to retain records on the indi-

*vidual: local and municipal police departments, sheriff's departments, highway patrol, detention centers, department of natural resources, court services, and probation offices. The effect of the order shall be delayed for 45 days to allow contest by the county attorney and agencies receiving a copy of the expunction order. Anyone contesting the order shall serve the court with notice of the contest within 30 days of its issuance.*

*Within 45 days after issuing the original order for expunction, or if contested, after a subsequent order upholds the expunction, the court shall require the expunction of juvenile records. Any agency receiving a copy of the order shall comply and notify the juvenile court of its compliance within 30 days of receiving the order."*

Further amend the title as follows:

Page 1, delete lines 3 to 5 and insert: "providing for the sealing and expunction of juvenile records in certain instances; amending Minnesota Statutes 1974, Sections 260.015, by adding subdivisions; 260.185, Subdivision 2; and Chapter 260, by adding a section."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2166, A bill for an act relating to public information; limiting use of certain information contained on commercial mailing lists; requiring permits and posting of bonds; defining terms.

Reported the same back with the following amendments:

Page 1, line 10, after "individual" insert "and which furnishes from its records information to any person or corporation which is used in the preparation of a commercial mailing list".

Page 1, line 10, after "in" insert "or with".

Page 1, line 16, delete "approval or refusal" and insert "disapproval by means of the following language: As a result of information furnished on this application, you may receive information concerning the sale of merchandise or services. If you wish to receive such information, check here

Page 1, line 17, delete "An application which" and insert "When".

Page 1, line 18, after "indicated" insert "that his name and address".

Page 1, line 19, after "list" insert "his application".

Page 2, line 7, delete "\$5,000" and insert "\$15,000".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2239, A bill for an act relating to unemployment compensation; providing for the use of certain information in fraud investigations; amending Minnesota Statutes 1974, Section 268.12, Subdivision 12.

Reported the same back with the following amendments:

Page 2, line 24, before "prosecution" insert "possible".

Page 2, line 24, after "offense" insert "under Minnesota Statutes, Section 265.98".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2441, A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted and obsolete references and text; reenacting certain laws inadvertently repealed; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1974, Chapter 359, by adding a section; Sections 9.031, Subdivision 3; 15.50, Subdivision 2; 16.02, Subdivision 14; 16.13; 16.872, Subdivision 2; 16A.125, Subdivision 6; 30.464, Subdivision 1; 30.467; 30.469; 38.02, Subdivision 2; 43.07, Subdivision 1; 72A.25, Subdivision 3; 86.41; 110.53; 116F.08; 121.85; 121.86; 121.88; 123.32, Subdivision 7; 144.01; 144.63, Subdivision 2; 144.952, Subdivision 1; 151.02; 155.04; 156.11; 176.471, Subdivision 3; 205.10, as amended; 216.25; 239.46; 246.02, Subdivision 4; 248.07, Subdivision 4; 253A.02, Subdivision 18; 256.863; 256.935, Subdivision 1; 256D.21; 268.10, Subdivision 8; 270.10, Subdivision 1;

271.10, Subdivision 2; 275.127; 291.33, Subdivision 1; 298.281, Subdivision 5; 306.38, Subdivision 2; 309.52, Subdivision 1a; 319A.11, Subdivision 2; 341.05, Subdivision 2; 341.06; 341.07; 341.08; 341.09, Subdivisions 2 and 3; 341.12; 341.13; 341.15; 345.38, Subdivision 1; 355.80; 363.10; 366.10; 368.01, Subdivision 25; 375A.09, Subdivision 4; 414.07, Subdivision 2; 414.08; 430.031, Subdivision 4; 462A.04, Subdivision 1; 472.03, Subdivision 2; 481.15, Subdivision 2; 487.03, Subdivision 2; 490.12, Subdivision 5; 490.16, Subdivision 6; 532.38; 546.09; 546.10; 562.04; 617.41; Minnesota Statutes, 1975 Supplement, Sections 15.162, Subdivision 1; 15.163, Subdivision 2; 15.166, Subdivisions 1 and 2; 15.167; 43.12, Subdivision 23; 43.43, Subdivision 2; 82.18; 116A.01, Subdivision 1a; 116A.20, Subdivision 1; 116A.24, Subdivision 1; 121.87, Subdivision 1; 123.36, Subdivision 10; 124.03, Subdivision 1; 124.212, Subdivision 8a; 127.25, Subdivision 3; 136A.233, Subdivision 1; 144.53; 147.01; 148.03; 148.181, Subdivision 1; 148.52; 148.67; 150A.02, Subdivision 1; 153.02; 154.22; 156.01, Subdivision 1; 210A.09; 273.138, Subdivision 3; 298.281, Subdivision 1; 325.942, Subdivision 1; 326.04; 326.17; 326.241, Subdivision 1; 326.541; 341.01; 341.04; 341.05, Subdivision 1; 341.10; 341.11; 354A.12; 386.63, Subdivision 1; 473.204, Subdivision 2; 473.823, Subdivision 4; 488A.01, Subdivision 5; 500.24, Subdivision 2; 501.81, Subdivision 3; Laws 1975, Chapter 271, Section 3; reenacting Laws 1969, Chapters 1123, as amended; 1126, Section 2, as amended; and 1137, as amended; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivision 1a; 123.31, as amended; 239.45; and 366.182; Laws 1975, Chapters 46, Section 11; 162, Section 28; and 342, Section 1; Laws 1976, Chapter 2, Section 152.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2442, A bill for an act relating to Minnesota Statutes; restoring certain erroneously omitted language; amending Laws 1975, Chapter 347, Section 3.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

S. F. No. 10, A bill for an act relating to certain commercial transactions; amending provisions of the uniform commercial

code governing secured transactions and related provisions; amending Minnesota Statutes 1974, Chapter 336, by adding sections; and Sections 336.1-105; 336.1-201; 336.2-107; 336.5-116; 336.9-102; 336.9-103; 336.9-104; 336.9-105; 336.9-106; 336.9-203; 336.9-204; 336.9-205; 336.9-301; 336.9-302; 336.9-304; 336.9-305; 336.9-306; 336.9-307; 336.9-308; 336.9-312; 336.9-313; 336.9-318; 336.9-401; 336.9-402; 336.9-403; 336.9-404; 336.9-405; 336.9-406; 336.9-407; 336.9-501; 336.9-502; 336.9-504; and 336.9-505; repealing Minnesota Statutes 1974, Section 336.9-408.

Reported the same back with the following amendments:

Page 55, line 21, after the period insert *"No description of the real estate or the name of the record owner thereof is required for a fixture filing where the debtor is a transmitting utility. Notwithstanding the foregoing a general description of the real estate is sufficient for a fixture filing where a railroad is the record owner of the real estate on which the fixtures are or are to be located; and for the purposes of this subsection, the requirement of a general description is satisfied if the fixture filing (1) identifies the section, township and range numbers of the county in which the land is located; (2) identifies the quarter-quarter of the section that the land is located in; (3) indicates the name of the record owner of the real estate; and (4) states the street address of the real estate if one exists."*

Page 60, line 14 after "or" insert *", for filing offices other than the secretary of state,"*.

Page 62, line 21, delete "an" and insert *", if the original financing statement was subject to subsection (5) of section 336.9-402, the fee prescribed by section 357.18, subdivision 1, clause (1)."*

Page 62, line 22, before "additional" insert "An".

Page 62, line 22, after "\$1" insert *"shall be charged"*.

Page 63, line 7, delete *"if the statement is in"*.

Page 63, delete lines 8 to 11 and insert *", the same as the fee prescribed in section 336.9-403, clause (5)."*

Page 64, line 7, after "case" insert *", if the original financing statement was subject to subsection (5) of section 336.9-402, the fee prescribed by section 357.18, subdivision (1), clause (1)."*

Page 64, line 7, delete "an" and insert "An".

Page 64, line 7, after "\$1" insert *"shall be charged"*.

Page 65, line 7 after "case" insert "*, if the original financing statement was subject to subsection (5) of section 336.9-402, the fee prescribed by section 357.18, subdivision 1, clause (1).*".

Page 65, line 7, delete "an" and insert "An".

Page 65, line 8, after "\$1" insert "shall be charged".

Page 73, line 12, delete "1976" and insert "1977".

Page 73, line 21, delete "1976" and insert "1977".

Page 73, line 25, delete "1975" and insert "1976".

Page 73, line 30, delete "1976" and insert "1977".

Page 74, line 7, delete "1976" and insert "1977".

Page 74, line 8, delete "1976" and insert "1977".

Page 74, line 14, delete "1976" and insert "1977".

Page 74, line 15, delete "1976" and insert "1977".

Page 74, line 19, delete "1975" and insert "1976".

Page 74, line 26, delete "1976" and insert "1977".

Page 75, line 7, delete "1976" and insert "1977".

Page 75, line 23, delete "1979" and insert "1980".

Page 76, line 26, delete "1976" and insert "1977".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

S. F. No. 1820, A bill for an act relating to Marshall county; authorizing the county law library to be supported by certain judicially imposed fee charges.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 1910, A bill for an act relating to health care; providing for establishment and administration of certain plans of health insurance to make minimum health care benefits available to all persons in the state; creating a comprehensive health care association; requiring review of hospital and insurance premium rates; providing protection against catastrophic health care expenses; appropriating money; amending Minnesota Statutes 1974, Sections 60A.15, Subdivision 1; 62A.02, Subdivisions 1 and 3; 62C.15, Subdivision 2; 70A.02, Subdivision 2; and 144-653, Subdivision 1.

Reported the same back with the following amendments:

Page 5, line 2, delete "offer" and insert "make available".

Page 5, line 6, after the period insert "In the case of an employer exempt from income tax who fails to make available at least a basic coverage plan of health benefits to his employees, he shall lose his exemption from income tax."

Page 11, line 28, after "all" insert "insurers,".

Page 22, line 28, delete "every service plan".

Page 22, delete line 29.

Page 22, line 30; delete "62C.02, Subdivision 6, and to".

Page 22, line 31, after "article" insert "but shall not apply to any plan covering fewer than 25 employees".

Page 22, line 32, after "of" insert "accident and health".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 1979, A bill for an act relating to taxation; defining "claimant" for purposes of certain homestead credits; amending Minnesota Statutes, 1975 Supplement, Section 290A.03, Subdivision 8.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 290A.03, Subdivision 8, is amended to read:

Subd. 8. [CLAIMANT.] "Claimant" means a person who filed a claim authorized by sections 290A.01 to 290A.21 and who was domiciled in this state during the calendar year for which the claim for relief was filed. In the case of a claim relating to rent constituting property taxes, the claimant shall have resided in a rented or leased unit on which ad valorem taxes are payable for not less than six months of the calendar year covered by the claim, *except that a claimant who is disabled or who has attained the age of 65 on the date specified in section 290A.04, subdivision 1, may file a claim based on residence in a unit on which ad valorem taxes were not payable.* In the case of a part year resident, the income and rental reflected in this computation shall be for the period of Minnesota residency only. Any rental expenses paid which may be reflected in arriving at federal adjusted gross income cannot be utilized for this computation. Maximum credit allowed under this computation would be at a rate of one-twelfth of the maximum credit allowed pursuant to section 290A.04 per month of residency computed to the nearest full month. When two individuals of a household are able to meet the qualifications for a claimant, they may determine among them as to who the claimant shall be. If they are unable to agree, the matter shall be referred to the commissioner of revenue and his decision shall be final.

If a homestead is occupied by two or more unrelated renters, the rent shall be deemed to be paid equally by each, and separate claims shall be filed by each. The income of each shall be his household income for purposes of computing the amount of credit to be allowed.

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 290A.04, Subdivision 2, is amended to read:

Subd. 2. The credit shall be paid to claimants whose property taxes payable exceed the following percentages of their income, up to the designated maximum credit amounts:

For claimants earning:

\$	0 to \$ 2,499,	1.0 percent,	up to \$475;
	2,500 to 19,999,	1.5 percent,	up to \$475;
	20,000 to 22,999,	1.6 percent,	up to \$475;
	23,000 to 25,999,	1.8 percent,	up to \$425;
	26,000 to 30,999,	2.0 percent,	up to \$375;

\$ 31,000 to	35,999	2.2 percent	up to \$350;
36,000 to	40,999	2.4 percent	up to \$325;
41,000 to	44,999	2.6 percent	up to \$325;
45,000 to	52,999	2.8 percent	up to \$325;
53,000 to	65,999	3.0 percent	up to \$325;
66,000 to	81,999	3.2 percent	up to \$325;
82,000 to	99,999	3.5 percent	up to \$325;
100,000 and over,		4.0 percent	up to \$325;

provided that maximum credits for incomes above \$20,000 decline according to the following schedule:

between \$20,000 and \$26,000 decline \$16.67 per \$1,000; between \$26,000 and \$36,000 decline \$5 per \$1,000.

*In the case of a claimant who was disabled on June 1 or who attained the age of 65 on the date specified in subdivision 1, the credit shall not be less than the credit which the claimant's household income and property tax or rent constituting property tax would have entitled him to receive under Minnesota Statutes, Sections 290.0601 to 290.0618.*

The credit shall be the amount calculated pursuant to this subdivision, *but not exceeding \$675*, less the homestead credit given pursuant to section 273.13, subdivisions 6 and 7.

Sec. 3. Minnesota Statutes, 1975 Supplement, Section 290A.-04, Subdivision 3, is amended to read:

Subd. 3. The commissioner of revenue shall construct and make available to taxpayers a comprehensive table showing the property taxes to be paid and credit allowed at various levels of income and assessment. The table shall follow the schedule of income percentages, (AND) maximums *and other provisions* specified in subdivision 2, except that the commissioner may graduate the transition between income brackets.

*For homestead property owners who are disabled or are 65 or older, as provided in subdivision 1, the commissioner shall base his determination of the credit on the gross qualifying tax reduced by the average statewide effective homestead credit percentage for taxes payable in 1975 calculated under Minnesota Statutes, Section 273.13, Subdivisions 6 and 7.*

Sec. 4. *In 1976, the commissioner shall recompute the credit for any person who has filed a claim and is affected by this act. He shall pay to these people the amount of the credit in excess of any credit which has been paid, without requiring an amended return to be filed. Notwithstanding the provisions of section 290A.07, payments pursuant to this section may be made more than 60 days after the date the claim was filed without interest.*

Sec. 5. *This act is effective for taxable years beginning after December 31, 1974.*

Further, amend the title as follows:

Line 4, delete "Section" and insert "Sections".

Line 5, after "8" insert "; and 290A.04, Subdivisions 2 and 3".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 1984, A bill for an act relating to agriculture; establishing a family farm security program to encourage loans for farm real estate; appropriating money; amending Minnesota Statutes 1974, Sections 48.24, Subdivision 5; and 290.08, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 13, delete "12" and insert "15".

Page 1, line 17, after "a" and before "person" insert "natural".

Page 1, line 19, after "Subd. 3." delete "Board" and insert "Council".

Page 1, line 19, after "advisory" delete "board" and insert "council".

Page 1, line 22, delete "for".

Page 1, delete lines 23 and 24.

Page 2, delete lines 1 to 21 and insert "secured by a first real estate mortgage. It shall be used for acquisition of farm land and shall be approved by the commissioner. This loan shall be guar-

*anted and may qualify for a payment adjustment as defined in subdivision 7 and a loan as defined in subdivision 8.*

*Subd. 6. "Family farm loan guarantee" means an agreement that in the event of default the state of Minnesota shall pay the lender all sums due and payable under the first real estate mortgage.*

*Subd. 7. "Payment adjustment" means an amount of money equal to four percent interest on the principal balance of the family farm security loan."*

Page 2, line 22, delete "Participation".

Page 2, line 26, delete "A participation loan may be secured by two".

Page 2, delete line 27 and insert "This loan shall be secured by a first real estate mortgage evidenced by one or more notes that may carry different interest rates."

Page 2, after line 27, insert subdivisions to read:

*"Subd. 9. "Farm land" means land in Minnesota that is capable of supporting the commercial production of agricultural crops, livestock or livestock products, poultry products, milk or dairy products, or fruit or other horticultural products.*

*Subd. 10. "Lender" means any bank, savings bank, mutual savings bank, building and loan association, savings and loan association, organized under the laws of this state or the United States, trust companies, trust companies acting as fiduciaries, and other financial institutions subject to the supervision of the commissioner of banks; and any foreign or domestic corporation engaged in the business of insurance which is subject to the supervision of the commissioner of insurance as defined in Minnesota Statutes, Section 60A.02, Subdivisions 1 and 3; and any financial institution operating under the supervision of the farm credit administration. In case of loans as authorized in section 8, lender also means the seller of the property."*

Page 3, line 1, delete "12" and insert "7; section 8, subdivisions 1 and 2; section 10, subdivisions 1 and 4; and section 15".

Page 3, line 3, delete "and regulations".

Page 3, line 4, delete "12" and insert "7; section 8, subdivisions 1 and 2; section 10, subdivisions 1 and 4; and section 15".

Page 3, line 10, delete "BOARD" and insert "COUNCIL".

Page 3, line 12, delete "board" and insert "council".

Page 3, line 22, delete "board" and insert "council".

Page 3, line 24, delete "board" and insert "council".

Page 3, line 26, delete "board" and insert "council".

Page 3, line 28, delete "board" and insert "council".

Page 4, delete line 11.

Page 4, line 20, delete "has" and insert "and spouse have".

Page 4, line 21, delete "has" and insert "have".

Page 4, line 23, after "purposes" add ";

(e) that the applicant is credit worthy according to standards prescribed by the commissioner".

Page 4, line 26, delete "one or more of the".

Page 4, delete line 27.

Page 4, line 28, delete "payment adjustment; and (3) participation" and insert "a family farm security".

Page 4, line 31, after the period insert "The commissioner shall prescribe a screening process to determine eligibility and he may arrange for local lenders to perform this function for the state."

Page 5, line 19, after "a" insert "guaranteed".

Page 5, delete lines 29 and 30 and insert "assigning to the state all of the lender's security and interest in the loan in exchange for payment according to the terms of the family farm security loan guarantee. If the".

Page 5, line 31, delete "is satisfied that the default has occurred" and insert "determines that the terms of the family farm security loan guarantee have been met".

Page 6, line 1, delete "commissioner" and insert "state of Minnesota".

Page 6, line 2, after "mortgage" insert "and taxes shall be levied and paid on the land as though the owner were a natural person and not a political subdivision of the state".

Page 6, line 2, after the period insert "The commissioner may, on behalf of the state, commence foreclosure proceedings in the

*manner provided by law. In the event that title to the property is acquired by the state,".*

Page 6, delete lines 14 to 16.

Page 6, line 28, delete "shall" and insert "may".

Page 6, line 29, delete "four percent of the outstanding" and insert "an amount of money equal to four percent interest on the outstanding principal".

Page 6, line 31, after the comma insert "the payment adjustment shall terminate and".

Page 6, delete line 32 and insert "pay the entire annual installment of principal and interest as provided by the terms of the note. The".

Page 7, line 7, after the period insert "The obligation to repay the payment adjustment shall be a lien against the property."

Page 7, line 8, after "applicant" insert "and spouse".

Page 7, line 9, delete "his" and insert "their".

Page 7, line 10, after "worth" and before the period insert "according to criteria established by the commissioner".

Page 7, line 10, delete "his" and insert "the".

Page 7, line 10, after "worth" and before "in" insert "of the applicant and spouse".

Page 7, line 13, delete "PARTICIPATION".

Page 7, line 15, delete "participation".

Page 7, line 18, delete "participation".

Page 7, line 20, delete "participation".

Page 7, line 20, delete "negotiable note or".

Page 7, delete lines 21 and 22.

Page 7, line 23, delete "discount" and insert "purchase money first real estate mortgage evidenced by negotiable promissory note or notes".

Page 7, line 24, delete "when a participation loan note" and insert "after a family farm security loan".

Page 7, line 27, delete "*participation*" and insert "*family farm security*".

Page 8, line 1, delete "*participation*" and insert "*family farm security*".

Page 8, line 2, after "*agriculture*" insert "*under the provisions of sections 1 to 15*".

Page 8, line 13, after the period insert "*Any applicant who fails to maintain the land covered by a family farm security loan in active agricultural production for a period of time longer than one year shall be in default. Such a default may be waived by the commissioner in the event of a physical disability or other extenuating circumstances.*"

Page 8, line 14, delete "*Capital gain*".

Page 8, delete lines 15 to 17 and insert "*Minnesota Statutes, Chapter 290, shall apply to determine the amount of the gain realized on the sale of property for which a family farm security loan has been issued. In lieu of the tax imposed by chapter 290, the following rate of tax shall be imposed on any gain realized on the sale of the property:*"

Page 8, after line 25 insert "*This tax shall no longer be applicable and the tax imposed by chapter 290 shall apply when the property for which a family farm security loan was issued has been held by the applicant for more than ten years after the issuance of the loan. Chapter 290 shall apply when the applicant has realized a loss on the sale of the property.*"

Page 8, line 27, after "*commissioner*" insert "*of revenue*".

Page 9, after line 10 insert:

"Sec. 11. [DISCRIMINATION PROHIBITED.] *In carrying out their respective duties under this act, the council and the commissioner shall not discriminate between applicants because of race, color, creed, religion, national origin, sex, marital status, disability, political or ideological persuasion.*"

Page 9, after line 22 insert the following:

"Sec. 13. Minnesota Statutes, 1975 Supplement, Section 290.01, Subdivision 20, is amended to read:

Subd. 20. Gross income. Except as otherwise provided in this chapter, the term "gross income" as applied to corporations, includes every kind of compensation for labor or personal services of every kind from any private or public employment, office, po-

sition or services; income derived from the ownership or use of property; gains or profits derived from every kind of disposition of, or every kind of dealing in, property; income derived from the transaction of any trade or business; and income derived from any source.

For each of the taxable years beginning after December 31, 1960 and prior to January 1, 1971, the term "gross income" in its application to individuals, estates, and trusts, shall mean the adjusted gross income as computed for federal income tax purposes as defined in the Internal Revenue Code of 1954, as amended through December 31, 1970 for the applicable taxable year, with the modifications specified in this section.

For each of the taxable years beginning after December 31, 1970, the term "gross income" in its application to individuals, estates, and trusts shall mean the adjusted gross income as computed for federal income tax purposes as defined in the Internal Revenue Code of 1954, as amended through the date specified herein for the applicable taxable year, with the modifications specified in this section.

(i) The Internal Revenue Code of 1954, as amended through December 31, 1970, shall be in effect for taxable years beginning after December 31, 1970 and prior to January 1, 1973.

(ii) The Internal Revenue Code of 1954, as amended through December 31, 1970, shall be in effect for taxable years beginning after December 31, 1972.

(iii) The Internal Revenue Code of 1954, as amended through December 31, 1973, shall be in effect for taxable years beginning after December 31, 1973.

(iv) The Internal Revenue Code of 1954, as amended through December 31, 1974, shall be in effect for the taxable years beginning after December 31, 1974.

References to the Internal Revenue Code of 1954 in clauses (a), (b) and (c) following shall mean the code in effect for the purpose of defining gross income for the applicable taxable year.

(a) Modifications increasing federal adjusted gross income. There shall be added to federal adjusted gross income:

(1) Interest income on obligations of any state other than Minnesota or a political subdivision of any such other state exempt from federal income taxes under the Internal Revenue Code of 1954;

(2) Interest income on obligations of any authority, commission, or instrumentality of the United States, which the laws of

the United States exempt from federal income tax, but not from state income taxes;

(3) Income taxes imposed by this state or any other taxing jurisdiction, to the extent deductible in determining federal adjusted gross income and not credited against federal income tax;

(4) Interest on indebtedness incurred or continued to purchase or carry securities the income from which is exempt from tax under chapter 290, to the extent deductible in determining federal adjusted gross income;

(5) Amounts received as reimbursement for an expense of sickness or injury which was deducted in a prior taxable year to the extent that the deduction for such reimbursed expenditure resulted in a tax benefit;

(6) Losses which do not arise from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20, including any capital loss or net operating loss carryforwards or carrybacks resulting from such losses, and including any such nonassignable losses which occur prior to the time the individual becomes a resident of the state of Minnesota;

(7) The amount of any federal income tax overpayment for any previous taxable year, received as refund or credited to another taxable year's income tax liability, proportionate to the percentage of federal income tax that was claimed as a deduction in determining Minnesota income tax for such previous taxable year.

The overpayment refund or credit, determined with respect to a husband and wife on a joint federal income tax return for a previous taxable year, shall be reported on joint or separate Minnesota income tax returns. In the case of separate Minnesota returns, the overpayment shall be reported by each spouse proportionately according to the relative amounts of federal income tax claimed as a deduction on his or her separate Minnesota income tax return for such previous taxable year;

(8) In the case of a change of residence from Minnesota to another state or nation, the amount of moving expenses which exceed total reimbursements and which were therefore deducted in arriving at federal adjusted gross income;

(9) In the case of property disposed of on or after January 1, 1973, the amount of any increase in the taxpayer's federal tax liability under section 47 of the Internal Revenue Code of 1954, as amended through December 31, 1974, to the extent of the credit under section 38 of the Internal Revenue Code of 1954, as amended through December 31, 1974, that was previously al-

lowed as a deduction either under section 290.01, subdivision 20 (b) (9) or under section 290.09, subdivision 24; and

(10) Expenses and losses arising from a farm which are not allowable under section 290.09, subdivision 29;

(11) Expenses and depreciation attributable to substandard buildings disallowed by section 290.101.

(b) Modifications reducing federal adjusted gross income. There shall be subtracted from federal adjusted gross income:

(1) Interest income on obligations of any authority, commission or instrumentality of the United States to the extent includible in gross income for federal income tax purposes but exempt from state income tax under the laws of the United States;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis for Minnesota income tax purposes than for federal income tax purposes, that does not exceed such difference in basis; but if such gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to fifty per centum of such portion of the gain. This modification shall not be applicable if the difference in basis is due to disallowance of depreciation pursuant to section 290.101.

(3) Interest or dividend income on securities to the extent exempt from income tax under the laws of this state authorizing the issuance of such securities but includible in gross income for federal income tax purposes;

(4) Income which does not arise from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20;

(5) Losses, not otherwise reducing federal adjusted gross income assignable to Minnesota, arising from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20, including any capital loss or net operating loss carryforwards or carrybacks resulting from such losses;

(6) If included in federal adjusted gross income, the amount of any overpayment of income tax to Minnesota, or any other state, for any previous taxable year, whether such amount is received as a refund or credited to another taxable year's income tax liability;

(7) The amount of any pension or benefit which is excluded from gross income under the provisions of section 290.08, subdivision 6; and

(8) The amount of compensation for personal services in the armed forces of the United States or the United Nations which is excluded from gross income under the provisions of section 290.65; and

(9) In the case of property acquired on or after January 1, 1973, the amount of any credit to the taxpayer's federal tax liability under section 38 of the Internal Revenue Code of 1954, as amended through December 31, 1974, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter.

*(10) The interest and payment adjustment received by the seller of the property on a family farm security loan that is guaranteed by the commissioner of agriculture as provided by this act.*

(c) Modifications affecting shareholders of electing small business corporations under section 1372 of the Internal Revenue Code of 1954, or section 290.972 of this chapter.

(1) Shareholders in a small business corporation, which has elected to be so taxed under the Internal Revenue Code of 1954, but has not made an election under section 290.972 of this chapter, shall deduct from federal adjusted gross income the amount of any imputed income from such corporation and shall add to federal adjusted gross income the amount of any loss claimed as a result of such stock ownership. Also there shall be added to federal adjusted gross income the amount of any distributions in cash or property made by said corporation to its shareholders during the taxable year.

(2) In cases where the small business corporation has made an election under section 1372 of the Internal Revenue Code of 1954, but has not elected under section 290.972 of this chapter and said corporation is liquidated or the individual shareholder disposes of his stock and there is no capital loss reflected in federal adjusted gross income because of the fact that corporate losses have exhausted the shareholders basis for federal purposes, such shareholders shall be entitled, nevertheless, to a capital loss commensurate to their Minnesota basis for the stock.

(3) In cases where the election under section 1372 of the Internal Revenue Code of 1954 antedates the election under section 290.972 of this chapter and at the close of the taxable year immediately preceding the effective election under section 290.972 the corporation has a reserve of undistributed taxable income previously taxed to shareholders under the provisions of the Internal Revenue Code of 1954, in the event and to the extent that such reserve is distributed to shareholders such distribution shall be taxed as a dividend for purposes of this act.

Items of gross income includible within these definitions shall be deemed such regardless of the form in which received. Items of gross income shall be included in gross income of the taxable year in which received by a taxpayer unless properly to be accounted for as of a different taxable year under methods of accounting permitted by section 290.07, except that (1) amounts transferred from a reserve or other account, if in effect transfers to surplus, shall, to the extent that such amounts were accumulated through deductions from gross income or entered into the computation of taxable net income during any taxable year, be treated as gross income for the year in which the transfer occurs, but only to the extent that such amounts resulted in a reduction of the tax imposed by this act, and (2) amounts received as refunds on account of taxes deducted from gross income during any taxable year shall be treated as gross income for the year in which actually received, but only to the extent that such amounts resulted in a reduction of the tax imposed by this act.

(d) Modification in computing taxable income of the estate of a decedent. Amounts allowable under section 291.07, subdivision 1(2) in computing Minnesota inheritance tax liability shall not be allowed as a deduction in computing the taxable income of the estate unless there is filed within the time and in the manner and form prescribed by the commissioner a statement that the amounts have not been allowed as a deduction under section 291.07 and a waiver of the right to have such amounts allowed at any time as deductions under section 291.07. The provisions of this paragraph shall not apply with respect to deductions allowed under section 290.077 (relating to income in respect of decedents). In the event that the election made for federal tax purposes under section 642(g) of the Internal Revenue Code of 1954 differs from the election made under this paragraph appropriate modification of the estate's federal taxable income shall be made to implement the election made under this paragraph in accordance with regulations prescribed by the commissioner.

Sec. 14. Minnesota Statutes, 1975 Supplement, Section 290.09, Subdivision 4, is amended to read:

Subd. 4. Taxes. Taxes paid or accrued within the taxable year, except (a) income or franchise taxes imposed by this chapter; (b) taxes assessed against local benefits of a kind deemed in law to increase the value of the property assessed; (c) inheritance, gift and estate taxes except as provided in section 290.077, subdivision 4; (d) cigarette and tobacco products excise tax imposed on the consumer; (e) that part of Minnesota property taxes for which a credit or refund is claimed and allowed under section 290.0603 or 290.066; (f) federal income taxes, by corporations, national and state banks except as provided in section 290.18; (g) *the tax imposed by section 10, subdivision 2, of this act when the property has been held for less than ten years after the issuance of the loan*; and ((G)) (h) tax paid by any corpora-

tion or national or state bank to any foreign country or possession of the United States to the extent that a credit against federal income taxes is allowed under the provisions of the Internal Revenue Code of 1954, as amended through December 31, 1974. If the taxpayer's foreign tax credit consists of both foreign taxes deemed paid and foreign taxes actually paid or withheld, it will be conclusively presumed that foreign taxes deemed paid were first used by the taxpayer in its foreign tax credit. Minnesota gross income shall include the amount of foreign tax paid which had been allowed as a deduction in a previous year, provided such foreign tax is later allowed as a credit against federal income tax. Income taxes permitted to be deducted hereunder shall, regardless of the methods of accounting employed, be deductible only in the taxable year in which paid. Taxes imposed upon a shareholder's interest in a corporation which are paid by the corporation without reimbursement from the shareholder shall be deductible only by such corporation.

Renumber sections accordingly.

Further, amend the title as follows:

Line 7, after "subdivision" insert "; Minnesota Statutes, 1975 Supplement, Section 290.01, Subdivision 20; and 290.09, Subdivision 4".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2288, A bill for an act relating to highway traffic regulations; increasing length of mobile home combinations which can be transported on public highways; amending Minnesota Statutes 1974, Section 169.81, Subdivision 3.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2463, A bill for an act relating to highway traffic regulations; defining terms; authorizing flashing lights on certain vehicles; authorizing certain vehicles to be equipped with a flashing amber lamp and to display the lighted lamp under certain conditions; amending Minnesota Statutes 1974, Sections 169.01, by adding a subdivision; and 169.64, Subdivision 3, and by adding a subdivision.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2490, A bill for an act relating to highways; designating and establishing the route of the "Glacier Ridge Trail"; amending Minnesota Statutes 1974, Section 161.14, Subdivision 15.

Reported the same back with the following amendments:

Page 5, line 15, delete "8" and insert "12".

Page 5, line 16, delete "8" and insert "12".

Page 6, line 19, reinsert the stricken language and delete the new language.

Page 6, lines 20 and 21, delete all of the new language.

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1581, 1883, 2048, 2389, 1372, 2148, 2492, 101, 1826, 2109, 2224, 2295, 2496, 595, 1913, 1918, 1919, 1960, 1961, 1962, 1963, 1964, 1966, 1967, 2007, 2009, 2010, 2053, 2090, 2107, 2154, 2155, 2159, 2297, 2321, 2338, 2518, 1926, 2093, 2342, 1223, 2166, 2239, 2441, 2442, 1979, 2288, 2463 and 2490 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 1924, 1493, 10 and 1820 were read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Haugerud, Searle, Kaley and Norton introduced:

H. F. No. 2580, A bill for an act relating to the bicentennial; appropriating money to the Minnesota American Revolution Bicentennial Commission.

The bill was read for the first time and referred to the Committee on Appropriations.

Forsythe and Sieloff introduced:

H. F. No. 2581, A bill for an act relating to commerce; regulating securities trading; amending Minnesota Statutes, 1975 Supplement, Section 80A.14.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Eken introduced:

H. F. No. 2582, A bill for an act relating to natural resources; authorizing the inclusion of additional lands within the boundaries of Itasca State Park.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Luther; Adams, L.; Vanasek and Wenzel introduced:

H. F. No. 2583, A bill for an act relating to workmen's compensation; providing for third party liability; amending Minnesota Statutes 1974, Section 176.061, Subdivision 3; repealing Minnesota Statutes 1974, Section 176.061, Subdivision 10.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Doty, Munger, Jaros and Ulland introduced:

H. F. No. 2584, A bill for an act relating to the city of Duluth; firemen's survivor benefits; amending Laws 1975, Chapter 127, Section 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Jaros, Doty, Munger and Ulland introduced:

H. F. No. 2585, A bill for an act relating to the city of Duluth; police survivor benefits; amending Laws 1953, Chapter 91, Section 11, Subdivision 1, as amended.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pleasant, Hokanson, Knickerbocker, Kvam and Forsythe introduced:

H. F. No. 2586, A bill for an act relating to public welfare; administration; establishing a county welfare activity coordinating board; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Heinitz, Kaley and Peterson introduced:

H. F. No. 2587, A resolution urging Congress to enact a federal block grant combining existing federal programs.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Carlson, L.; Adams, L.; Swanson; Dahl and Wigley introduced:

H. F. No. 2588, A bill for an act relating to public welfare; requiring community mental health boards to include services for the physically handicapped; amending Minnesota Statutes 1974, Sections 245.61; and 245.68; and Minnesota Statutes, 1975 Supplement, Section 245.66.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Adams, L.; Knoll; Lindstrom; Suss and McCollar introduced:

H. F. No. 2589, A bill for an act relating to real estate; providing for limitation of action for damages based on errors in the survey of land; amending Minnesota Statutes 1974, Section 541.051, Subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Luther; Lindstrom; Carlson, L.; Faricy and Sieben, M., introduced:

H. F. No. 2590, A bill for an act relating to replevin; providing new procedures for obtaining writ of replevin prior to final judgment; amending Minnesota Statutes 1974, Sections 532.15; 532.51; 565.01; 565.02; 565.08; and Chapter 565, by adding sections; repealing Minnesota Statutes 1974, Sections 532.16 to 532.20 and 565.03 to 565.07.

The bill was read for the first time and referred to the Committee on Judiciary.

Dieterich introduced:

H. F. No. 2591, A bill for an act relating to courts; lapse of causes of action arising outside the state; amending Minnesota Statutes 1974, Section 541.14.

The bill was read for the first time and referred to the Committee on Judiciary.

Zubay, Kaley and Friedrich introduced:

H. F. No. 2592, A bill for an act relating to the city of Rochester; increasing the membership of the housing and redevelopment authority; providing terms.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Stanton introduced:

H. F. No 2593, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; removing limits on interest and amount of highway bonds; repealing Laws 1975, Chapter 203, Sections 25 and 26.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Stanton introduced:

H. F. No. 2594, A bill for an act eliminating a proposed amendment to Article XIV of the state constitution; repealing Laws 1975, Chapter 203, Sections 25 and 26.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Heinitz and Pleasant introduced:

H. F. No. 2595, A bill for an act relating to meetings of official bodies; extending the open meeting law to the legislature; amending Minnesota Statutes 1974, Section 471.705, Subdivision 1.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Luther; Skoglund; Johnson, D.; Jacobs and Dieterich introduced:

H. F. No. 2596, A bill for an act relating to taxation; providing a minimum income tax.

The bill was read for the first time and referred to the Committee on Taxes.

Luther, Jacobs, Dieterich, Adams, L., and Sieben, M., introduced:

H. F. No. 2597, A bill for an act relating to taxation; eliminating the use of artificial accounting losses to offset unrelated income; amending Minnesota Statutes 1974, Section 290.01, Subdivision 20.

The bill was read for the first time and referred to the Committee on Taxes.

Dieterich, Faricy, Enebo, Kahn and Knickerbocker introduced:

H. F. No. 2598, A bill for an act relating to taxation; providing for a credit against income tax for the cost of care for certain dependents; appropriating money; amending Minnesota Statutes 1974, Chapter 290, by adding a section; repealing Minnesota Statutes 1974, Section 290.09, Subdivision 26.

The bill was read for the first time and referred to the Committee on Taxes.

Pehler, Dahl and McEachern introduced:

H. F. No. 2599, A bill for an act relating to motor vehicles; requiring annual inspections; prescribing the powers and duties of state and local officers and employees in connection therewith; authorizing the commissioner of public safety to suspend the registration of deficient vehicles; and providing an appropriation; amending Minnesota Statutes 1974, Chapter 169, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

McEachern, Jacobs, Schreiber, Vanasek and Sarna introduced:

H. F. No. 2600, A bill for an act relating to highway traffic regulations; license requirements for operating motorcycles; requiring enrollment in two-wheeled vehicle safety course prior to issuance of instruction permit; amending Minnesota Statutes, 1975 Supplement, Section 169.974, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

#### HOUSE ADVISORY BILLS

Pursuant to Rule 5.3, the following House Advisory Bill was introduced:

Sieloff introduced:

H. A. B. No. 65, Providing for solid waste disposal, and possibility of recycling.

The bill was referred to the Committee on Environment and Natural Resources.

#### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Searle reported on the progress of S. F. No. 1206, now in Conference Committee.

Pursuant to Joint Rule 13, Philbrook reported on the progress of H. F. No. 404, now in Conference Committee.

#### 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. 2105, A bill for an act relating to county agricultural societies; authorizing the renewal of the period of corporate existence of certain agricultural societies whose period of duration has expired; validating acts done and contracts made subsequent to the expiration of the corporate existence.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

House Concurrent Resolution No. 18

A House Concurrent Resolution designating the National Conference of State Legislatures as an instrumentality of the State of Minnesota.

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. 1904, A bill for an act relating to cemeteries; prohibiting certain activities on public and private cemeteries and Indian burial grounds; requiring the posting of Indian burial grounds; amending Minnesota Statutes 1974, Section 307.08.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Carlson, R., moved that the House concur in the Senate amendments to H. F. No. 1904 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1904, A bill for an act relating to cemeteries; prohibiting certain activities on public and private cemeteries and Indian burial grounds; requiring the posting of Indian burial grounds; amending Minnesota Statutes 1974, Section 307.08.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 120, and nays 4, as follows:

Those who voted in the affirmative were:

Abeln	Beauchamp	Braun	Clark	Eckstein
Adams, L.	Begich	Brinkman	Clawson	Enebo
Albrecht	Berg	Byrne	Corbid	Erickson
Anderson, G.	Berglin	Carlson, A.	Dahl	Evans
Anderson, I.	Biersdorf	Carlson, L.	Dean	Ewald
Arlandson	Birnstihl	Carlson, R.	Dieterich	Faricy

Fjoslien	Kahn	Mann	Philbrook	Smith
Forsythe	Kaley	McCollar	Pleasant	Smogard
Friedrich	Kalis	McEachern	Prahl	Stanton
Fudro	Kelly, R.	Menning	Reding	Suss
Fugina	Kelly, W.	Metzen	St. Onge	Swanson
George	Kempe, A.	Moe	Samuelson	Tomlinson
Graba	Kempe, R.	Munger	Sarna	Ulland
Hanson	Ketola	Neisen	Savelkoul	Vanasek
Haugerud	Knickerbocker	Nelsen	Schreiber	Vento
Heinitz	Knoll	Nelson	Schulz	Voss
Hokanson	Kostohryz	Niehaus	Schumacher	Wenstrom
Jacobs	Kroening	Norton	Setzepandt	Wenzel
Jaros	Laidig	Novak	Sherwood	White
Jensen	Langseth	Osthoff	Sieben, H.	Wieser
Johnson, C.	Lemke	Patton	Sieben, M.	Wigley
Johnson, D.	Lindstrom	Pehler	Sieloff	Williamson
Jopp	Luther	Peterson	Simoneau	Zubay
Jude	Mangan	Petrafeso	Skoglund	Speaker Sabo

Those who voted in the negative were:

Adams, S.      DeGroat      Kvam      Searle

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1999, A bill for an act relating to game and fish; providing temporary permits for handicapped hunters; amending Minnesota Statutes, 1975 Supplement, Section 98.48, Subdivision 12.

PATRICK E. FLAHAVER, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Hanson moved that the House concur in the Senate amendments to H. F. No. 1999 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1999, A bill for an act relating to game and fish; providing temporary permits for handicapped hunters; amending Minnesota Statutes, 1975 Supplement, Section 98.48, Subdivision 12.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kahn	Munger	Sieben, M.
Adams, L.	Eckstein	Kaley	Neisen	Sieloff
Adams, S.	Enebo	Kalis	Nelsen	Simoneau
Albrecht	Erickson	Kelly, R.	Nelson	Skoglund
Anderson, G.	Esau	Kelly, W.	Niehaus	Smith
Anderson, I.	Evans	Kempe, A.	Norton	Smogard
Arlandson	Ewald	Kempe, R.	Novak	Stanton
Beauchamp	Faricy	Ketola	Osthoff	Suss
Begich	Fjoslien	Knickerbocker	Patton	Swanson
Berg	Forsythe	Knoll	Pehler	Tomlinson
Berglin	Friedrich	Kostohryz	Peterson	Ulland
Biersdorf	Fudro	Kroening	Petrafero	Vanasek
Birnstihl	Fugina	Kvam	Philbrook	Vento
Braun	George	Laidig	Pleasant	Voss
Brinkman	Graba	Langseth	Prahl	Wenstrom
Byrne	Hanson	Lemke	Reding	Wenzel
Carlson, A.	Haugerud	Lindstrom	St. Onge	White
Carlson, L.	Heinitz	Luther	Samuelson	Wieser
Carlson, R.	Hokanson	Mangan	Sarna	Wigley
Casserly	Jacobs	Mann	Savelkoul	Williamson
Clark	Jaros	McCauley	Schreiber	Zubay
Clawson	Jensen	McCollar	Schulz	Speaker Sabo
Corbid	Johnson, C.	McEachern	Searle	
Dahl	Johnson, D.	Menning	Setzepfandt	
Dean	Jopp	Metzen	Sherwood	
DeGroat	Jude	Moe	Sieben, H.	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2057 and 2076.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1967, 2070, 2161 and 2318.

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. 1876.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1262, 1388, 1880, 1976, 1996, 1997 and 2077.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 2057, A bill for an act relating to the city of Duluth; liquor license for the arena-auditorium complex; amending Laws 1967, Chapter 406, Section 1, Subdivision 1.

The bill was read for the first time.

Ulland moved that S. F. No. 2057 and H. F. No. 2207, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2076, A bill for an act relating to corrections; permitting the commissioner of corrections to pay inmates of medium-minimum security facilities certain wages and to charge such inmates for room, board, and other expenses incidental to their confinement; amending Minnesota Statutes 1974, Section 241.01, by adding a subdivision.

The bill was read for the first time.

Jaros moved that S. F. No. 2076 and H. F. No. 2220, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1967, A bill for an act relating to trusts; administration of express trusts by cities; amending Minnesota Statutes 1974, Section 501.11.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 2070, A bill for an act relating to highways; adding a new route to the trunk highway system in substitution of an existing route.

The bill was read for the first time.

Kahn moved that S. F. No. 2070 and H. F. No. 2104, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2161, A bill for an act relating to intoxicating liquor; authorizing temporary short term on-sale licenses for certain charitable festivals.

The bill was read for the first time.

Pehler moved that S. F. No. 2161 and H. F. No. 2282, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2318, A bill for an act relating to highways; providing for the construction and maintenance of acoustical barriers along the perimeter of certain trunk highways; amending Minnesota Statutes, 1975 Supplement, Section 161.125.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 1876, A bill for an act relating to the operation of state government; correcting the nomenclature of or restructuring several boards and committees; limiting the use of advisory groups; standardizing the terms, compensation and removal of members of committees; abolishing or transferring the functions of several state agencies including the public relief advisory committee, the Minnesota-South Dakota boundary waters commission, the motor vehicle reciprocity commission, the Big Island veterans camp board of directors, the publications advisory board, the Indian education committee, the advisory committee for mentally retarded and cerebral palsied community residential facilities, and the state teletypewriter advisory committee; amending Minnesota Statutes 1974, Sections 3.30, by adding a subdivision; 16.71, Subdivision 1; 17.52; 17.53, Subdivision 5; 175.4, Subdivision 2; 21A.02, Subdivision 5; 21A.03; 29.14, Subdivision 4; 30.463, Subdivision 2; 32B.03, Subdivision 4; 84.01, Subdivision 5; 114.12; 116E.02, Subdivision 1; 116E.03, Subdivision 7, and by adding a subdivision; 121.83; 136A.02, Subdivision 5; 141.24; 168.187, Subdivisions 7, 8, 9, 11, 12, 15, 18, 24 and 25; 178.02, Subdivision 2; 197.13; 197.15; 197.16; 252.28, Subdivision 2; 256.01, Subdivision 6; 326.41; 326.49; 481.01; Chapters 15, 60C, 114, and 252 by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 15.01; 15.012; 15.059, Subdivisions 3 and 4; 84B.11, Subdivision 1; 86A.10, Subdivision 1; 115.71, Subdivision 4; 115.74; 125.183, Subdivision 1; 148.231, Subdivision 2; 149.02; 151.03; 155.05; 198.055, Subdivisions 1 and 2; 326.241, Subdivision 1; 326.33, Subdivision 1; Extra Session Laws 1971, Chapter 31, Article 13, as amended; Laws 1975, Chapter 271, Section 3; repealing Minnesota Statutes 1974, Sections 15.046, as amended; 17.60; 17.601; 21A.04; 32B.04, Subdivision 2; 72B.09; 114.01 to 114.08; 126.023; 168.187, Subdivision 6; 178.02, Subdivision 3; 197.14; 252.29; 362.16; Minnesota Statutes, 1975 Supplement, Sections 86A.10, Subdivisions 3, 4 and 5; 241.023; and 299C.47.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1262, A bill for an act relating to tax forfeited lands; authorizing the county auditor to grant easements or permits thereon for recreational trails; amending Minnesota Statutes 1974, Section 282.04, Subdivision 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 1388, A bill for an act relating to public health; requiring school nurses to take throat cultures and test for infection; amending Minnesota Statutes 1974, Section 145.085, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 1880, A bill for an act relating to health; providing that hospitals do not require additional licenses for certain day care facilities; amending Minnesota Statutes 1974, Section 245.79.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 1976, A bill for an act relating to workmen's compensation; providing for third party liability; amending Minnesota Statutes 1974, Section 176.061, Subdivision 3; repealing Minnesota Statutes 1974, Section 176.061, Subdivision 10.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1996, A bill for an act relating to counties; authorizing county boards to furnish board and certain other services to prisoners in county jails; amending Minnesota Statutes, 1975 Supplement, Section 387.20, Subdivision 6.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1997, A bill for an act relating to taxation; credits on tax on fermented malt beverages; amending Minnesota Statutes 1974, Section 340.47, Subdivisions 2 and 2a.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 2077, A bill for an act relating to Blue Earth county; authorizing the county of Blue Earth to contract for the comple-

tion of the improvement of county ditch No. 27; setting limits for the expenditure of money for the improvement thereof; providing for the financing thereof; amending Laws 1975, Chapter 249, Section 1, Subdivision 1; and Section 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

### CONSENT CALENDAR

H. F. No. 1988, A bill for an act relating to port authorities; authorizing port authorities to apply for and exercise the powers of a foreign trade zone; amending Minnesota Statutes 1974, Section 458.192, Subdivision 1, and by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Enebo	Kalis	Neisen	Sieben, M.
Adams, L.	Erickson	Kelly, R.	Nelsen	Sieloff
Adams, S.	Esau	Kelly, W.	Nelson	Simoneau
Albrecht	Evans	Kempe, A.	Niehaus	Skoglund
Anderson, G.	Ewald	Kempe, R.	Norton	Smith
Anderson, I.	Faricy	Ketola	Novak	Smogard
Arlandson	Fjoslien	Knickerbocker	Osthoff	Stanton
Beauchamp	Forsythe	Knoll	Patton	Suss
Begich	Friedrich	Kostohryz	Pehler	Swanson
Berg	Fudro	Kroening	Peterson	Tomlinson
Berglin	Fugina	Kvam	Petraleso	Ulland
Birnsthil	George	Laidig	Philbrook	Vanasek
Braun	Graba	Langseth	Pleasant	Vento
Brinkman	Hanson	Lemke	Prahl	Voss
Byrne	Haugerud	Lindstrom	Reding	Wenstrom
Carlson, A.	Heinitz	Luther	St. Onge	Wenzel
Carlson, L.	Hokanson	Mangan	Samuelson	White
Carlson, R.	Jacobs	Mann	Sarna	Wieser
Clark	Jaros	McCarron	Savelkoul	Wigley
Clawson	Jensen	McCauley	Schreiber	Williamson
Corbid	Johnson, C.	McCollar	Schulz	Zubay
Dahl	Johnson, D.	McEachern	Schumacher	Speaker Sabo
Dean	Jopp	Menning	Searle	
DeGroat	Jude	Metzen	Setzepfandt	
Dieterich	Kahn	Moe	Sherwood	
Eckstein	Kaley	Munger	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 2335, A bill for an act relating to insurance; revising financial requirements for certain insurance companies; amending Minnesota Statutes 1974, Section 60A.07, Subdivisions 5a, 5b, 5c and 5d.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jude	Menning	Setzepfandt
Adams, L.	Eckstein	Kahn	Metzen	Sherwood
Adams, S.	Enebo	Kaley	Moe	Sieben, H.
Albrecht	Erickson	Kalis	Munger	Sieben, M.
Anderson, G.	Esau	Kelly, R.	Neisen	Sieloff
Anderson, I.	Evans	Kelly, W.	Nelsen	Simoneau
Arlandson	Ewald	Kempe, A.	Nelson	Skoglund
Beauchamp	Faricy	Kempe, R.	Niehaus	Smith
Begich	Fjoslien	Ketola	Norton	Smogard
Berg	Forsythe	Knickerbocker	Novak	Stanton
Berglin	Friedrich	Knoll	Pattou	Suss
Biersdorf	Fudro	Kostohryz	Pehler	Swanson
Birnstihl	Fugina	Kroening	Peterson	Tomlinson
Braun	George	Kvam	Petrafeso	Ulland
Brinkman	Graba	Laidig	Philbrook	Vanasek
Byrne	Hanson	Langseth	Pleasant	Vento
Carlson, A.	Haugerud	Lemke	Prahl	Voss
Carlson, L.	Heinitz	Lindstrom	Reding	Wenstrom
Carlson, R.	Hokanson	Luther	St. Onge	Wenzel
Clark	Jacobs	Mangan	Samuelson	White
Clawson	Jaros	Mann	Sarna	Wieser
Corbid	Jensen	McCarron	Schreiber	Wigley
Dahl	Johnson, C.	McCauley	Schulz	Williamson
Dean	Johnson, D.	McCollar	Schumacher	Zubay
DeGroat	Jopp	McEachern	Searle	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 435, A bill for an act relating to the city of Two Harbors; providing for reimbursement of city officers for wages lost during time spent on official business.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 112, and nays 12, as follows:

Those who voted in the affirmative were:

Abeln	Birnstihl	DeGroat	Fugina	Jude
Adams, L.	Braun	Dieterich	George	Kahn
Albrecht	Brinkman	Eckstein	Graba	Kaley
Anderson, G.	Byrne	Enebo	Hanson	Kalis
Anderson, I.	Carlson, L.	Evans	Hokanson	Kelly, W.
Arlandson	Carlson, R.	Ewald	Jacobs	Kempe, A.
Beauchamp	Casserly	Faricy	Jaros	Kempe, R.
Begich	Clark	Fjoslien	Jensen	Ketola
Berg	Clawson	Forsythe	Johnson, C.	Knickerbocker
Berglin	Corbid	Friedrich	Johnson, D.	Knoll
Biersdorf	Dahl	Fudro	Jopp	Kroening

Kvam	Metzen	Philbrook	Sieben, M.	Voss
Langseth	Munger	Pleasant	Sieloff	Wenstrom
Lemke	Neisen	Prahl	Simoneau	Wenzel
Lindstrom	Nelsen	Reding	Skoglund	White
Luther	Nelson	St. Onge	Smogard	Wieser
Mangan	Norton	Samuelson	Stanton	Wigley
Mann	Novak	Sarna	Suss	Williamson
McCarron	Osthoff	Schulz	Swanson	Zubay
McCauley	Patton	Schumacher	Tomlinson	Speaker Sabo
McCollar	Pehler	Setzpfandt	Ulland	
McEachern	Peterson	Sherwood	Vanasek	
Menning	Petrafeso	Sieben, H.	Vento	

Those who voted in the negative were:

Carlson, A.	Esau	Laidig	Savelkoul	Smith
Dean	Haugerud	Moe	Searle	
Erickson	Heintz	Niehaus		

The bill was passed and its title agreed to.

H. F. No. 2285 was reported to the House.

Carlson, A., moved that H. F. No. 2285 be returned to its author. The motion prevailed.

H. F. No. 2381 was reported to the House.

Carlson, A., moved that H. F. No. 2381 be returned to its author. The motion prevailed.

S. F. No. 1852, A bill for an act relating to the city of Fulda; validating election proceedings and authorizing the issuance of bonds of the city approved by the electors.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Byrne	Esau	Jaros	Kostohryz
Adams, L.	Carlson, A.	Evans	Jensen	Kroening
Adams, S.	Carlson, L.	Ewald	Johnson, C.	Kvam
Albrecht	Carlson, R.	Faricy	Johnson, D.	Laidig
Anderson, G.	Casserly	Fjoslien	Jopp	Langseth
Anderson, I.	Clark	Forsythe	Jude	Lemke
Arlandson	Clawson	Friedrich	Kahn	Lindstrom
Beauchamp	Corbid	Fugina	Kaley	Luther
Begich	Dahl	George	Kalis	Mangan
Berg	Dean	Graba	Kelly, R.	Mann
Berglin	DeGroat	Hanson	Kempe, A.	McCarron
Biersdorf	Dieterich	Haugerud	Kempe, R.	McCauley
Birnstihl	Eckstein	Heintz	Ketola	McCollar
Braun	Enebo	Hokanson	Knickerbocker	McEachern
Brinkman	Erickson	Jacobs	Knoll	Menning

Metzen	Patton	Savelkoul	Simoneau	Vento
Moe	Pehler	Schreiber	Skoglund	Voss
Munger	Peterson	Schulz	Smith	Wenstrom
Neisen	Petrafeso	Schumacher	Smogard	Wenzel
Nelsen	Philbrook	Searle	Stanton	White
Nelson	Pleasant	Setzepfandt	Suss	Wieser
Niehaus	Prahl	Sherwood	Swanson	Wigley
Norton	Reding	Sieben, H.	Tomlinson	Williamson
Novak	St. Onge	Sieben, M.	Ulland	Zubay
Osthoff	Samuelson	Sieloff	Vanasek	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 2225, bill for an act relating to veterans affairs; applications for adjusted compensation; establishing an application time limit; extending the appropriation expiration date; amending Minnesota Statutes, 1975 Supplement, Section 197.973; and Laws 1975, Chapter 3, Section 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Munger	Sherwood
Adams, L.	Enebo	Kalis	Neisen	Sieben, H.
Adams, S.	Erickson	Kelly, R.	Nelsen	Sieben, M.
Albrecht	Esau	Kelly, W.	Nelson	Sieloff
Anderson, G.	Evans	Kempe, A.	Niehaus	Simoneau
Anderson, I.	Ewald	Kempe, R.	Norton	Skoglund
Arlandson	Faricy	Ketola	Novak	Smith
Beauchamp	Fjoslien	Knickerbocker	Osthoff	Smogard
Begich	Forsythe	Knoll	Patton	Stanton
Berg	Friedrich	Kostohryz	Pehler	Suss
Berglin	Fudro	Kvam	Peterson	Swanson
Biersdorf	Fugina	Laidig	Petrafeso	Tomlinson
Birnstihl	George	Langseth	Philbrook	Ulland
Braun	Graba	Lemke	Pleasant	Vanasek
Brinkman	Hanson	Lindstrom	Prahl	Vento
Byrne	Haugerud	Luther	Reding	Voss
Carlson, A.	Heinitz	Mangan	St. Onge	Wenstrom
Carlson, L.	Hokanson	Mann	Samuelson	Wenzel
Clark	Jacobs	McCarron	Sarna	White
Clawson	Jaros	McCauley	Savelkoul	Wieser
Corbid	Jensen	McCollar	Schreiber	Wigley
Dahl	Johnson, C.	McEachern	Schulz	Williamson
Dean	Johnson, D.	Menning	Schumacher	Zubay
DeGroat	Jopp	Metzen	Searle	Speaker Sabo
Dieterich	Jude	Moe	Setzepfandt	

The bill was passed and its title agreed to.

S. F. No. 1252 was reported to the House.

There being no objection, S. F. No. 1252 was continued on the Consent Calendar for one day.

## CALENDAR

S. F. No. 1794, A bill for an act relating to courts; prescribing the jurisdictional limits of conciliation courts in the counties of Hennepin and Ramsey; amending Minnesota Statutes 1974, Sections 488A.12, Subdivision 3; and 488A.29, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jude	Moe	Setzepfandt
Adams, L.	Eckstein	Kaley	Munger	Sherwood
Adams, S.	Enebo	Kalis	Neisen	Sieben, H.
Albrecht	Erickson	Kelly, R.	Neisen	Sieben, M.
Anderson, G.	Esau	Kelly, W.	Nelson	Sieloff
Anderson, I.	Evans	Kempe, A.	Niehau	Simoneau
Arlandson	Ewald	Kempe, R.	Norton	Skoglund
Beauchamp	Faricy	Ketola	Novak	Smith
Begich	Fjoslien	Knickerbocker	Osthoff	Smogard
Berg	Forsythe	Knoll	Patton	Stanton
Berglin	Friedrich	Kostohryz	Pehler	Suss
Biersdorf	Fudro	Kvam	Peterson	Swanson
Birnstihl	Fugina	Laidig	Petrafeso	Tomlinson
Braun	George	Langseth	Philbrook	Ulland
Brinkman	Graba	Lemke	Pleasant	Vanasek
Byrne	Hanson	Lindstrom	Prahl	Vento
Carlson, A.	Haugerud	Luther	Reding	Voss
Carlson, L.	Heinitz	Mangan	St. Onge	Wenstrom
Carlson, R.	Hokanson	Mann	Samuelson	Wenzel
Clark	Jacobs	McCarron	Sarna	White
Clawson	Jaros	McCauley	Savelkoul	Wieser
Corbid	Jensen	McCollar	Schreiber	Wigley
Dahl	Johnson, C.	McEachern	Schulz	Williamson
Dean	Johnson, D.	Menning	Schumacher	Zubay
DeGroat	Jopp	Metzen	Searle	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 1897, A bill for an act relating to game and fish; commercial fishing on Rainy Lake and Lake of the Woods; amending Minnesota Statutes 1974, Section 102.26, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kahn	Munger	Sieben, M.
Adams, L.	Eckstein	Kaley	Neisen	Sieloff
Adams, S.	Enebo	Kalis	Nelsen	Simoneau
Albrecht	Erickson	Kelly, R.	Nelson	Skoglund
Anderson, G.	Esau	Kelly, W.	Niehaus	Smith
Anderson, I.	Evans	Kempe, A.	Norton	Smogard
Arlandson	Ewald	Kempe, R.	Novak	Stanton
Beauchamp	Faricy	Ketola	Patton	Suss
Begich	Fjoslien	Knickerbocker	Pehler	Swanson
Berg	Forsythe	Knoll	Peterson	Tomlinson
Berglin	Friedrich	Kostohryz	Petrafereso	Ulland
Biersdorf	Fudro	Kvam	Philbrook	Vanasek
Birnstihl	Fugina	Laidig	Pleasant	Vento
Braun	George	Langseth	Prahl	Voss
Brinkman	Graba	Lemke	Reding	Wenstrom
Byrne	Hanson	Lindstrom	St. Onge	Wenzel
Carlson, A.	Haugerud	Luther	Samuelson	White
Carlson, L.	Heinitz	Mangan	Sarna	Wieser
Carlson, R.	Hokanson	Mann	Savelkoul	Wigley
Casserly	Jacobs	McCarron	Schreiber	Williamson
Clark	Jaros	McCauley	Schulz	Zubay
Clawson	Jensen	McCollar	Schumacher	Speaker Sabo
Corbid	Johnson, C.	McEachern	Searle	
Dahl	Johnson, D.	Menning	Setzefandt	
Dean	Jopp	Metzen	Sherwood	
DeGroat	Jude	Moe	Sieben, H.	

The bill was passed and its title agreed to.

#### CONSIDERATION UNDER RULE 1.10

Pursuant to Rule 1.10, Kelly, W., requested immediate consideration of H. F. No. 1349.

H. F. No. 1349 was reported to the House.

Vanasek moved to amend H. F. No. 1349, as follows:

Page 8, line 19, after "*taxpayer*" insert "*who owes at least \$5,000 in taxes*".

Page 8, line 20, after "*years*" insert "*from the death of the person from whom the transfer is made*".

Page 8, line 24, delete "*, and any amounts of unpaid tax shall bear interest*" and insert a period and "*If the taxpayer fails to pay an installment on time, the election shall be revoked and the entire amount of unpaid tax shall be due and payable 90 days after the date on which the installment was payable*".

Page 8, delete line 25.

Page 9, delete lines 25 to 32.

Page 10, delete line 1 and insert the following sections:

"Sec. 5. Minnesota Statutes, 1975 Supplement, Section 291.131, Subdivision 6, is amended to read:

Subd. 6. The amount of tax not timely paid, *including the amount of unpaid tax when the taxpayer elects to pay the tax in installments*, together with any penalty provided by this section, shall bear interest at the rate specified in section 270.75 from the time such tax should have been paid until paid. All interest and penalty shall be added to the tax and collected as a part thereof.

Sec. 6. Minnesota Statutes, 1975 Supplement, Section 291.132, is amended to read:

291.132 [EXTENSION TO FILE OR PAY.] The commissioner may extend the time for filing returns or making payment of the tax, without penalty, for a period not to exceed six months. *In lieu of the six month extension, the commissioner may extend the time for payment of the tax, without penalty, for a period not to exceed two years if the payment of the tax would result in an undue hardship on the estate. The written request for the undue hardship extension shall be made to the commissioner no later than 12 months after the death of the person from whom the transfer is made. The taxpayer may elect to pay the taxes in installments as specified in section 291.11, subdivision 1, provided that the period of time for the payment of the taxes shall not exceed five years from the expiration of the extension granted by the commissioner. Where an extension of time has been granted, interest shall be payable at the rate specified in section 270.75 from the date when such payment should have been made, if no extension had been granted, until such tax is paid.*"

Renumber the remaining sections accordingly.

Page 13, delete lines 22 to 32.

Page 14, delete lines 1 to 11.

Page 17, delete lines 3 to 32.

Page 18, delete lines 1 to 32.

Page 19, delete lines 1 to 7.

Page 19, line 9, delete "*Sections 11, 12 and 13 are effective for gifts*".

Page 19, line 10, delete "*made after December 31, 1976.*".

Further amend the title as follows:

Line 4, delete "and gift tax".

Line 10, delete ", and by adding a".

Line 11, delete "subdivision".

Line 12, delete "292.05, Subdivision 1;".

Line 13, delete "292.07, Subdivisions 3 and 5;".

Line 14, after "Sections" insert "291.131, subdivision 6; 291.-132; and".

Line 15, delete "; and 291.15".

The motion prevailed and the amendment was adopted.

Sieloff, Knickerbocker, Schreiber and Pleasant moved to amend H. F. No. 1349, as amended, as follows:

Page 5, line 29, after the period, insert:

*"In the case of a decedent's estate wherein no property or beneficial interest therein passing by reason of death is eligible for the homestead exemption because the decedent did not have an interest in property constituting a homestead at the time of his death, there shall be allowed an exemption in lieu of the homestead exemption, in the amount of \$10,000. The exemption shall be allocated among the surviving spouse and the decedent's natural or adopted minor or dependent children in proportion to the total amount of property or any interest therein passing to such spouse and children."*

The motion prevailed and the amendment was adopted.

Savelkoul moved to amend H. F. No. 1349, as amended, as follows:

Page 7, after line 32, insert:

"Sec. 3. Minnesota Statutes 1974, Chapter 291, is amended by adding a section to read:

[291.051] [DEFINITIONS.] *Subdivision 1. The following terms, for the purpose of this section, have the following meanings.*

*Subd. 2. "Internal revenue code" means United States internal revenue code of 1954, as amended through December 31, 1975.*

*Subd. 3. "Minnesota gross estate" of a deceased resident means his federal adjusted gross estate as defined in internal revenue code section 2056, after applying clauses (a) through (e) of the section, reduced by the value of real property outside Minnesota and tangible personal property permanently outside Minnesota. If the value of an estate is not enough to require filing a federal estate return "Minnesota gross estate," means the gross estate of a decedent reduced as provided in this subdivision for real and tangible personal property outside Minnesota.*

*Subd. 4. "Marital exemption" means 50 percent of the value of the Minnesota gross estate passing to the surviving spouse and allowed by the internal revenue code in the computation of the marital deduction.*

*Subd. 5. "Marital exemption tax" means a tax imposed at the rates provided by chapter 291 on the value of property passing to the surviving spouse less the marital exemption, but without regard to the exemptions allowed to the surviving spouse by sections 291.05, clauses (1), (2) and (3) and 291.10.*

*Subd. 6. [ALTERNATE TAX.] If the marital exemption does not exceed \$250,000 and the marital exemption tax is less than a tax computed under the other provisions of chapter 291, the marital exemption tax shall be imposed in lieu of the tax computed under the other provisions."*

Page 19, line 8, delete "7" and insert "9".

Renumber the sections in order.

Further amend the title.

Page 1, line 13, after "5;" insert "and Chapter 291, by adding a section;"

The motion prevailed and the amendment was adopted.

H. F. No. 1349, A bill for an act relating to taxation; increasing inheritance tax exemptions; providing that the same inheritance rates and exemptions apply to widow and widower; increasing the maintenance deduction; providing for the payment of the inheritance tax in installments over five years; providing an undue hardship deferral; amending Minnesota Statutes 1974, Sections 291.03; 291.05; 291.10; 291.11, Subdivision 1; 291.14, Subdivision 2; 291.20, Subdivisions 1 and 4; and Chapter 291, by adding a section; and Minnesota Statutes, 1975 Supplement, Sections 291.131, Subdivision 6; 291.132; and 291.14, Subdivision 4.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jude	Menning	Searle
Adams, L.	Eckstein	Kahn	Metzen	Setzepfandt
Adams, S.	Enebo	Kaley	Moe	Sherwood
Albrecht	Erickson	Kalis	Munger	Sieben, H.
Anderson, G.	Esau	Kelly, R.	Neisen	Sieben, M.
Anderson, I.	Evans	Kelly, W.	Nelsen	Sieloff
Arlandson	Ewald	Kempe, A.	Nelson	Simoneau
Beauchamp	Faricy	Kempe, R.	Niehaus	Skoglund
Begich	Fjoslien	Ketola	Norton	Smith
Berg	Forsythe	Knickerbocker	Novak	Smogard
Berglin	Friedrich	Knoll	Osthoff	Stanton
Biersdorf	Fudro	Kostohryz	Patton	Suss
Braun	Fugina	Kroening	Pehler	Swanson
Brinkman	George	Kvam	Peterson	Tomlinson
Byrne	Graba	Laidig	Petraieso	Ulland
Carlson, A.	Hanson	Langseth	Philbrook	Vanasek
Carlson, L.	Haugerud	Lemke	Pleasant	Vento
Carlson, R.	Heinitz	Lindstrom	Prahl	Voss
Casserly	Hokanson	Luther	St. Onge	Wenstrom
Clark	Jacobs	Mangan	Samuelson	Wenzel
Clawson	Jaros	Mann	Sarna	White
Corbid	Jensen	McCarron	Savelkoul	Wieser
Dahl	Johnson, C.	McCauley	Schreiber	Wigley
Dean	Johnson, D.	McCollar	Schulz	Zubay
DeGroat	Jopp	McEachern	Schumacher	Speaker Sabo

The bill was passed, as amended, and its title agreed to.

Abeln and Metzen were excused at 4:00 p.m.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 1953 offered by Prahl:

Page 1, line 9, strike "four years" and insert "18 months".

The roll being called there were yeas 46, and nays 73, as follows:

Those who voted in the affirmative were:

Adams, S.	Corbid	Eckstein	Evans	Forsythe
Albrecht	Dean	Erickson	Ewald	Friedrich
Carlson, A.	DeGroat	Esau	Fjoslien	Fugina

Graba	Kvam	Peterson	Searle	Wigley
Johnson, C.	Laidig	Philbrook	Setzepfandt	Williamson
Jopp	Lindstrom	Pleasant	Sieloff	Zubay
Jude	McCauley	Prahl	Smith	
Kaley	Menning	Reding	Smogard	
Kalis	Nelsen	Savelkoul	Ulland	
Knickerbocker	Niehaus	Schreiber	Wieser	

Those who voted in the negative were:

Abeln	Casserly	Kahn	Moe	Sieben, M.
Adams, L.	Clark	Kelly, R.	Munger	Simoneau
Anderson, G.	Clawson	Kempe, A.	Neisen	Skoglund
Anderson, I.	Dahl	Kempe, R.	Norton	Spanish
Arlandson	Dieterich	Ketola	Novak	Stanton
Beauchamp	Enebo	Knoll	Osthoff	Suss
Begich	Faricy	Kostohryz	Parish	Swanson
Berg	Fudro	Kroening	Patton	Tomlinson
Berglin	George	Langseth	Pehler	Vento
Biersdorf	Hanson	Lemke	St. Onge	Voss
Birnsthil	Hokanson	Luther	Samuelson	Wenstrom
Braun	Jacobs	Mangan	Sarna	Wenzel
Byrne	Jaros	Mann	Schumacher	White
Carlson, L.	Jensen	McCarron	Sherwood	
Carlson, R.	Johnson, D.	Metzen	Sieben, H.	

The motion did not prevail and the amendment was not adopted.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 1953 offered by McCauley:

Page 1, line 9, strike "four" and insert "two".

The roll being called, there were yeas 46, and nays 72, as follows:

Those who voted in the affirmative were:

Adams, S.	Esau	Jude	Nelsen	Smogard
Albrecht	Evans	Kaley	Niehaus	Ulland
Biersdorf	Ewald	Kalis	Peterson	Wieser
Brinkman	Fjoslien	Kelly, W.	Philbrook	Wigley
Carlson, A.	Forsythe	Knickerbocker	Pleasant	Williamson
Corbid	Friedrich	Kvam	Savelkoul	Zubay
Dean	Graba	Laidig	Schreiber	
DeGroat	Heinitz	Lindstrom	Searle	
Eckstein	Johnson, C.	McCauley	Setzepfandt	
Erickson	Jopp	Menning	Sieloff	

Those who voted in the negative were:

Adams, L.	Byrne	Enebo	Jensen	Kostohryz
Anderson, G.	Carlson, L.	Faricy	Johnson, D.	Kroening
Anderson, I.	Carlson, R.	Fugina	Kahn	Langseth
Arlandson	Casserly	George	Kelly, R.	Lemke
Beauchamp	Clark	Hanson	Kempe, A.	Luther
Begich	Clawson	Hokanson	Kempe, R.	Mangan
Berglin	Dahl	Jacobs	Ketola	Mann
Braun	Dieterich	Jaros	Knoll	McCarron

McCollar	Osthoff	Schumacher	Stanton	Wenstrom
Metzen	Parish	Sherwood	Suss	Wenzel
Moe	Patton	Sieben, H.	Swanson	White
Munger	Pehler	Sieben, M.	Tomlinson	Speaker Sabo
Neisen	Petraleso	Simoneau	Vanasek	
Nelson	St. Onge	Skoglund	Vento	
Novak	Sarna	Spanish	Voss	

The motion did not prevail and the amendment was not adopted.

Pursuant to Rule 1.6, a roll call was taken on the motion of Menning to recommend re-referral of H. F. No. 1953 to the Committee on Commerce and Economic Development.

The roll being called, there were yeas 35, and nays 84, as follows:

Those who voted in the affirmative were:

Adams, S.	Erickson	Johnson, C.	Nelsen	Smogard
Albrecht	Esau	Jopp	Niehaus	Stanton
Carlson, A.	Evans	Kalis	Peterson	Ulland
Corbid	Fjoslien	Kvam	Savelkoul	Wieser
Dean	Friedrich	Laidig	Schreiber	Wigley
DeGroat	Graba	McCauley	Sieloff	Williamson
Eckstein	Heinitz	Menning	Smith	Zubay

Those who voted in the negative were:

Adams, L.	Dahl	Kelly, R.	McEachern	Schumacher
Anderson, G.	Dieterich	Kelly, W.	Moe	Sherwood
Anderson, I.	Enebo	Kempe, A.	Munger	Sieben, H.
Arlandson	Ewald	Kempe, R.	Neisen	Sieben, M.
Beauchamp	Faricy	Ketola	Nelson	Simoneau
Begich	Forsythe	Knickerbocker	Novak	Skoglund
Berg	Fudro	Knoll	Osthoff	Spanish
Berglin	Fugina	Kostohryz	Parish	Suss
Biersdorf	George	Kroening	Patton	Swanson
Braun	Hanson	Langseth	Pehler	Tomlinson
Brinkman	Hokanson	Lemke	Petraleso	Vanasek
Byrne	Jacobs	Lindstrom	Philbrook	Vento
Carlson, L.	Jaros	Luther	Pleasant	Voss
Carlson, R.	Jensen	Mangan	Prahl	Wenzel
Casserly	Johnson, D.	Mann	St. Onge	White
Clark	Jude	McCarron	Sarna	Speaker Sabo
Clawson	Kahn	McCollar	Schulz	

The motion did not prevail.

Pursuant to Rule 1.6, a roll call was taken on the motion of Simoneau to recommend passage of H. F. No. 1953.

The roll being called, there were yeas 79, and nays 46, as follows:

Those who voted in the affirmative were:

Adams, L.	Dahl	Kempe, A.	Nelson	Simoneau
Anderson, G.	Dieterich	Kempe, R.	Norton	Skoglund
Anderson, I.	Enebo	Ketola	Novak	Spanish
Arlandson	Faricy	Knoll	Osthoff	Stanton
Beauchamp	Fudro	Kostohryz	Parish	Suss
Begich	Fugina	Kroening	Patton	Swanson
Berg	George	Langseth	Pehler	Tomlinson
Berglin	Hanson	Lemke	Petrafeso	Vanasek
Biersdorf	Hokanson	Luther	Prahl	Vento
Braun	Jacobs	Mangan	St. Onge	Voss
Byrne	Jaros	Mann	Sarna	Wenstrom
Carlson, L.	Jensen	McCarron	Schulz	Wenzel
Carlson, R.	Johnson, D.	McCollar	Schumacher	White
Casserly	Jude	McEachern	Sherwood	Williamson
Clark	Kahn	Munger	Sieben, H.	Speaker Sabo
Clawson	Kelly, R.	Neisen	Sieben, M.	

Those who voted in the negative were:

Adams, S.	Evans	Kalis	Niehaus	Smith
Albrecht	Ewald	Kelly, W.	Peterson	Smogard
Brinkman	Fjoslien	Knickerbocker	Philbrook	Ulland
Carlson, A.	Forsythe	Kvam	Pleasant	Wieser
Corbid	Friedrich	Laidig	Reding	Wigley
Dean	Graba	Lindstrom	Savelkoul	Zubay
DeGroat	Heinitz	McCauley	Schreiber	
Eckstein	Johnson, C.	Menning	Searle	
Erickson	Jopp	Moe	Setzepfandt	
Esau	Kaley	Nelsen	Sieloff	

The motion prevailed.

Pursuant to Rule 1.6, a roll call was taken on the motion of Ulland to recommend passage of H. F. No. 1076.

The roll being called, there were yeas 53, and nays 63, as follows:

Those who voted in the affirmative were:

Adams, L.	Corbid	Jude	Norton	Simoneau
Adams, S.	Dean	Kahn	Novak	Skoglund
Anderson, G.	Dieterich	Kelly, W.	Osthoff	Smith
Berg	Ewald	Knickerbocker	Parish	Stanton
Berglin	Faricy	Knoll	Petrafeso	Swanson
Byrne	Forsythe	Laidig	Philbrook	Tomlinson
Carlson, A.	Fugina	Luther	Pleasant	Ulland
Carlson, L.	George	Mangan	Savelkoul	Williamson
Casserly	Heinitz	McCollar	Schreiber	Speaker Sabo
Clark	Jaros	Munger	Sieben, M.	
Clawson	Johnson, D.	Nelson	Sieloff	

Those who voted in the negative were:

Albrecht	Beauchamp	Braun	Dahl	Esau
Anderson, I.	Begich	Brinkman	DeGroat	Evans
Arlandson	Birnstihl	Carlson, R.	Erickson	Fjoslien

Friedrich	Kempe, R.	Menning	Samuelson	Vento
Fudro	Ketola	Neisen	Sarna	Voss
Hanson	Kostohryz	Neisen	Schulz	Wenstrom
Haugerud	Kroening	Niehaus	Schumacher	Wenzel
Jacobs	Kvam	Patton	Searle	White
Jensen	Langseth	Pehler	Setzepfandt	Wieser
Jopp	Lemke	Peterson	Sherwood	Wigley
Kaley	Mann	Prahl	Sieben, H.	Zubay
Kelly, R.	McCauley	Reding	Smogard	
Kempe, A.	McEachern	St. Onge	Spanish	

The motion did not prevail.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. Nos. 1953, 2197 and 2188 which it recommended to pass.

S. F. Nos. 1901 and 1975 which it recommended to pass.

H. F. No. 1567 upon which it recommended progress.

S. F. Nos. 749 and 840 upon which it recommended progress retaining its place on General Orders.

H. F. No. 1814 upon which it recommended progress until Wednesday, March 31, 1976.

H. F. Nos. 995 and 608 upon which it recommended progress retaining its place on General Orders.

H. F. No. 1076 which it recommended be returned to its author.

H. F. No. 1382 upon which it recommended to pass with the following amendments:

Offered by Fugina:

Page 1, line 17, after "employees." insert "These vans shall not be considered commercial vehicles for purposes of no fault insurance."

Page 2, line 15, after "shall" delete ", in January, 1977,".

Offered by Petrafeso:

Page 2, after line 17, insert sections to read:

"Sec. 4. Minnesota Statutes 1974, Section 16.85, Subdivision 1, is amended to read:

16.85 [GENERAL POWERS OF COMMISSIONER, STATE BUILDING CODE.] Subdivision 1. Subject to the provisions of (LAWS 1971, CHAPTER 561) *sections 16.83 to 16.867*, the commissioner shall (PREPARE AND PUBLISH) *by rule establish* a code of (RULES, REGULATIONS, AND) standards for the construction, reconstruction, alteration, and repair of state-owned buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety. The commissioner may amend (SUCH) *the* code from time to time as provided in (LAWS 1971, CHAPTER 561) *sections 16.83 to 16.867*. The code and any amendment thereof shall conform insofar as practicable to model building codes generally accepted and in use throughout the United States. In the preparation of the code consideration shall be given to the existing state-wide specialty codes presently in use in the state of Minnesota. Such model codes with modifications as may be deemed necessary and state-wide specialty codes may be adopted by reference. The code so promulgated and any amendments thereof shall be based on the application of scientific principles, approved tests, and professional judgment; and to the extent that it is practical so to do the code shall be promulgated in terms of desired results instead of the means of achieving such results, avoiding wherever possible the incorporation of specifications of particular methods or materials. To that end the code shall encourage the use of new methods and new materials.

*The code shall require that any parking ramp or other parking facility constructed in accordance with the code include an appropriate number of spaces suitable for the parking of motor vehicles having a capacity of 10 to 16 persons which are provided directly or indirectly by an employer to transport employees and which are being used at the time to provide prearranged transportation of the employees to or from their place of employment or to or from a transit station authorized by a local transit authority.*

Sec. 5. Minnesota Statutes, 1975 Supplement, Section 65B.43, Subdivision 12, is amended to read:

Subd. 12. "Commercial vehicle" means:

- (a) any motor vehicle used as a common carrier,
- (b) any motor vehicle, other than a passenger vehicle or a station wagon, as those terms are defined in section 168.011, subdivisions 7 and 23, which has a curb weight in excess of 5500 pounds apart from cargo capacity, or
- (c) any motor vehicle while used in the for-hire transportation of property.

*"Commercial vehicle" does not include any motor vehicle having a capacity of 10 to 16 persons which is provided directly or*

*indirectly by an employer to transport his employees and which is being used at the time to provide prearranged transportation of the employees to or from their place of employment or to or from a transit stop authorized by a local transit authority.*

Sec. 6. Minnesota Statutes 1974, Section 65B.47, Subdivision 1, is amended to read:

**65B.47 [PRIORITY OF APPLICABILITY OF SECURITY FOR PAYMENT OF BASIC ECONOMIC LOSS BENEFITS.]**  
Subdivision 1. In case of injury to the driver or other occupant of a motor vehicle, *other than a motor vehicle having a capacity of 10 to 16 persons which is provided directly or indirectly by an employer to transport his employees and which is being used at the time to provide prearranged transportation of the employees to or from their place of employment or to or from a transit stop authorized by a local transit authority* if the accident causing the injury occurs while the vehicle is being used in the business of transporting persons or property, the security for payment of basic economic loss benefits is the security covering the vehicle or, if none, the security under which the injured person is an insured.

Sec. 7. Minnesota Statutes 1974, Section 65B.47, Subdivision 2, is amended to read:

Subd. 2. In case of injury to an employee, or to his spouse or other relative residing in the same household, if the accident causing the injury occurs while the injured person is driving or occupying a motor vehicle furnished by the employer, the security for payment of basic economic loss benefits is the security covering the vehicle, *other than a motor vehicle having a capacity of 10 to 16 persons which is provided directly or indirectly by an employer to transport his employees and which is being used at the time to provide prearranged transportation of the employees to or from their place of employment or to or from a transit stop authorized by a local transit authority*, or, if none, the security under which the injured person is an insured.

Sec. 8. Minnesota Statutes, 1975 Supplement, Section 221.011, Subdivision 22, is amended to read:

Subd. 22. "Exempt carrier" means any carrier exempt from chapter 221, or from any other law or regulation by the public service commission. The following are so exempt:

(a) Any person engaged in farming or in transporting agricultural, horticultural, dairy, livestock, or other farm products within an area having a 25 mile radius from his home postoffice. Such carrier may transport other commodities within such area if the destination of each haul is a farm within the above described area. The owner of any truck operating under this pro-

vision shall imprint his name and address in prominent visible letters on the outside of the cab of his truck.

(b) Any occasional accommodation service beyond the 25 mile radius from his home postoffice by any person engaged in farming as his primary means of livelihood and actually residing on a farm and whose truck or trucks are licensed under provisions of section 168.013, subdivision 1, paragraph 4a. Occasional accommodation service shall mean not in excess of six trips in any calendar year.

(c) Any person engaged in agricultural pursuits, who owns and uses a truck for transporting the products of his farm, or any person while engaged exclusively in the transportation of fresh vegetables from farms to canneries or viner stations, or from viner stations to canneries, or from canneries to canneries during the harvesting, canning or packing season, or potatoes, sugar beets, wild rice and rutabagas from the field of production to the first place of delivery or unloading, including but not limited to a processing plant, warehouse or railroad siding. This term shall also apply to a manufacturer, producer, dealer or distributor who, in the pursuit of his own business, owns and uses trucks for the purpose of transporting his own products, and shall apply to any person while engaged exclusively in the transportation of pulpwood, cord wood, mining timber, poles, posts, decorative evergreens, wood chips, sawdust, shavings and bark from the place where the products are produced to the point where they are to be used or shipped.

(d) Any person while exclusively engaged in the transportation of dirt and sod within an area having a 50 mile radius from his home postoffice.

(e) Any person while exclusively engaged in the transportation of sand or gravel, bituminous asphalt mix and crushed rock to or from the point of loading or a place of gathering within an area having a 50 mile radius from his home postoffice or a 50 mile radius from the site of construction or maintenance of public roads and streets.

(f) Any person engaged in the transportation of household goods for the federal government or any agency thereof or the transportation of household goods for the state government or any agency thereof, where competitive bids are required by law shall be exempt from the provisions of section 221.161.

(g) Any person engaged in transporting property or freight, excepting household goods and petroleum products in bulk, when the movement is entirely within the corporate limits of a city or between contiguous cities.

(h) Emergency vehicles such as ambulances, tow trucks, and hearses when carrying proper and legal warning devices.

(i) Any person engaged in delivery or spreading of agricultural lime.

(j) Any person engaged in transporting rubbish as defined in section 443.27.

(k) Any person engaged in the transportation of grain samples under such terms and conditions as the department may prescribe.

*(l) Motor vehicle having a capacity of 10 to 16 persons which is provided directly or indirectly by an employer to transport his employees and which is being used at the time to provide prearranged transportation of the employees to or from their place of employment or to or from a transit stop authorized by a local transit authority, except that commuter vans shall not be exempt from any provision of chapter 221 which by its terms explicitly applies to commuter vans.*

Sec. 9. Minnesota Statutes 1974, Chapter 221, is amended by adding a section to read:

**[221.71] [COMMUTER VANS; DRIVER LIABILITY.]**

*Notwithstanding any other law to the contrary, the services performed by the driver of a motor vehicle having a capacity of 10 to 16 persons which is provided directly or indirectly by an employer to transport his employees and which is being used at the time to provide prearranged transportation of the employees to or from their place of employment or to or from a transit stop authorized by a local transit authority, shall be deemed to be those of an independent contractor and not those of an employee acting within the scope of his employment with the employer who provides the commuter van."*

Renumber the remaining sections in order.

Further amend the title as follows:

Line 2, after "to" delete "the operation of state government" and insert "transportation".

Line 5, after "employees;" insert "removing, restricting or clarifying certain laws which discourage use of shared ride commuter vans to transport employees to and from work; providing certain incentives;"

Line 5, after "money;" insert "amending Minnesota Statutes 1974, Chapter 221, by adding a section; and Sections 16.85, Sub-

division 1; and 65B.47, Subdivisions 1 and 2; and Minnesota Statutes, 1975 Supplement, Sections 65B.43, Subdivision 12; 221.011, Subdivision 22;".

S. F. No. 1493 upon which it recommended to pass with the following amendment offered by Hanson:

Page 5, line 12, after "\$2.50" and before the period insert "*plus \$10 for each vehicle used to transport minnows*".

S. F. No. 1383 upon which it recommended to pass with the following amendment offered by Casserly, Munger and Voss:

The unofficial engrossment:

Page 4, restore the stricken language beginning on line 30 with the word "Criteria" and ending on page 5, line 3, with the period.

Page 5, line 3, after the period insert the following: "*The hazardous waste portion of the plan shall be approved by the pollution control agency in accordance with its standards and regulations prior to adoption by the metropolitan council.*".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Faricy and Rice were excused for the remainder of today's session.

### MOTIONS AND RESOLUTIONS

Begich moved that the name of Fugina be added as an author on H. F. No. 2026. The motion prevailed.

Enebo moved that the names of Sarna and McEachern be added as authors on H. F. No. 2298. The motion prevailed.

Menning moved that the name of Faricy be stricken as an author on House Concurrent Resolution No. 22. The motion prevailed.

Sieloff moved that the name of Eckstein be added as an author of House Advisory Bill No. 65. The motion prevailed.

Sieben, H., moved that S. F. No. 2168 be recalled from the Committee on Governmental Operations and together with H. F. No. 2297, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

Sieben, H., moved that S. F. No. 2068 be recalled from the Committee on Governmental Operations and together with H. F. No. 2053, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

Fugina moved that S. F. No. 1530, be recalled from the Committee on Environment and Natural Resources, and be re-referred to the Committee on Appropriations. The motion prevailed.

Anderson, I., moved that the following bill be unofficially engrossed and printed for the House:

S. F. No. 10, to include committee amendments. The motion prevailed.

#### MOTION PURSUANT TO RULE 1.15

Pursuant to Rule 1.15, Adams, S., moved that H. F. No. 2049 be recalled from the Committee on Crime Prevention and Corrections, be given its second reading, and be advanced to General Orders.

A roll call was requested and properly seconded.

The question was taken on the Adams, S., motion and the roll being called, there were yeas 40, and nays 87, as follows:

Those who voted in the affirmative were:

Adams, S.	Esau	Jopp	Menning	Searle
Albrecht	Evans	Kaley	Nelsen	Sherwood
Anderson, G.	Ewald	Kempe, A.	Niehaus	Sieloff
Biersdorf	Fjoslien	Kempe, R.	Peterson	Ulland
Carlson, A.	Forsythe	Knickerbocker	Pleasant	Wenzel
Dean	Friedrich	Kvam	Savelkoul	Wieser
DeGroat	Heinitz	Laidig	Schreiber	Wigley
Erickson	Jensen	McCauley	Schulz	Zubay

Those who voted in the negative were:

Adams, L.	Berglin	Carlson, R.	Dieterich	Graba
Anderson, I.	Birnstihl	Casserly	Eckstein	Hanson
Arlandson	Braun	Clark	Enebo	Haugerud
Beauchamp	Brinkman	Clawson	Fudro	Hokanson
Begich	Byrne	Corbid	Fugina	Jacobs
Berg	Carlson, L.	Dahl	George	Jaros

Johnson, C.	Lemke	Norton	Sarna	Swanson
Johnson, D.	Lindstrom	Novak	Schumacher	Tomlinson
Jude	Luther	Osthoff	Setzepfandt	Vanasek
Kahn	Mangan	Parish	Sieben, H.	Vento
Kalis	Mann	Patton	Sieben, M.	Voss
Kelly, R.	McCarron	Pehler	Simoneau	Wenstrom
Kelly, W.	McCollar	Petrafeso	Skoglund	White
Ketola	McEachern	Philbrook	Smith	Williamson
Knoll	Moe	Prahl	Smogard	Speaker Sabo
Kostohryz	Munger	Reding	Spanish	
Kroening	Neisen	St. Onge	Stanton	
Langseth	Nelson	Samuelson	Suss	

The motion did not prevail.

#### ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Tuesday, March 9, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## EIGHTY-FIFTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 9, 1976

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kahn	Munger	Sherwood
Adams, L.	Eckstein	Kaley	Neisen	Sieben, H.
Adams, S.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Faricy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Kvam	Petrafero	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Volk
Carlson, L.	Haugerud	Luther	Rice	Voss
Carlson, R.	Heinitz	Mangan	St. Onge	Wenstrom
Casserly	Hokanson	Mann	Samuelson	Wenzel
Clark	Jacobs	McCarron	Sarna	White
Clawson	Jaros	McCauley	Savelkoul	Wieser
Corbid	Jensen	McCollar	Schreiber	Wigley
Dahl	Johnson, C.	McEachern	Schulz	Williamson
Dean	Johnson, D.	Menning	Schumacher	Zubay
DeGroat	Jopp	Metzen	Searle	Speaker Sabo
Dieterich	Jude	Moe	Setzepfandt	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Laidig the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2342, 2093, 2518, 2321, 2297, 2155, 2154, 2107, 2053, 1963, 1962, 1918, 595, 2496, 1372, 1960, 1966, 2148, 2442, 2288, 2463, 2441, 1967, 2109, 2166, 2224, 2239, 2295, 2338, 2389, 2490, 1926, 1979, 2007, 2010, 2048, 2090, 2159, 101, 1223, 1581, 1883, 1913, 1919, 1964, 2009, 2492, 1826, 1961, 1382 and 1349 and S. F. Nos. 2057, 2076, 1967, 2070, 2161, 2318, 1262, 1388, 1880, 1976, 1996, 1997, 2077 and 1876 have been placed in the members' files.

S. F. No. 2070 and H. F. No. 2104, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kahn moved that S. F. No. 2070 be substituted for H. F. No. 2104 and that the House File be indefinitely postponed. The motion prevailed.

## PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

March 8, 1976

The Honorable Martin O. Sabo  
Speaker of the House of Representatives  
The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1976 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1976</i>	<i>Date Filed 1976</i>
869		28	March 5	March 5
1551		29	March 5	March 5
	369	30	March 5	March 5
	717	31	March 5	March 5

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1976	Date Filed 1976
	719	32	March 5	March 5
	933	33	March 5	March 5
	951	34	March 5	March 5
	1104	35	March 5	March 5
	1191	36	March 5	March 5

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

### REPORTS OF STANDING COMMITTEES

Moe from the Committee on Crime Prevention and Corrections to which was referred:

H. F. No. 1955, A bill for an act relating to crimes; exempting prison guards from pistol permit requirements when on duty; amending Minnesota Statutes, 1975 Supplement, Section 624.714, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 10, delete "*the state*".

Page 1, delete line 11.

Page 1, line 12, delete "*institution for women*" and insert "*an adult state correctional institution*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Moe from the Committee on Crime Prevention and Corrections to which was referred:

H. F. No. 2257, A bill for an act relating to juvenile courts; requiring written findings of fact for all dispositions of delinquent, dependent, and neglected children; amending Minnesota Statutes 1974, Sections 260.185, Subdivision 1; and 260.191, Subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 17, insert a new clause (b) to read as follows:

*“(b) Direct public agencies to offer appropriate human services to the child or to any member of the child’s family if that family member is amenable to receiving these human services. For the purposes of this clause, “member of the child’s family” or “family member” means the child’s relative, guardian, or custodian living in the same household with the child;”.*

Renumber the remaining clauses.

Further, amend the title as follows:

Page 1, line 2, after “courts;” insert “authorizing the court to direct public agencies to offer appropriate social services under certain circumstances to members of the child’s family;”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Moe from the Committee on Crime Prevention and Corrections to which was referred:

H. F. No. 2329, A bill for an act relating to corrections; increasing the scope of the jurisdiction and power of the ombudsman; preserving the rights of complainants; providing a penalty for persons hindering the ombudsman; removing an expiration date; amending Minnesota Statutes 1974, Sections 241.42, Subdivision 2; 241.44, Subdivisions 1 and 3; and Chapter 241, by adding a section; repealing Laws 1973, Chapter 553, Section 7.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1974, Section 241.42, Subdivision 2, is amended to read:

Subd. 2. “Administrative agency” or “agency” means any division, official, or employee of the Minnesota department of corrections, the Minnesota corrections authority (AND), the board of pardons *and county or regional correction or detention facilities or agencies for correction or detention programs*, but does not include:

(a) any court or judge;

- (b) any member of the senate or house of representatives of the state of Minnesota;
- (c) the governor or his personal staff;
- (d) any instrumentality of the federal government of the United States;
- (e) any political subdivision of the state of Minnesota;
- (f) any interstate compact.

Sec. 2. Minnesota Statutes 1974, Section 241.44, Subdivision 1, is amended to read:

241.44 [POWERS OF OMBUDSMAN; INVESTIGATIONS; ACTION ON COMPLAINTS; RECOMMENDATIONS.] Subdivision 1. [POWERS.] The ombudsman shall have the following powers:

(a) He may prescribe the methods by which complaints are to be made, reviewed, and acted upon; provided, however, that he may not levy a complaint fee;

(b) He may determine the scope and manner of investigations to be made;

(c) Except as otherwise provided, he may determine the form, frequency, and distribution of his conclusions, recommendations, and proposals; provided, however, that the governor or his representative may, at any time the governor deems it necessary, request and receive information from the ombudsman. *Neither the ombudsman nor any member of his staff shall be compelled to testify in any court with respect to any matter involving the exercise of his official duties except as may be necessary to enforce the provisions of sections 241.41 to 241.45;*

(d) He may investigate, upon a complaint (IN WRITING) or upon his own initiative, any action of an administrative agency;

(e) He may request and shall be given access to information in the possession of an administrative agency which he deems necessary for the discharge of his responsibilities;

(f) He may examine the records and documents of an administrative agency;

(g) He may enter and inspect, at any time, premises within the control of an administrative agency;

(h) He may (ORDER) *administer oaths, subpoena* any person to appear(,) *and give testimony, (OR PRODUCE) subpoena* documentary or other evidence which the ombudsman deems relevant to a matter under his inquiry, *and may petition the appropriate state court to seek compliance with the subpoena*; provided, however, that any witness at a hearing or before an investigation as herein provided, shall possess the same privileges reserved to such a witness in the courts or under the laws of this state;

(i) The ombudsman may bring an action in an appropriate state court to provide the operation of the powers provided in this subdivision. The ombudsman may use the services of legal assistance to Minnesota prisoners for legal counsel. The provisions of sections 241.41 to 241.45 are in addition to other provisions of law under which any remedy or right of appeal or objection is provided for any person, or any procedure provided for inquiry or investigation concerning any matter. Nothing in sections 241.41 to 241.45 shall be construed to limit or affect any other remedy or right of appeal or objection nor shall it be deemed part of an exclusionary process; *and*

(j) *He may be present at Minnesota corrections authority parole and parole revocation hearings and, when the authority sits in a unit constituting a quorum, at parole and parole revocation deliberations.*

Sec. 3. Minnesota Statutes 1974, Section 241.44, is amended by adding a subdivision to read:

*Subd. 1a. No proceeding or civil action except removal from office or a proceeding brought pursuant to sections 15.162 to 15.168 shall be commenced against the ombudsman for actions taken pursuant to the provisions of sections 241.41 to 241.45, unless the act or omission is actuated by malice or is grossly negligent.*

Sec. 4. Minnesota Statutes 1974, Section 241.44, Subdivision 3, is amended to read:

Subd. 3. [COMPLAINTS.] The ombudsman may receive a complaint from any source concerning an action of an administrative agency. He may, on his own motion or at the request of another, investigate any action of an administrative agency.

The ombudsman may exercise his powers without regard to the finality of any action of an administrative agency; however, he may require a complainant to pursue other remedies or channels of complaint open to the complainant before accepting or investigating the complaint.

After completing his investigation of a complaint, the ombudsman shall inform the complainant, the administrative agency, and the official or employee, of the action taken.

A letter to the ombudsman from a person in an institution under the control of an administrative agency shall be forwarded immediately and unopened to the ombudsman's office. *Correspondence from the ombudsman to the person shall be delivered unopened to the person, promptly after its receipt by the institution.*

*No complainant shall be punished nor shall the general condition of his confinement or treatment be unfavorably altered as a result of his having made a complaint to the ombudsman.*

Sec. 5. [REPEALER.] *Minnesota Statutes 1974, Section 241.42, Subdivisions 3 and 4; and Laws 1973, Chapter 553, Section 7, are repealed.*

Sec. 6. [APPROPRIATIONS.] *There is appropriated from the general fund in the state treasury the sum of \$ . . . . . to the office of ombudsman for corrections for the purposes of this act."*

Further amend the title as follows:

Page 1, line 4, delete "providing a".

Page 1, delete line 5.

Page 1, line 6, after ";" and before "amending" insert "appropriating money;".

Page 1, line 8, after "and 3" insert ", and by adding a subdivision".

Page 1, line 8, delete "and Chapter 241, by".

Page 1, line 9, delete "adding a section;".

Page 1, line 9, after "repealing" and before "Laws", insert "Minnesota Statutes 1974, Section 241.42, Subdivisions 3 and 4; and".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

Moe from the Committee on Crime Prevention and Corrections to which was referred:

S. F. No. 53, A bill for an act relating to peace officer training courses; eligibility; amending Minnesota Statutes 1974, Section 626.851, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 14, delete "*rule and regulation*" and insert "*rules*".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 1993, A bill for an act relating to education; providing standards for the education of handicapped children; requiring a hearing and appeals process; providing benefits for all handicapped children residing in the school district; amending Minnesota Statutes 1974, Section 120.17, Subdivisions 3, 4, and by adding a subdivision; and Minnesota Statutes, 1975 Supplement, Section 120.17, Subdivision 1.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 120.17, Subdivision 1, is amended to read:

120.17 [HANDICAPPED CHILDREN.] Subdivision 1. [SPECIAL INSTRUCTION FOR HANDICAPPED CHILDREN.] Every district shall provide special instruction and services, either within the district or in another district, for handicapped children of school age who are residents of the district and who are handicapped as set forth in section 120.03. (WHEN THE PROVISION OF INSTRUCTION, TRAINING, AND SERVICES MAY RESULT IN HARDSHIP OR INJURY TO THE CHILD, THE SCHOOL BOARD MAY APPEAL THE MANDATORY PROVISIONS OF LAWS 1971, CHAPTER 689 TO THE COMMISSIONER OF EDUCATION WHO SHALL DETERMINE WHAT PROVISIONS SHALL BE MADE BY THE DISTRICT FOR THE EDUCATION OF THE CHILD.) School age means the ages of four years to 21 years for children who are deaf, blind, crippled or have speech defects; and five years to 21 years for mentally retarded children; and shall not extend beyond secondary school or its equivalent. Every district

may provide special instruction and services for handicapped children who have not attained school age. Districts with less than the minimum number of eligible handicapped children as determined by the state board shall cooperate with other districts to maintain a full sequence of programs for education, training and services for handicapped children as defined in section 120.03 (, SUBDIVISIONS 1 TO 3. A DISTRICT THAT DECIDES TO MAINTAIN PROGRAMS FOR TRAINABLE HANDICAPPED CHILDREN IS ENCOURAGED TO CO-OPERATE WITH OTHER DISTRICTS TO MAINTAIN A FULL SEQUENCE OF PROGRAMS).

Sec. 2. Minnesota Statutes 1974, Section 120.17, Subdivision 3, is amended to read:

Subd. 3. [RULES OF THE STATE BOARD.] The state board shall promulgate rules relative to qualifications of essential personnel, courses of study or training, methods of instruction and training, pupil eligibility, size of classes, rooms, equipment, supervision, parent consultation and any other rules and standards it deems necessary, for instruction of handicapped children. *These rules shall provide standards and procedures appropriate for the implementation of subdivisions 3a and 3b of this section.*

Sec. 3. Minnesota Statutes 1974, Section 120.17, is amended by adding a subdivision to read:

*Subd. 3a. [SCHOOL DISTRICT OBLIGATIONS.] Pursuant to rules promulgated under subdivision 3, every district shall take such steps as may be necessary to insure that:*

(a) *All handicapped children are provided the special instruction and services which are appropriate to their needs;*

(b) *Handicapped children to the extent appropriate and their parents or guardians are guaranteed procedural safeguards and the right to participate in decisions involving identification, assessment and educational placement of handicapped children;*

(c) *To the maximum extent appropriate, handicapped children, including those in public or private institutions or other care facilities, are educated with children who are not handicapped, and that special classes, separate schooling, or other removal of handicapped children from the regular educational environment occurs only when and to the extent that the nature or severity of the handicap is such that education in regular classes with the use of supplementary services cannot be achieved satisfactorily;*

(d) *In accordance with recognized professional standards, testing and evaluation materials and procedures utilized for the*

*purposes of classification and placement of handicapped children are selected and administered so as not to be racially or culturally discriminatory; and*

*(e) The rights of the child are protected when the parents or guardians are not known or not available, or the child is a ward of the state.*

Sec. 4. Minnesota Statutes 1974, Section 120.17, is amended by adding a subdivision to read:

*Subd. 3b. [PROCEDURES FOR DECISIONS.] Pursuant to rules promulgated under subdivision 3, every district shall utilize at least the following procedures for decisions involving identification, assessment and educational placement of handicapped children:*

*(a) Parents and guardians shall receive prior written notice of: (1) any proposed formal educational assessment of their child; (2) a proposed placement of their child in, transfer from or to or denial of placement in a special education program; or (3) the proposed provision, denial or removal of special education services for their child;*

*(b) Parents and guardians shall have an opportunity to meet with appropriate district staff in one or more conciliation conferences if they object to any proposal of which they are notified pursuant to clause (a);*

*(c) Parents and guardians shall have an opportunity to obtain an informal due process hearing initiated and conducted in the school district where the child resides, if after one or more conciliation conferences the parent or guardian continues to object to: (1) a proposed formal educational assessment of their child; (2) the proposed placement of their child in, or transfer of their child to a special education program; (3) the proposed denial of placement of their child in a special education program or the transfer of their child from a special education program; (4) the proposed provision of special education services for their child; or (5) the proposed denial or removal of special education services for their child.*

*At the option of the school board, the hearing shall take place either before the school board, or before a person who is mutually agreed to by the school board and the parent or guardian or appointed by the commissioner in case of disagreement. The proceedings shall be recorded and preserved, at the expense of the school district, pending ultimate disposition of the action. The cost of all hearings shall be paid by the school district.*

*(d) Within five days of a hearing pursuant to clause (c), the person or persons conducting the hearing shall issue a local deci-*

sion which shall be binding on all parties unless appealed to the commissioner by the parent or guardian or school board pursuant to clause (e).

*The local decision shall:*

(1) be in writing;

(2) state the controlling facts upon which the decision is made in sufficient detail to apprise the parties and the commissioner of the basis and reason for the decision;

(3) explain if the special education program or special education services appropriate to the child's needs can be reasonably provided within the resources available to the responsible district or districts;

(4) reflect the amount and source of any additional district expenditure necessary to implement the decision; and

(5) be based on the standards set forth in subdivision 3a and the rules of the state board.

(e) Any local decision issued pursuant to clauses (c) and (d) may be appealed to the commissioner within 15 days of receipt of the written decision, by the parent or guardian or the school board.

If the decision is appealed, a written transcript of the hearing shall be made by the school district and shall be accessible to the parties involved within five days of the filing of the appeal; except that for appeals of school boards' local decisions concerning proposals set forth in clause (c) (1), (2), and (4), no written transcript shall be made. The commissioner shall issue a final decision based on the local decision and the transcript within 30 days after receipt of the local decision and the transcript; provided, however, in appeals of school boards' local decisions concerning proposals set forth in clause (c) (1), (2) and (4), the commissioner shall issue a final decision within 30 days after a due process hearing before an impartial hearing officer appointed by the commissioner and the final decision shall be based on the report of the hearing officer. The cost of all such appeals and hearings shall be paid by the commissioner.

*The final decision shall:*

(1) be in writing;

(2) include findings and conclusions; and

(3) be based upon the standards set forth in subdivision 3a and in the rules of the state board.

(f) *The decision of the commissioner shall be final unless appealed by the parent or guardian or school board to the district court of the county in which the school district in whole or in part is located. The scope of judicial review shall be as provided in chapter 15.*

(g) *The child's school district of residence, if different from the district where the child actually resides, shall receive notice of and may be a party to any hearings or appeals pursuant to this subdivision.*

Sec. 5. Minnesota Statutes 1974, Section 120.17, is amended by adding a subdivision to read:

*Subd. 3c. On or before November 15, 1978, the commissioner shall report to the legislature on the experiences of Minnesota school districts in implementing subdivision 3b of this section. The report shall include an assessment of the impact on districts of parental requests for services pursuant to subdivision 3b, clause (c) (3) and (5), and recommendations concerning the need for legislation.*

Sec. 6. Minnesota Statutes 1974, Section 120.17, Subdivision 4, is amended to read:

Subd. 4. [SPECIAL INSTRUCTIONS FOR NON-RESIDENT CHILDREN.] (THE PARENT OR GUARDIAN OF A HANDICAPPED CHILD WHO RESIDES IN A DISTRICT WHICH DOES NOT PROVIDE SPECIAL INSTRUCTION AND SERVICES WITHIN ITS DISTRICT MAY MAKE APPLICATION TO THE COMMISSIONER FOR SPECIAL INSTRUCTION AND SERVICES FOR HIS CHILD UNDER ONE OF THE METHODS PROVIDED.)

(IF THE COMMISSIONER FINDS THAT THE LOCAL DISTRICT IS NOT PROVIDING SUCH INSTRUCTION AND SERVICES, HE SHALL ARRANGE FOR THE SPECIAL INSTRUCTION AND SERVICES PROVIDED.) (IF THE) *When a school district provides instruction and services (ARE PROVIDED) outside the district of residence, transportation or board and lodging, and any tuition to be paid, shall be paid by the district of residence. The tuition rate to be charged for any handicapped child shall be the actual cost of providing special instruction and services to the child including a proportionate amount for capital outlay and debt service minus the amount of special aid for handicapped children received on behalf of that child. If the boards involved do not agree upon the tuition rate, either board may apply to the commissioner to fix the rate. The commissioner shall then set a date for a hearing, giving each board at least ten days' notice, and after the hearing the commissioner shall make his order fixing the tuition rate, which (RATE) shall (THEN) be binding on both school districts.*

For the purposes herein, any school district or (UNORGANIZED TERRITORY OR) combinations thereof may enter into an agreement, upon such terms and conditions as may be mutually agreed upon, to provide special instruction and services for handicapped children. In that event, one of the participating units may employ and contract with necessary qualified personnel to offer services in the several districts (OR TERRITORIES), and each participating unit shall reimburse the employing unit a proportionate amount of the actual cost of providing the special instruction and services, less the amount of state (REIMBURSEMENT) *special education aid*, which shall be claimed in full by the employing district.

*Sec. 7. Neither the state department of education nor any school district shall expend funds from state appropriations or local tax levies for the purpose of complying with the administrative requirements of Public Law 94-142, an act of the 94th Congress of the United States cited as the "Education for All Handicapped Children Act of 1975," except for those administrative requirements which are also contained in Minnesota laws and statutes, including sections 1 to 6 of this act, or established by the rules of the state board. Only federal funds received pursuant to Public Law 94-142 may be expended to meet these federal requirements not established by Minnesota laws or statutes or the rules of the state board, and no federal funds received pursuant to Public Law 94-142 may be expended for any other purpose until these requirements have been fulfilled."*

Further, amend the title by striking it in its entirety and inserting the following:

"A bill for an act relating to education; providing standards for the education of handicapped children; requiring a hearing and appeals process; limiting expenditures to meet federal requirements; amending Minnesota Statutes 1974, Section 120.17, Subdivisions 3 and 4, and by adding subdivisions; and Minnesota Statutes, 1975 Supplement, Section 120.17, Subdivision 1."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 1994, A bill for an act relating to Minnesota culture; preserving and presenting Minnesota folklife.

Reported the same back with the following amendments:

Page 2, line 13, delete " , beliefs, dances,".

Page 2, line 14, delete everything before "and".

Page 2, line 14, delete "other".

Page 2, delete lines 30 to 32.

Page 3, delete lines 1 to 6.

Pages 3 to 6, delete sections 5, 6, 7 and 8 in their entirety and insert:

"Sec. 5. [STATE FOLKLORIST; POWERS.] Subdivision 1. The state folklorist shall exercise the powers conferred in this section with the approval of the director of the Minnesota historical society.

Subd. 2. The folklorist may accept gifts and grants for the support of the center; receive money and other property donated, bequeathed, or devised, without condition or restriction other than that it be for the purposes of the center, and use, sell or otherwise dispose of such property for the purpose of carrying out their functions.

Subd. 3. The state folklorist may enter into contracts with, award grants, loans, and scholarships to individuals and groups, and in the case of clause (5), to private radio and television broadcasters, museums, educational institutions and corporations for the purpose of:

(1) support and promotion of research, scholarship, and training in Minnesota folklife;

(2) support and promotion of live performances, festivals, exhibits, and workshops related to Minnesota folklife;

(3) purchase, receipt, support, and promotion of exhibitions and displays, including presentations by still and motion picture films and audio and visual magnetic tape recordings, which represent or illustrate some aspect of Minnesota folklife;

(4) purchase, production and support of exhibitions, projects, presentations, and materials especially designed for classroom use representing or illustrating some aspect of Minnesota folklife; and

(5) making arrangements to present, display, exhibit, disseminate, communicate and broadcast to local, regional, or state audiences any item referred to in subdivision 4, clause (2).

Subd. 4. The state folklorist may:

(1) Establish and maintain branches of the center in conjunction with any state department, agency, or institution;

(2) Procure, receive, purchase, and collect for preservation or retention in an appropriate archive or museum creative works, exhibitions, presentations, objects, materials, artifacts, and audio and visual records including still and motion picture film, records, audio and visual magnetic tape recordings, written records, and manuscripts which represent or illustrate some aspect of Minnesota folklife;

(3) Establish procedures for loaning or making available any item in the archive authorized by this act to any individual or group;

(4) Loan, lease, or otherwise make available to public, private, and nonprofit educational institutions items developed pursuant to subdivision 3, clause (4);

(5) Develop and implement other programs to preserve, support, revitalize, and disseminate Minnesota folklife.

Sec. 6. [STATE FOLKLORIST; DUTIES.] Subdivision 1. It shall be the duty of the state folklorist to:

(1) Sponsor, engage in, and direct fundamental research into the folklife of this state and to encourage and coordinate folklife research and investigation undertaken within the state;

(2) Cooperate with other agencies of the state which may have authority to determine the location of folklife materials;

(3) Protect to the extent possible and encourage the preservation of folklife items located on privately owned property or otherwise in the private possession of individuals;

(4) Obtain for the state objects of folklife significance and data relating to the objects;

(5) Cooperate with the university of Minnesota and other institutions and organizations to preserve and collect Minnesota folklife, together with the data relating to the folklife; and

(6) Disseminate folklife information through the publication of reports of folklife research conducted within the state.

Subd. 2. [ANNUAL REPORT.] The state folklorist shall submit to the director of the Minnesota historical society an annual report concerning the operation of the center, including a detailed statement of all private and public funds received and expended by the center and such recommendations as the center deems appropriate.

Subd. 3. [CONTRIBUTORS' RIGHTS.] The state folklorist shall avoid any actions which infringe on the personal rights of individuals contributing to the center.

Sec. 7. [FOLKLIFE INFORMATION.] In order to maximize communication and cooperation among those collecting or studying Minnesota folklife, to protect the rights of persons who give information to collectors and students of Minnesota folklife, and to assist those who wish to represent accurately the folklife of the state of Minnesota, the state folklorist may establish procedures by which persons who collect or study Minnesota folklife may (1) submit their plans and report their ongoing and final findings to the center;

(2) report to the center any use, publication, or production of their work, and provide copies of any publication; and

(3) provide at no cost to themselves copies of their fieldwork data for deposit in the archive of the center to be used in accordance with the wishes of the donor."

Amend the title as follows:

Page 1, line 3, after "folklife" insert "; creating center for study of Minnesota folklife; creating position of state folklorist in the historical society; prescribing powers and duties of the state folklorist".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 2520, A bill for an act relating to Independent School Districts No. 110, No. 278, No. 535, No. 341, and No. 173 and Special School District No. 1; allowing the school districts to provide certain items for nonpublic school children.

Reported the same back with the following amendments:

Page 1, line 9, delete "Independent" and insert "all".

Page 1, line 9, delete "No. 110, No. 278, No. 535, No.".

Page 1, line 10, delete "341, and No. 173 and Special School District No. 1".

Page 1, line 13, delete "any items" and insert "instructional materials".

Page 1, line 16, delete "department" and insert "board".

Page 1, line 21, delete "This act is effective upon approval by the".

Page 1, delete lines 22 and 23.

Page 2, delete lines 1 and 2 and insert "This act shall be effective the day following final enactment."

Amend the title as follows:

Line 2, delete "Independent School Districts No. 110,".

Delete line 3.

Line 4, delete "School District No. 1" and insert "education".

Line 4, delete "allowing the" and insert "requiring".

Line 5, delete "certain items" and insert "instructional materials".

Line 5, after "for" insert "certain".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1440, A bill for an act relating to private cemeteries; recovery of abandoned lots; amending Minnesota Statutes 1974, Chapter 307, by adding a section.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 2086, A bill for an act relating to elections; providing certain changes in voter registration; amending Minnesota

Statutes 1974, Sections 201.091, Subdivisions 2 and 3, and by adding a subdivision; and 201.121, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 15, after "*lists*" insert "*by precinct*".

Page 2, line 9, delete "*precinct*".

Page 2, line 15, delete "*precinct*" and insert "*registered voter*".

Page 2, line 19, after "reproduction" insert "*and a paper copy of the list shall be available for examination without cost*".

Page 2, line 20, strike "*precinct*" and insert "*registered voter*".

Page 2, line 21, strike "*precinct*" and insert "*registered voter*".

Pages 2 and 3, strike all of section 4.

Further amend the title as follows:

Page 1, lines 2 and 3, delete "providing certain changes in voter registration" and insert "requiring the county auditor to make available certain voter registration lists".

Page 1, lines 5 and 6, strike "; and 201.121, Subdivision 2".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1397, A bill for an act relating to the organization and operation of state government; changing the membership of the higher education coordinating board and establishing new duties for the board; creating a legislative advisory task force; amending Minnesota Statutes 1974, Sections 136A.02, Subdivisions 1, 2 and 4; 136A.07; and Minnesota Statutes, 1975 Supplement, Sections 136A.04; and 136A.05.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1682, A bill for an act relating to energy; establishing a state program of low interest loans to provide installation of solar furnaces in single family dwellings; appropriating money; amending Minnesota Statutes 1974, Section 462A.05, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 22, delete "*low and other income*".

Page 1, line 23, delete "*provide*" and insert "*enable the acquisition and*".

Page 1, line 23, delete "*heating*".

Page 2, delete line 1 and insert "*systems for new and existing residential housing*".

Page 2, line 7, delete "*of single family dwellings*" and insert "*or builders of residential housing*".

Page 2, line 8, delete "*furnaces to provide heating for the*".

Page 2, delete lines 9 to 27 and insert "*energy systems. A loan shall be made upon such terms and conditions as the agency determines to be necessary to accomplish the purposes of this subdivision and to provide reasonable security for repayment of the loan.*"

(b) For purposes of this subdivision the term "solar energy system" means a set of devices having as its primary purpose to collect solar energy and convert and store it for useful purposes including heating and cooling buildings or other energy-using processes, or to produce generated power by means of any combination of collecting, transferring, or converting solar-generated energy.

(c) The principal repayments of a loan under this subdivision shall be retained by the agency in a revolving loan fund and are hereby appropriated to the agency for further use in the program established by this subdivision.

(d) No loan shall be authorized until the agency determines that the solar energy system meets quality performance standards promulgated by the commissioner of administration. The building code division of the department of administration in consultation with the Minnesota energy agency shall promulgate standards by December 31, 1976, pursuant to Minnesota Statutes, Chapter 15, to insure that within the existing state of development, solar energy systems which are sold or installed within the state are effective and represent a high standard of quality of

material, workmanship, design, and performance. The department of administration in consultation with the Minnesota energy agency shall modify existing standards and promulgate new standards subsequent to December 31, 1976 as new technology and materials become available. Manufacturers or retailers of solar energy systems shall disclose to each bona fide potential purchaser of a system the extent to which the system meets or exceeds each quality standard.

(e) No loan shall be authorized unless the loan applicant agrees to conform the housing structure to energy conservation standards relating to the exterior envelope of the structure as promulgated by the commissioner of administration pursuant to section 116H.12.

(f) No loan shall be authorized until the applicant has submitted an economic analysis form to the local building inspector, as defined in section 16.861, and the inspector has (1) inspected the structure and the plans and specifications for the system, (2) approved the economic analysis form, and (3) delivered the form to the agency with a copy to the applicant. The form shall be prepared by the director of the agency after consultation with the commissioner of administration and the director of the Minnesota energy agency. The form shall reflect the standards provided for in clauses (d) and (e). The inspector shall approve the form if he determines the data thereon to be accurate, and if he determines, pursuant to standards promulgated by rule by the director of the agency after consultation with the commissioner of administration and the director of the Minnesota energy agency, that the installation of the system and any necessary energy conservation measures are economically feasible and will result in energy and cost savings over the anticipated life of the system and structure.

(g) No loan shall be authorized in excess of \$6,000 for the acquisition and installation of the system, and \$2,000 for necessary conservation measures to meet the standards of clause (e) in the structure for which the system is to be installed."

Re-letter subsequent clauses.

Page 2, line 28, delete "department" and insert "commissioner".

Page 3, line 3, delete "\$2,000,000" and insert "\$ . . . . .".

Page 3, line 3, after "purposes of" insert "making loans and paying administrative costs pursuant to".

Further delete the title in its entirety and insert:

"A bill for an act relating to housing; enabling the housing finance agency to make loans available for the acquisition and

installation of solar energy systems and for improving energy conservation in the structure; appropriating money; amending Minnesota Statutes 1974, Section 462A.05, by adding a subdivision."

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2217, A bill for an act relating to veterinary medicine; proscribing certain practices by unlicensed persons; authorizing practice by students in certain circumstances; changing the licensing fee; setting licensing standards; defining terms; amending Minnesota Statutes 1974, Sections 156.001, by adding a subdivision; 156.02, Subdivisions 1 and 2; 156.03; 156.04; 156.07; 156.072, Subdivision 1, and by adding subdivisions; and 156.12.

Reported the same back with the following amendments:

Page 4, line 10, strike "\$10" and insert "\$25".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2298, A bill for an act relating to eminent domain; time of title and possession; providing that certain payments deposited with the court shall not draw interest; amending Minnesota Statutes, 1975 Supplement, Section 117.042.

Reported the same back with the following amendments:

Page 1, lines 22 and 23, delete the new language.

Page 2, line 1, delete the new language.

Page 2, line 7, after "award." insert "*The amount deposited shall be deposited by the clerk of court in an interest bearing account no later than the business day next following the day on which the amount was deposited with the court. All interest credited to the amount deposited from the date of deposit shall be paid to the ultimate recipient of the amount deposited.*".

Further amend the title:

Line 4, delete "not".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2396, A bill for an act relating to the operation of state government; authorizing the director of the energy agency to appoint a personal secretary; amending Minnesota Statutes 1974, Section 116H.03, Subdivision 3.

Reported the same back with the following amendments:

Page 2, line 6 after "deputy" insert "*and his personal secretary*".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2435, A bill for an act directing the sale of a certain parcel of tax forfeited land in St. Louis county.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2534, A bill for an act relating to Chisago, Isanti, and Pine counties; providing retirement benefits for certain judges.

Reported the same back with the following amendments:

Page 1, line 18, delete "1975" and insert "1977".

Page 1, after line 19, add a new section to read:

"Sec. 2. This act is effective upon approval by the governing bodies of Chisago, Pine, and Isanti counties and upon compliance with Minnesota Statutes, Section 645.021."

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2547, A bill for an act relating to outdoor recreation; creating the citizen's advisory sportsmen's council on Minnesota's outdoor recreational resources; prescribing its powers and duties; providing for a surcharge on fish and game licenses to fund the council.

Reported the same back with the following amendments:

Page 1, line 18, delete "in the same".

Page 1, delete all of line 19.

Page 1, line 20, delete "selected".

Page 1, line 22, delete "that".

Page 1, line 23, delete "organization" and insert "the governor".

Page 1, line 24, after "of the" delete "committee" and insert "council".

Page 1, line 24, after "The" delete "committee" and insert "council".

Page 2, line 1, delete "select" and insert "recommend".

Page 2, line 2, delete "committee" and insert "council subject to the approval of the governor".

Page 2, delete lines 7 and 8 and insert:

"Subd. 3. The council shall be governed by the provisions of Minnesota Statutes, 1975 Supplement, Section 15.059."

Page 3, after line 1, insert a new section to read:

"Sec. 6. This act is effective the day following final enactment."

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 2095, A bill for an act relating to education; authorizing the higher education coordinating board and regional consortium to cooperate in the development of health education programs.

Reported the same back with the following amendments:

Page 2, line 3, delete “, and its fiscal agent shall”.

Page 2, line 4, delete “be a nonprofit corporation”.

Page 2, delete lines 5 to 9 and insert “Subd. 2. [CONSORTIUM MEMBERSHIP.] Member institutions and organizations of each consortium shall be selected by the higher education coordinating board. Each member institution or organization shall be represented by its chief executive or the chief executive’s designee. Representatives of member institutions and organizations shall constitute an advisory committee to the higher education coordinating board and shall advise the board and the board’s executive director on programs and policies of the consortium. A director and other necessary staff shall be appointed for each consortium in accordance with personnel policies of the higher education coordinating board and with advice from the advisory committee.”.

Page 2, line 11, after “to” insert “improve efficiency and effectiveness and minimize duplication in meeting regional needs for health education programs by utilizing the resources of existing institutions to”.

Page 2, after line 28, insert “Sec. 4. Policies, plans, programs and activities of the consortium shall be subject to review and approval by the higher education coordinating board in accordance with procedures established by the higher education coordinating board.

Sec. 5. There is appropriated from the general fund of the state treasury to the higher education coordinating board the sum of \$500,000 for the year ending June 30, 1977, for the purposes of this act.”.

Further amend the title as follows:

Page 1, line 5, after “programs” insert “; appropriating money”.

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 2238, A bill for an act relating to education; loans to medical students; amending Minnesota Statutes, 1975 Supplement, Section 147.30.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 2539, A bill for an act relating to education; creating a legislative advisory task force to study post-secondary education; appropriating money.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

S. F. No. 357, A bill for an act relating to the university of Minnesota board of regents; providing for student or recent graduate members; amending Minnesota Statutes 1974, Chapter 137, by adding a section.

Reported the same back with the following amendments:

Page 1, line 22, after the period insert "*In electing regents pursuant to this section, the legislature is encouraged to consider candidates from all of the five campuses of the university of Minnesota, at Minneapolis and St. Paul, Crookston, Duluth, Morris and Waseca.*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 2175, A bill for an act relating to taxation; altering calculation of levy limit base adjustments; amending Minnesota Statutes, 1975 Supplement, Section 275.52, Subdivision 4.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 2546, A bill for an act relating to taxation; providing for certain limitations on real property valuation; amending Minnesota Statutes, 1975 Supplement, Sections 273.11, Subdivision 2 and 273.17, Subdivision 1; repealing Minnesota Statutes 1974, Section 273.11, Subdivision 4.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1955, 2257, 1993, 1994, 2520, 1440, 2086, 2217, 2298, 2396, 2435, 2534, 2175 and 2546 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 2070, 53 and 357 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

White; Jensen; Sieben, H.; Metzen and Kempe, R., introduced:

H. F. No. 2601, A bill for an act relating to corrections; directing the commissioner of corrections to establish and operate juvenile offender maximum security treatment facilities; appropriating money; amending Minnesota Statutes 1974, Section 242.19.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Nelson introduced:

H. F. No. 2602, A bill for an act relating to corrections; transferring the powers and duties of the Minnesota corrections authority to the commissioner of corrections; abolishing the Minnesota corrections authority; establishing the Minnesota corrections advisory council; appropriating money.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Fugina, Begich, Johnson, D., and PrahI introduced:

H. F. No. 2603, A bill for an act relating to education; revoking the repeal of additional aids for school districts with decreased assessed valuations; amending Laws 1975, Chapter 432, Section 98.

The bill was read for the first time and referred to the Committee on Education.

Birnstihl introduced:

H. F. No. 2604, A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Rice county to the city of Faribault for the purpose of establishing a nature and agricultural interpretative center.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Metzen, McEachern, Jensen and Skoglund introduced:

H. F. No. 2605, A bill for an act relating to wages; regulating payroll deductions for employees of the state; amending Minnesota Statutes 1974, Section 10.39, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pehler, Savelkoul and Schulz introduced:

H. F. No. 2606, A bill for an act relating to taxation; providing for the taxation of unemployment compensation benefits if the recipient's other income is in excess of \$12,000 in the year; amending Minnesota Statutes 1974, Section 290.08, Subdivision 6.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wenzel introduced:

H. F. No. 2607, A bill for an act relating to the city of Little Falls; firemen's service pensions.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Fugina introduced:

H. F. No. 2608, A bill for an act relating to the city of Buhl; police officers membership in the public employees retirement association.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Carlson, L.; Swanson; Adams, L.; Wigley and Braun introduced:

H. F. No. 2609, A bill for an act relating to public welfare; requiring a division for the physically handicapped within the state department of public welfare; amending Minnesota Statutes 1974, Section 256.01, Subdivision 4.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wenzel; Kempe, R.; Menning; Sieloff and Jude introduced:

H. F. No. 2610, A bill for an act relating to public welfare; abortion; prohibiting the use of any state funds in the performance, procurement, inducement or advocacy of abortion.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Novak, Neisen and Philbrook introduced:

H. F. No. 2611, A bill for an act relating to public health; regulating the sale, use, and display of certain substances; providing a penalty; repealing Minnesota Statutes 1974, Sections 145.38; 145.39; and 145.40.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Fugina introduced:

H. F. No. 2612, A bill for an act relating to taconite and semitaconite companies; withdrawing the right of taconite and semitaconite companies to exercise the power of eminent domain; specifying the powers of the commissioner of natural resources to grant licenses and permits over state owned lands in connection with the operations of such companies; amending Minnesota Statutes 1974, Sections 117.47; and repealing Minnesota Statutes 1974, Sections 117.46; and 117.461.

The bill was read for the first time and referred to the Committee on Judiciary.

Lindstrom, Haugerud and Pehler introduced:

H. F. No. 2613, A bill for an act relating to drivers' licenses; revocation for certain offenses; requiring examination for a new license after conviction for certain offenses; amending Minnesota Statutes 1974, Sections 171.17; and 171.29, Subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Kvam and Brinkman introduced:

H. F. No. 2614, A bill for an act relating to the counties of Meeker, Stearns, and Wright; appropriating money for restoration and improvements of Clearwater Lake watershed.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Evans, Johnson, C., and Wigley introduced:

H. F. No. 2615, A bill for an act relating to the city of Mankato; public transit; granting to the city of Mankato certain powers, duties and exemptions provided by law for transit commissions.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Carlson, R.; Ketola; Osthoff; McCarron and Fugina introduced:

H. F. No. 2616, A bill for an act relating to counties; authorizing counties to hire a fire coordinator; amending Minnesota Statutes 1974, Chapter 373, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Fugina introduced:

H. F. No. 2617, A bill for an act relating to St. Louis county; providing for disposition of the net proceeds from the sale or rental of tax forfeited land or from the sale of any products therefrom in St. Louis county; repealing Laws 1955, Chapter 826, as amended.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Savelkoul introduced:

H. F. No. 2618, A bill for an act relating to the city of Albert Lea; authorizing a housing finance program; providing for the issuance of general obligation and revenue bonds to finance the program.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Fugina introduced:

H. F. No. 2619, A bill for an act relating to aeronautics; providing for the transfer of the Orr airport to local authority.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Menning, Anderson, G., and Sieloff introduced:

H. F. No. 2620, A bill for an act relating to taxation; reducing the rate of income tax on corporations; increasing and extending the pollution control equipment credit; providing for an investment credit; permitting deduction of certain taxes paid by corporations; providing a deduction for hiring certain persons; allowing an income averaging method to be used to calculate taxable income; exempting receipts from sale of pollution control equipment from sales tax; amending Minnesota Statutes 1974, Sections 290.06, Subdivisions 1, 9, and 9a, and by adding a subdivision; 290.09, by adding a subdivision; and 297A.25, Subdivision 1; and Chapter 290, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 290.09, Subdivision 4.

The bill was read for the first time and referred to the Committee on Taxes.

Erickson, Eckstein, Kvam, Mann and DeGroat introduced:

H. F. No. 2621, A bill for an act relating to taxation; reducing corporate and individual income tax rates; providing for an investment credit; allowing deduction of federal taxes paid by corporations and benefits for hiring certain persons; permitting use of income averaging method for calculating taxable income; amending Minnesota Statutes 1974, Sections 290.06, Subdivision 1, and by adding a subdivision; 290.09, by adding a subdivision; and Chapter 290, by adding a section; and Minnesota Statutes, 1975 Supplement, Sections 290.06, Subdivision 2c; and 290.09, Subdivision 4.

The bill was read for the first time and referred to the Committee on Taxes.

Nelsen introduced:

H. F. No. 2622, A bill for an act relating to health; exempting certain leased public health facilities from property taxation; amending Minnesota Statutes 1974, Section 447.47.

The bill was read for the first time and referred to the Committee on Taxes.

Lindstrom; Kelly, W.; Adams, S.; Abeln and Beauchamp introduced:

H. F. No. 2623, A resolution memorializing the Congress of the United States to increase the federal credit for state death taxes paid and to provide a similar credit for state gift taxes paid.

The bill was read for the first time and referred to the Committee on Taxes.

Moe, Jaros, Laidig, Patton and Sieben, M., introduced:

H. F. No. 2624, A bill for an act relating to taxation; exempting certain public pension plan and peace officers benefit fund payments from inheritance taxes; amending Minnesota Statutes 1974, Chapter 291, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Hokanson introduced:

H. F. No. 2625, A bill for an act relating to taxation; requiring appeals to boards of equalization before objections to property taxes are determined; amending Minnesota Statutes 1974, Section 278.01.

The bill was read for the first time and referred to the Committee on Taxes.

Fugina introduced:

H. F. No. 2626, A bill for an act relating to taxation; permitting a deduction from the sales tax by certain sales tax permit holders to defray the costs of collecting and remitting the tax; amending Minnesota Statutes 1974, Section 297A.26 by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Kroening, Sabo, Schreiber and Johnson, D., introduced:

H. F. No. 2627, A bill for an act relating to public lands; authorizing the commissioner of natural resources to sell certain state owned lands; and authorizing certain county boards to sell certain tax-forfeited lands.

The bill was read for the first time and referred to the Committee on Governmental Operations.

#### HOUSE ADVISORY BILLS

Pursuant to Rule 5.3, the following House Advisory Bills were introduced:

Wenstrom, Schumacher, Graba and Fjoslien introduced:

H. A. B. No. 66, Providing for a study of the Power Plant Siting Act.

The bill was referred to the Committee on Environment and Natural Resources.

Vento, Berglin, Berg and Graba introduced:

H. A. B. No. 67, Studying development of regional correctional educational resource alternative programs.

The bill was referred to the Committee on Education.

## PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Dieterich reported on the progress of H. F. No. 1519, now in Conference Committee.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1751, A bill for an act relating to game and fish; firearms permissible for taking wild animals; amending Minnesota Statutes 1974, Section 100.29, Subdivision 9.

PATRICK E. FLAHAVEN, Secretary of the Senate

Dahl moved that the House refuse to concur in the Senate amendments to H. F. No. 1751, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

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. 1530, A bill for an act relating to metropolitan land use and planning; providing certain requirements and procedures for local governmental units and school districts in the metropolitan area; providing interim zoning; amending Minnesota Statutes 1974, Section 462.365, by adding a subdivision; Minnesota Statutes, 1975 Supplement, Section 473.175.

PATRICK E. FLAHAVEN, Secretary of the Senate

Cassery moved that the House refuse to concur in the Senate amendments to H. F. No. 1530, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

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. 2011, A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Goodhue county to the city of Red Wing.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Schulz moved that the House concur in the Senate amendments to H. F. No. 2011 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2011, A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Goodhue county to the city of Red Wing.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jopp	Menning	Searle
Adams, L.	Doty	Jude	Metzen	Setzepfandt
Adams, S.	Eckstein	Kahn	Moe	Sherwood
Albrecht	Eken	Kaley	Munger	Sieben, H.
Anderson, G.	Enebo	Kalis	Neisen	Sieben, M.
Anderson, I.	Erickson	Kelly, R.	Nelsen	Simoneau
Arlandson	Esau	Kelly, W.	Nelson	Skoglund
Beauchamp	Evans	Kempe, A.	Niehaus	Smith
Begich	Ewald	Kempe, R.	Norton	Smogard
Berg	Faricy	Ketola	Novak	Spanish
Berglin	Fjoslien	Knickerbocker	Osthoff	Stanton
Biersdorf	Forsythe	Knoll	Parish	Suss
Birnstihl	Friedrich	Kostohryz	Patton	Swanson
Braun	Fudro	Kroening	Pehler	Tomlinson
Brinkman	Fugina	Kvam	Peterson	Ulland
Byrne	George	Laidig	Petrafeso	Vanasek
Carlson, A.	Graba	Langseth	Philbrook	Vento
Carlson, L.	Hanson	Lemke	Pleasant	Volk
Carlson, R.	Haugerud	Lindstrom	Prahl	Voss
Casserly	Heinitz	Luther	St. Onge	Wenstrom
Clark	Hokanson	Mangan	Samuelson	Wenzel
Clawson	Jacobs	Mann	Sarna	White
Corbid	Jaros	McCarron	Savelkoul	Wieser
Dahl	Jensen	McCauley	Schreiber	Wigley
Dean	Johnson, C.	McCollar	Schulz	Zubay
DeGroat	Johnson, D.	McEachern	Schumacher	Speaker Sabo

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 59, A bill for an act relating to towns; authorizing towns to request the taking of a census by the secretary of state; amending Minnesota Statutes 1974, Chapter 365, by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Fjoslien moved that the House concur in the Senate amendments to H. F. No. 59 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 59, A bill for an act relating to towns; authorizing towns to request the taking of a census by the secretary of state; amending Minnesota Statutes 1974, Chapter 365, by adding a section.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 131, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Clark	Fugina	Kempe, R.	Moe
Adams, L.	Clawson	George	Ketola	Munger
Adams, S.	Corbid	Graba	Knickerbocker	Neisen
Albrecht	Dahl	Hanson	Knoll	Nelsen
Anderson, G.	Dean	Haugerud	Kostohryz	Nelson
Anderson, I.	DeGroat	Heinitz	Kroening	Niehaus
Arlandson	Dieterich	Hokanson	Kvam	Norton
Beauchamp	Doty	Jacobs	Laidig	Novak
Begich	Eckstein	Jaros	Langseth	Osthoff
Berg	Eken	Jensen	Lemke	Parish
Berglin	Enebo	Johnson, C.	Lindstrom	Patton
Biersdorf	Erickson	Johnson, D.	Luther	Pehler
Birnstihl	Esau	Jopp	Mangan	Peterson
Braun	Evans	Jude	Mann	Petraleso
Brinkman	Ewald	Kahn	McCarron	Philbrook
Byrne	Faricy	Kaley	McCauley	Pleasant
Carlson, A.	Fjoslien	Kalis	McCollar	Prahl
Carlson, L.	Forsythe	Kelly, R.	McEachern	Rice
Carlson, R.	Friedrich	Kelly, W.	Menning	St. Onge
Casserly	Fudro	Kempe, A.	Metzen	Samuelson

Sarna	Sherwood	Spanish	Vento	Wigley
Savelkoul	Sieben, H.	Stanton	Volk	Zubay
Schreiber	Sieben, M.	Suss	Voss	Speaker Sabo
Schulz	Simoneau	Swanson	Wenstrom	
Schumacher	Skoglund	Tomlinson	Wenzel	
Searle	Smith	Ulland	White	
Setzpfandt	Smogard	Vanasek	Wieser	

The bill was repassed, as amended by the Senate, and its title agreed to.

### CONSENT CALENDAR

S. F. No. 1924, A bill for an act relating to employment agencies; excluding teacher and nurse placement agencies from the definition of employment agency; amending Minnesota Statutes 1974, Section 184.21, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jopp	Menning	Searle
Adams, L.	Doty	Jude	Metzen	Setzpfandt
Adams, S.	Eckstein	Kahn	Moe	Sherwood
Albrecht	Eken	Kaley	Munger	Sieben, H.
Anderson, G.	Enebo	Kalis	Neisen	Sieben, M.
Anderson, I.	Erickson	Kelly, R.	Nelsen	Simoneau
Arlandson	Esau	Kelly, W.	Nelson	Skoglund
Beauchamp	Evans	Kempe, A.	Niehaus	Smith
Begich	Ewald	Kempe, R.	Norton	Smogard
Berg	Faricy	Ketola	Novak	Spanish
Berglin	Fjoslien	Knickerbocker	Osthoff	Stanton
Biersdorf	Forsythe	Knoll	Parish	Suss
Birnstihl	Friedrich	Kostohryz	Patton	Swanson
Braun	Fudro	Kroening	Pehler	Tomlinson
Brinkman	Fugina	Kvam	Peterson	Ulland
Byrne	George	Laidig	Petraffeso	Vanasek
Carlson, A.	Graba	Langseth	Philbrook	Vento
Carlson, L.	Hanson	Lemke	Pleasant	Volk
Carlson, R.	Haugerud	Lindstrom	Prahl	Voss
Casserly	Heinitz	Luther	St. Onge	Wenstrom
Clark	Hokanson	Mangan	Samuelson	Wenzel
Clawson	Jacobs	Mann	Sarna	White
Corbid	Jaros	McCarron	Savelkoul	Wieser
Dahl	Jensen	McCauley	Schreiber	Wigley
Dean	Johnson, C.	McCollar	Schulz	Zubay
DeGroat	Johnson, D.	McEachern	Schumacher	Speaker Sabo

The bill was passed and its title agreed to.

S. F. No. 1252, A bill for an act relating to the blind; providing for vending stands and machines to be operated by the blind

on property of state governmental subdivisions; amending Minnesota Statutes 1974, Section 248.07, Subdivision 7.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 133, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Sieben, H.
Adams, L.	Eckstein	Kaley	Neisen	Sieben, M.
Adams, S.	Eken	Kalis	Nelsen	Sieloff
Albrecht	Enebo	Kelly, R.	Nelson	Simoneau
Anderson, G.	Erickson	Kelly, W.	Niehaus	Skoglund
Anderson, I.	Esau	Kempe, A.	Norton	Smith
Arlandson	Evans	Kempe, R.	Novak	Smogard
Beauchamp	Ewald	Ketola	Osthoff	Spanish
Begich	Faricy	Knickerbocker	Parish	Stanton
Berg	Fjoslien	Knoll	Patton	Suss
Berglin	Forsythe	Kostohryz	Pehler	Swanson
Biersdorf	Friedrich	Kroening	Peterson	Tomlinson
Birnsthil	Fudro	Kvam	Petraleso	Ulland
Braun	Fugina	Laidig	Philbrook	Vanasek
Brinkman	George	Langseth	Pleasant	Vento
Byrne	Graba	Lemke	Prahl	Voik
Carlson, A.	Hanson	Lindstrom	Reding	Voss
Carlson, L.	Haugerud	Luther	St. Onge	Wenstrom
Carlson, R.	Heinitz	Mangan	Samuelson	Wenzel
Casserly	Hokanson	Mann	Sarna	White
Clark	Jacobs	McCarron	Savelkoul	Wieser
Clawson	Jaros	McCauley	Schreiber	Wigley
Corbid	Jensen	McCollar	Schulz	Williamson
Dahl	Johnson, C.	McEachern	Schumacher	Zubay
Dean	Johnson, D.	Menning	Searle	Speaker Sabo
DeGroat	Jopp	Metzen	Setzpfandt	
Dieterich	Jude	Moe	Sherwood	

The bill was passed and its title agreed to.

## CALENDAR

H. F. No. 1382, A bill for an act relating to transportation; authorizing the commissioner of administration to acquire vehicles for the car pooling of state employees; removing, restricting or clarifying certain laws which discourage use of shared ride commuter vans to transport employees to and from work; providing certain incentives; appropriating money; amending Minnesota Statutes 1974, Chapter 221, by adding a section; and Sections 16.85, Subdivision 1; and 65B.47, Subdivisions 1 and 2; and Minnesota Statutes, 1975 Supplement, Sections 65B.43, Subdivision 12; 221.011, Subdivision 22; repealing Minnesota Statutes 1974, Section 16.755.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 132, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Neisen	Sieben, M.
Adams, L.	Eken	Kalis	Nelsen	Sieloff
Albrecht	Enebo	Kelly, R.	Nelson	Simoneau
Anderson, G.	Erickson	Kelly, W.	Niehaus	Skoglund
Anderson, I.	Esau	Kempe, A.	Norton	Smith
Arlandson	Evans	Kempe, R.	Novak	Smogard
Beauchamp	Ewald	Ketola	Osthoff	Spanish
Begich	Faricy	Knickerbocker	Parish	Stanton
Berg	Fjoslien	Knoll	Pehler	Suss
Berglin	Forsythe	Kostohryz	Peterson	Swanson
Biersdorf	Friedrich	Kroening	Petraieso	Tomlinson
Birnstihl	Fudro	Kvam	Philbrook	Ulland
Braun	Fugina	Laidig	Pleasant	Vanasek
Brinkman	George	Langseth	Prahl	Vento
Byrne	Graba	Lemke	Reding	Volk
Carlson, A.	Hanson	Lindstrom	Rice	Voss
Carlson, L.	Haugerud	Luther	St. Onge	Wenstrom
Carlson, R.	Heinitz	Mangan	Samuelson	Wenzel
Casserly	Hokanson	Mann	Sarna	White
Clark	Jacobs	McCarron	Savelkoul	Wieser
Clawson	Jaros	McCauley	Schreiber	Wigley
Corbid	Jensen	McCollar	Schulz	Williamson
Dahl	Johnson, C.	McEachern	Schumacher	Zubay
Dean	Johnson, D.	Menning	Searle	Speaker Sabo
DeGroat	Jopp	Metzen	Setzepfandt	
Dieterich	Jude	Moe	Sherwood	
Doty	Kahn	Munger	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 1953, A bill for an act relating to commerce; providing longer warranties for mobile homes; amending Minnesota Statutes 1974, Section 327.54, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 87, and nays 45, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Hanson	Knoll	Munger
Adams, L.	Carlson, R.	Haugerud	Kostohryz	Neisen
Anderson, G.	Casserly	Hokanson	Kroening	Nelson
Anderson, I.	Clark	Jacobs	Langseth	Norton
Arlandson	Clawson	Jaros	Lemke	Novak
Beauchamp	Dahl	Jensen	Luther	Osthoff
Begich	Dieterich	Johnson, D.	Mangan	Parish
Berg	Doty	Jude	Mann	Patton
Berglin	Enebo	Kahn	McCarron	Pehler
Birnstihl	Faricy	Kelly, R.	McCollar	Petraieso
Braun	Fudro	Kempe, A.	McEachern	Prahl
Brinkman	Fugina	Kempe, R.	Metzen	Rice
Byrne	George	Ketola	Moe	St. Onge

Samuelson	Sieben, H.	Stanton	Vento	White
Sarna	Sieben, M.	Suss	Volk	Speaker Sabo
Schulz	Simoneau	Swanson	Voss	
Schumacher	Skoglund	Tomlinson	Wenstrom	
Sherwood	Spanish	Vanasek	Wenzel	

Those who voted in the negative were:

Adams, S.	Erickson	Johnson, C.	Menning	Searle
Albrecht	Esau	Jopp	Nelsen	Setzepfandt
Biersdorf	Evans	Kaley	Niehaus	Sieloff
Carlson, A.	Ewald	Kalis	Peterson	Smith
Corbid	Fjoslien	Kelly, W.	Philbrook	Smogard
Dean	Forsythe	Knickerbocker	Pleasant	Ulland
DeGroat	Friedrich	Kvam	Reding	Wieser
Eckstein	Graba	Laidig	Savelkoul	Wigley
Eken	Heinitz	McCauley	Schreiber	Zubay

The bill was passed and its title agreed to.

S. F. No. 1493, A bill for an act relating to natural resources; amending certain laws concerning minnows; amending Minnesota Statutes 1974, Section 97.40, Subdivision 27; 97.45, Subdivision 15; 97.55, Subdivision 13; 98.46, Subdivision 17; 101.42, Subdivisions 5 and 6; and Minnesota Statutes, 1975 Supplement, Section 98.46, Subdivision 5.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 9, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kalis	Neisen	Sieben, M.
Adams, L.	Eken	Kelly, R.	Nelsen	Sieloff
Adams, S.	Enebo	Kelly, W.	Nelson	Simoneau
Albrecht	Esau	Kempe, A.	Norton	Skoglund
Anderson, G.	Evans	Kempe, R.	Novak	Smith
Arlandson	Ewald	Ketola	Osthoff	Smogard
Beauchamp	Faricy	Knickerbocker	Parish	Stanton
Berg	Fjoslien	Knoll	Patton	Suss
Berglin	Forsythe	Kostohryz	Pehler	Swanson
Biersdorf	Fudro	Kroening	Peterson	Tomlinson
Braun	Fugina	Kvam	Petrafeso	Ulland
Brinkman	George	Laidig	Philbrook	Vanasek
Byrne	Graba	Langseth	Pleasant	Vento
Carlson, A.	Hanson	Lemke	Reding	Volk
Carlson, L.	Haugerud	Luther	Rice	Voss
Carlson, R.	Heinitz	Mangan	St. Onge	Wenstrom
Casserly	Hokanson	Mann	Samuelson	Wenzel
Clark	Jacobs	McCarron	Sarna	White
Clawson	Jaros	McCauley	Schreiber	Wigley
Corbid	Jensen	McCollar	Schulz	Williamson
Dahl	Johnson, C.	McEachern	Schumacher	Zubay
Dean	Jopp	Menning	Searle	Speaker Sabo
DeGroat	Jude	Metzen	Setzepfandt	
Dieterich	Kahn	Moe	Sherwood	
Doty	Kaley	Munger	Sieben, H.	

Those who voted in the negative were:

Begich	Erickson	Johnson, D.	Prahl	Wieser
Birnstihl	Friedrich	Niehaus	Savelkoul	

The bill was passed and its title agreed to.

H. F. No. 2197, A bill for an act relating to insurance; providing for certain mandatory deductible offerings; amending Minnesota Statutes 1974, Section 65B.49, Subdivision 5.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 134, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Sherwood
Adams, L.	Eckstein	Kaley	Neisen	Sieben, H.
Adams, S.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Faricy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Kvam	Petrafero	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Volk
Carlson, L.	Haugerud	Luther	Rice	Voss
Carlson, R.	Heinitz	Mangan	St. Onge	Wenstrom
Casserly	Hokanson	Mann	Samuelson	Wenzel
Clark	Jacobs	McCarron	Sarna	White
Clawson	Jaros	McCauley	Savelkoul	Wieser
Corbid	Jensen	McCollar	Schreiber	Wigley
Dahl	Johnson, C.	McEachern	Schulz	Williamson
Dean	Johnson, D.	Menning	Schumacher	Zubay
DeGroat	Jopp	Metzen	Searle	Speaker Sabo
Dieterich	Jude	Moe	Setzepfandt	

The bill was passed and its title agreed to.

H. F. No. 2188, A bill for an act relating to motor vehicles; defining powers of the registrar of motor vehicles; providing for the appointment of private deputy registrars; providing for the appointment of a county license bureau director as deputy registrar; amending Minnesota Statutes 1974, Sections 168.33, Subdivision 7; and 373.35, Subdivision 1; and Minnesota Statutes, 1975 Supplement, Section 168.33, Subdivision 2; repealing Minnesota Statutes 1974, Section 373.36.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 121, and nays 7, as follows:

Those who voted in the affirmative were:

Abeln	Eken	Kelly, R.	Nelsen	Simoneau
Adams, L.	Enebo	Kelly, W.	Nelson	Skoglund
Albrecht	Evans	Kempe, A.	Norton	Smith
Anderson, I.	Ewald	Kempe, R.	Novak	Smogard
Arlandson	Faricy	Ketola	Osthoff	Spanish
Beauchamp	Fjoslien	Knickerbocker	Parish	Stanton
Begich	Forsythe	Knoll	Patton	Suss
Berg	Fudro	Kostohryz	Pehler	Swanson
Berglin	Fugina	Kroening	Petrafeso	Tomlinson
Birnstihl	George	Laidig	Philbrook	Ulland
Brinkman	Graba	Langseth	Pleasant	Vanasek
Byrne	Hanson	Lemke	Prahl	Vento
Carlson, A.	Haugerud	Lindstrom	Reding	Volk
Carlson, L.	Heinitz	Luther	Rice	Voss
Carlson, R.	Hokanson	Mangan	St. Onge	Wenstrom
Casserly	Jacobs	Mann	Samuelson	Wenzel
Clark	Jaros	McCarron	Sarna	White
Clawson	Jensen	McCauley	Schulz	Wigley
Corbid	Johnson, C.	McCollar	Schumacher	Williamson
Dahl	Johnson, D.	McEachern	Searle	Zubay
Dean	Jopp	Menning	Setzpfandt	Speaker Sabo
DeGroat	Jude	Metzen	Sherwood	
Dieterich	Kahn	Moe	Sieben, H.	
Doty	Kaley	Munger	Sieben, M.	
Eckstein	Kalis	Neisen	Sieloff	

Those who voted in the negative were:

Anderson, G.	Friedrich	Niehaus	Peterson	Wieser
Erickson	Kvam			

The bill was passed and its title agreed to.

S. F. No. 1383, A bill for an act relating to metropolitan government; regulating solid waste; amending Laws 1975, Chapter 13, Sections 1, by adding subdivisions; 11, Subdivision 1; 139; 140, Subdivision 1; 141; 142; 143; and 144; and by adding sections; repealing Laws 1975, Chapter 13, Section 140, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 133, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Adams, L.	Adams, S.	Albrecht	Anderson, G.
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Anderson, I.	Erickson	Kelly, W.	Nelson	Sieben, M.
Arlandson	Esau	Kempe, A.	Niehaus	Sieloff
Beauchamp	Evans	Kempe, R.	Norton	Simoneau
Begich	Ewald	Ketola	Novak	Skoglund
Berg	Fariety	Knickerbocker	Osthoff	Smith
Berglin	Fjoslien	Knoll	Parish	Smogard
Biersdorf	Forsythe	Kostohryz	Patton	Spanish
Birnstihl	Friedrich	Kroening	Pehler	Stanton
Braun	Fudro	Kvam	Peterson	Suss
Brinkman	Fugina	Laidig	Petraleso	Swanson
Byrne	George	Langseth	Philbrook	Tomlinson
Carlson, A.	Graba	Lemke	Pleasant	Ulland
Carlson, L.	Hanson	Lindstrom	Prahl	Vanasek
Carlson, R.	Haugerud	Luther	Reding	Vento
Casserly	Heinitz	Mangan	Rice	Volk
Clark	Hokanson	Mann	St. Onge	Voss
Clawson	Jacobs	McCarron	Samuelson	Wenstrom
Corbid	Jaros	McCauley	Sarna	Wenzel
Dahl	Jensen	McCollar	Savelkoul	White
Dean	Johnson, C.	McEachern	Schreiber	Wieser
DeGroat	Johnson, D.	Menning	Schulz	Wigley
Dieterich	Jopp	Metzen	Schumacher	Williamson
Doty	Jude	Moe	Searle	Zubay
Eckstein	Kahn	Munger	Setzepfandt	Speaker Sabo
Eken	Kalis	Neisen	Sherwood	
Enebo	Kelly, R.	Neisen	Sieben, H.	

Those who voted in the negative were:

Kaley

The bill was passed and its title agreed to.

S. F. No. 1901, A bill for an act relating to cooperative associations; providing for changes in the electing of directors; amending Minnesota Statutes 1974, Sections 308.09, Subdivision 1; and 308.11.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 132, and nays 2, as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Eckstein	Hanson	Kelly, R.
Adams, L.	Byrne	Eken	Haugerud	Kelly, W.
Adams, S.	Carlson, A.	Enebo	Heinitz	Kempe, A.
Albrecht	Carlson, L.	Erickson	Hokanson	Kempe, R.
Anderson, G.	Carlson, R.	Esau	Jacobs	Ketola
Anderson, I.	Casserly	Evans	Jaros	Knickerbocker
Arlandson	Clark	Ewald	Jensen	Knoll
Beauchamp	Clawson	Fjoslien	Johnson, C.	Kostohryz
Begich	Corbid	Forsythe	Johnson, D.	Kroening
Berg	Dahl	Friedrich	Jopp	Kvam
Berglin	Dean	Fudro	Jude	Laidig
Biersdorf	DeGroat	Fugina	Kahn	Langseth
Birnstihl	Dieterich	George	Kaley	Lemke
Braun	Doty	Graba	Kalis	Lindstrom

Luther	Nelson	Reding	Sieben, M.	Volk
Mangan	Niehaus	Rice	Simoneau	Voss
Mann	Norton	St. Onge	Skoglund	Wenstrom
McCarron	Novak	Samuelson	Smith	Wenzel
McCauley	Osthoff	Sarna	Smogard	White
McCollar	Parish	Savelkoul	Spanish	Wieser
McEachern	Patton	Schreiber	Stanton	Wigley
Menning	Pehler	Schulz	Suss	Williamson
Metzen	Peterson	Schumacher	Swanson	Zubay
Moe	Petrafaso	Searle	Tomlinson	Speaker Sabo
Munger	Philbrook	Setzpfandt	Ulland	
Neisen	Pleasant	Sherwood	Vanasek	
Nelsen	Prahl	Sieben, H.	Vento	

Those who voted in the negative were:

Faricy            Sieloff

The bill was passed and its title agreed to.

S. F. No. 1975, A bill for an act relating to agriculture; changing the duty of the commissioner of agriculture in establishing standards, grades, and price differentials for milk and cream from mandatory to permissive; amending Minnesota Statutes 1974, Section 32.401, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 2, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Nelsen	Sieben, M.
Adams, L.	Eken	Kalis	Nelson	Sieloff
Adams, S.	Enebo	Kelly, R.	Niehaus	Simoneau
Anderson, G.	Erickson	Kelly, W.	Norton	Skoglund
Anderson, I.	Esau	Kempe, A.	Novak	Smith
Arlandson	Evans	Kempe, R.	Osthoff	Smogard
Beauchamp	Ewald	Ketola	Parish	Spanish
Begich	Faricy	Knickerbocker	Patton	Stanton
Berg	Fjoslien	Knoll	Pehler	Suss
Berglin	Forsythe	Kostohryz	Peterson	Swanson
Biersdorf	Friedrich	Kroening	Petrafaso	Ulland
Birnstihl	Fudro	Kvam	Philbrook	Vanasek
Braun	Fugina	Laidig	Pleasant	Vento
Brinkman	George	Langseth	Prahl	Volk
Byrne	Graba	Lemke	Reding	Voss
Carlson, A.	Hanson	Lindstrom	Rice	Wenstrom
Carlson, L.	Haugerud	Luther	St. Onge	Wenzel
Carlson, R.	Heinitz	Mangan	Samuelson	White
Casserly	Hokanson	Mann	Sarna	Wieser
Clark	Jacobs	McCarron	Savelkoul	Wigley
Clawson	Jaros	McCauley	Schreiber	Williamson
Corbid	Jensen	McCollar	Schulz	Zubay
Dahl	Johnson, C.	McEachern	Schumacher	Speaker Sabo
Dean	Johnson, D.	Menning	Searle	
DeGroat	Jopp	Metzen	Setzpfandt	
Dieterich	Jude	Munger	Sherwood	
Doty	Kahn	Neisen	Sieben, H.	

Those who voted in the negative were:

Albrecht      Moe

The bill was passed and its title agreed to.

### CONSIDERATION UNDER RULE 1.10

Pursuant to Rule 1.10, Kelly, W., requested immediate consideration of H. F. No. 1979.

H. F. No. 1979 was reported to the House.

Berglin moved to amend H. F. No. 1979, as follows:

Page 3, line 4, after "income" insert "as defined in section 290A.03".

Page 3, line 6, delete ", Sections 290.0601 to" and insert "1974, Section".

The motion prevailed and the amendment was adopted.

H. F. No. 1979, A bill for an act relating to taxation; defining "claimant" for purposes of certain homestead credits; amending Minnesota Statutes, 1975 Supplement, Sections 290A.03, Subdivision 8; and 290A.04, Subdivisions 2 and 3.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 133, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Cassery	Fudro	Kelly, W.	McEachern
Adams, L.	Clark	Fugina	Kempe, A.	Menning
Adams, S.	Clawson	George	Kempe, R.	Metzen
Albrecht	Corbid	Graba	Ketola	Moe
Anderson, G.	Dahl	Hanson	Knickerbocker	Munger
Anderson, I.	Dean	Haugerud	Knoll	Neisen
Arlandson	Dieterich	Heinitz	Kostohryz	Nelsen
Beauchamp	Doty	Hokanson	Kroening	Nelson
Begich	Eckstein	Jacobs	Kvam	Niehaus
Berg	Eken	Jaros	Laidig	Norton
Berglin	Enebo	Jensen	Langseth	Novak
Biersdorf	Erickson	Johnson, C.	Lemke	Osthoff
Birnstihl	Esau	Johnson, D.	Lindstrom	Parish
Braun	Evans	Jopp	Luther	Patton
Brinkman	Ewald	Jude	Mangan	Pehler
Byrne	Faricy	Kahn	Mann	Peterson
Carlson, A.	Fjoslien	Kaley	McCarron	Petrafeso
Carlson, L.	Forsythe	Kalis	McCauley	Philbrook
Carlson, R.	Friedrich	Kelly, R.	McCollar	Pleasant

Prahl	Schulz	Simoneau	Tomlinson	White
Reding	Schumacher	Skoglund	Ulland	Wieser
Rice	Searle	Smith	Vanasek	Wigley
St. Onge	Setzepfandt	Smogard	Vento	Williamson
Samuelson	Sherwood	Spanish	Volk	Zubay
Sarna	Sieben, H.	Stanton	Voss	Speaker Sabo
Savelkoul	Sieben, M.	Suss	Wenstrom	
Schreiber	Sieloff	Swanson	Wenzel	

The bill was passed, as amended, and its title agreed to.

McEachern and Sarna were excused until 4:00 p.m. Voss was excused at 4:30 p.m.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the motion of Pehler to recommend passage of H. F. No. 608.

The roll being called, there were yeas 73, and nays 59, as follows:

Those who voted in the affirmative were:

Abeln	Enebo	Knoll	Parish	Simoneau
Adams, L.	Farcy	Kostohryz	Patton	Skoglund
Anderson, I.	Fudro	Kroening	Pehler	Stanton
Arlandson	Fugina	Luther	Petrafeso	Swanson
Berg	George	Mangan	Philbrook	Tomlinson
Berglin	Hanson	McCarron	Pleasant	Ulland
Byrne	Hokanson	McCollar	Prahl	Vanasek
Carlson, A.	Jacobs	Metzen	Reding	Vento
Carlson, L.	Jaros	Moe	Rice	Volk
Cassery	Johnson, D.	Munger	St. Onge	Voss
Clark	Kahn	Neisen	Samuelson	White
Clawson	Kelly, R.	Nelson	Sarna	Williamson
Dahl	Kempe, A.	Norton	Sieben, H.	Speaker Sabo
Dean	Kempe, R.	Novak	Sieben, M.	
Dieterich	Ketola	Osthoff	Sieloff	

Those who voted in the negative were:

Adams, S.	Eckstein	Jensen	Lindstrom	Searle
Albrecht	Eken	Johnson, C.	Mann	Setzepfandt
Anderson, G.	Erickson	Jopp	McCauley	Sherwood
Beauchamp	Esau	Jude	McEachern	Smith
Begich	Evans	Kaley	Menning	Smogard
Biersdorf	Ewald	Kalis	Nelsen	Suss
Birnstihl	Fjoslien	Kelly, W.	Niehaus	Wenstrom
Braun	Forsythe	Knickerbocker	Peterson	Wenzel
Brinkman	Friedrich	Kvam	Savelkoul	Wieser
Corbid	Graba	Laidig	Schreiber	Wigley
DeGroat	Haugerud	Langseth	Schulz	Zubay
Doty	Heinitz	Lemke	Schumacher	

The motion prevailed.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. Nos. 424, 2022, 2344 and 1866 which it recommended to pass.

H. F. Nos. 1882 and 81 upon which it recommended progress.

S. F. No. 840 upon which it recommended progress retaining its place on General Orders.

H. F. No. 608 which it recommended to pass as amended by the Committee of the Whole on Thursday, March 4, 1976.

S. F. No. 749 upon which it recommended progress until Thursday, March 11, 1976, retaining its place on General Orders.

H. F. No. 1735 upon which it recommended progress until Tuesday, March 16, 1976, retaining its place on General Orders.

H. F. No. 995 upon which it recommended progress until Monday, March 15, 1976, retaining its place on General Orders.

H. F. No. 1989 upon which it recommended progress until Monday, March 15, 1976.

H. F. No. 2002 upon which it recommended progress until Thursday, March 11, 1976.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

#### MOTIONS AND RESOLUTIONS

Jude moved that the name of Arlandson be stricken as an author on H. F. No. 2404. The motion prevailed.

Fjoslien moved that the name of Kalis be added as an author on H. F. No. 2560. The motion prevailed.

Faricy moved that the name of Fugina be added as an author on H. F. No. 1901. The motion prevailed.

Suss moved that H. F. No. 1835, now in the Committee on General Legislation and Veterans Affairs, be returned to its author. The motion prevailed.

Anderson, I., moved that the following bill be unofficially engrossed and printed for the House:

S. F. No. 357, to include committee amendments. The motion prevailed.

Begich moved that S. F. No. 2237 be recalled from the Committee on Governmental Operations and together with H. F. No. 2435, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

#### MOTION PURSUANT TO RULE 1.15

Pursuant to Rule 1.15, McCauley moved that H. F. No. 1930 be recalled from the Committee on General Legislation and Veterans Affairs, be given its second reading, and be advanced to General Orders.

A roll call was requested and properly seconded.

The question was taken on the McCauley motion and the roll being called, there were yeas 29, and nays 94, as follows:

Those who voted in the affirmative were:

Adams, S.	Erickson	Friedrich	McCauley	Searle
Albrecht	Esau	Heinitz	Nelsen	Sieloff
Biersdorf	Evans	Kaley	Niehaus	Ulland
Carlson, A.	Ewald	Knickerbocker	Peterson	Wigley
Dean	Fjoslien	Kvam	Pleasant	Zubay
DeGroat	Forsythe	Laidig	Savelkoul	

Those who voted in the negative were:

Abeln	Dieterich	Kalis	Munger	Sieben, H.
Adams, L.	Doty	Kelly, R.	Neisen	Sieben, M.
Anderson, G.	Eken	Kelly, W.	Nelson	Simoneau
Anderson, I.	Enebo	Kempe, A.	Norton	Skoglund
Arlandson	Faricy	Kempe, R.	Novak	Smith
Beauchamp	Fudro	Knoll	Osthoff	Smogard
Begich	Fugina	Kostohryz	Parish	Stanton
Berg	George	Kroening	Patton	Suss
Berglin	Graba	Langseth	Pehler	Swanson
Birnstihl	Hanson	Lemke	Petraleso	Tomlinson
Braun	Haugerud	Lindstrom	Philbrook	Vanasek
Byrne	Hokanson	Luther	Prahl	Vento
Carlson, L.	Jacobs	Mangan	Reding	Volk
Carlson, R.	Jaros	Mann	St. Onge	Wenstrom
Casserly	Jensen	McCarron	Samuelson	Wenzel
Clark	Johnson, C.	McCollar	Schulz	White
Clawson	Johnson, D.	Menning	Schumacher	Williamson
Corbid	Jude	Metzen	Setzpfandt	Speaker Sabo
Dahl	Kahn	Moe	Sherwood	

The motion did not prevail.

## ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1530:

Casserly, Berg, Schreiber, Sieben, H., and Eken.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1751:

Dahl, McEachern and Wigley.

## ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Wednesday, March 10, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## EIGHTY-SIXTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 10, 1976

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kahn	Munger	Sherwood
Adams, L.	Eckstein	Kaley	Neisen	Sieben, H.
Adams, S.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Faricy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Kvam	Petrafeso	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Volk
Carlson, L.	Hangerud	Luther	Rice	Wenstrom
Carlson, R.	Heinitz	Mangan	St. Onge	Wenzel
Cassery	Hokanson	Mann	Samuelson	White
Clark	Jacobs	McCarron	Sarna	Wieser
Clawson	Jaros	McCauley	Savelkoul	Wigley
Corbid	Jensen	McCollar	Schreiber	Williamson
Dahl	Johnson, C.	McEachern	Schulz	Zubay
Dean	Johnson, D.	Menning	Schumacher	Speaker Sabo
DeGroat	Jopp	Metzen	Searle	
Dieterich	Jude	Moe	Setzepfandt	

A quorum was present.

Voss was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Esau the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1440, 2435, 2175, 2546, 1955, 2086, 2217, 2257, 2298, 2396, 2520, 2534, 1979, 1993 and 1994 and S. F. Nos. 10 and 357 have been placed in the members' files.

S. F. No. 2161 and H. F. No. 2282, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 2161 on page 1, line 18, after "University." contains the following language:

"The temporary license shall be subject to local ordinances and to such terms, including a license fee, as the issuing authority shall prescribe.

Sec. 2. Notwithstanding the provisions of Minnesota Statutes, Chapter 340 or Section 624.701 or any other law or ordinance to the contrary, the governing body of the city of Roseville may issue one temporary on-sale intoxicating liquor license in each year for not to exceed one 24 consecutive hour period to a holder of a valid on-sale liquor license, which will permit the licensee to sell intoxicating liquor or food or both off the licensed premises in connection with the Central Park Foundation Ball, and in the year 1976, only, the governing body of the city of Roseville may issue an additional temporary on-sale intoxicating liquor license for not to exceed one 24 consecutive hour period to a holder of a valid on-sale liquor license, which will permit the licensee to sell intoxicating liquor or food or both off the licensed premises in connection with the Roseville Bicentennial Town Gathering. The temporary licenses shall be subject to local ordinances and to such terms, including a license fee, as the issuing authority shall prescribe."

Whereas, H. F. No. 2282 does not contain this language.

H. F. No. 2282, page 2, lines 1 to 5 contain the following language:

"Sec. 3. The temporary license shall be subject to local ordinances and to such terms including a license fee, as the issuing authority shall prescribe.

Sec. 4. This act is effective on the day following final enactment."

Whereas, S. F. No. 2161 does not contain this language.

Further, the title of H. F. No. 2282, lines 3 and 4 read: "temporary short term on-sale licenses for a certain charitable festival."

Whereas, lines 3 and 4 of the title of S. F. No. 2161 read: "temporary short term on-sale licenses for certain charitable festivals."

#### SUSPENSION OF RULES

Pehler moved that the rules be so far suspended that S. F. No. 2161 be substituted for H. F. No. 2282 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2057 and H. F. No. 2207, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 2207, page 1, line 22 reads: "limit the sale of intoxicating liquor to members and guests".

Whereas, S. F. No. 2057, page 1, line 22 and page 2, line 1 read in part: "limit the sale of intoxicating liquor to members and their guests".

H. F. No. 2207, page 2, line 6 reads: "*amateur hockey game or elementary or secondary school or*".

Whereas, S. F. No. 2057, page 2, line 6 reads: "*amateur hockey game, or elementary or secondary school or*".

#### SUSPENSION OF RULES

Ulland moved that the rules be so far suspended that S. F. No. 2057 be substituted for H. F. No. 2207 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2068 and H. F. No. 2053, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Laidig moved that S. F. No. 2068 be substituted for H. F. No. 2053 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2168 and H. F. No. 2297, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

St. Onge moved that S. F. No. 2168 be substituted for H. F. No. 2297 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2237 and H. F. No. 2435, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except S. F. No. 2237, page 1, lines 16 and 17 con-

tains the language "The balance of the proceeds shall be credited to the St. Louis county tax forfeited land fund."

Whereas H. F. No. 2435 does not contain this language.

#### SUSPENSION OF RULES

Begich moved that the rules be so far suspended that S. F. No. 2237 be substituted for H. F. No. 2435 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2076 and H. F. No. 2220, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except S. F. No. 2076, page 1, lines 20 and 21, contains the language "*pay them wages at least equal to minimum wages established by state law,*" whereas H. F. No. 2220, page 1, line 16, does not contain this language. S. F. No. 2076, page 2, lines 7 to 10 read: "*of a violation of Minnesota Statutes, Sections 609.185, 609.19, 609.195, 609.20, 609.205, 609.225, 609.342, 609.343, or 609.344 may be granted a furlough. No inmate may receive more than six furloughs in any 12 month period.*"

Whereas H. F. No. 2220, page 2, lines 4 to 8 read: "*of an offense involving death, great bodily harm, criminal sexual conduct in the first, second or third degree, or who had a firearm in his possession at the time of the offense may be granted a furlough. No inmate may receive more than six furloughs in any 12 month period.*"

Further, in the title S. F. No. 2076 contains the language "permitting the commissioner of corrections to pay inmates of medium-minimum security facilities certain wages and to charge such inmates for room, board, and other expenses incidental to their confinement;" whereas H. F. No. 2220 does not contain this language.

#### SUSPENSION OF RULES

Jaros moved that the rules be so far suspended that S. F. No. 2076 be substituted for H. F. No. 2220 and that the House File be indefinitely postponed. The motion prevailed.

#### PETITIONS AND COMMUNICATIONS

The following communications were received by the Chief Clerk's Office:

Agreements between the State University Board and the Inter-Faculty Organization/Minnesota Education Association, and between the State University Board and the Minnesota State Uni-

versity Association of Administrative and Service Faculty were submitted pursuant to Minnesota Statutes 1974, Section 179.74, Subdivision 5.

The communications were referred to the Committee on Appropriations.

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

March 9, 1976

The Honorable Martin O. Sabo  
Speaker of the House of Representatives  
The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1976 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1976</i>	<i>Date Filed 1976</i>
570		37	March 8	March 8
1816		38	March 8	March 8
	1527	39	March 8	March 8
	1995	40	March 8	March 8
	2170	41	March 8	March 8

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

REPORTS OF STANDING COMMITTEES

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 2472, A bill for an act relating to Independent School District No. 624 and Independent School District No. 12; providing for the exchange of territory between the districts.

Reported the same back with the following amendments:

Page 1, line 13, after "(22)" insert "except that portion of the Southeast one-quarter (SE 1/4) thereof which lies east of the part taken by the state of Minnesota for highway purposes".

Page 3, line 3, after "indebtedness" insert ", debt service and capital loans".

With the recommendation that when so amended the bill do 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. 1120, A bill for an act relating to environment; revising the environmental policy act; amending Minnesota Statutes 1974, Sections 116D.04, Subdivisions 3 and 8, and by adding subdivisions; and 116D.07.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Chapter 116D, is amended by adding a section to read:

[116D.045] [COST OF PREPARATION OF ENVIRONMENTAL IMPACT STATEMENTS.] *Subdivision 1. The council shall by rule adopt procedures to assess the proposer of an action, when the proposer is a private person, for reasonable costs of preparing and distributing an environmental impact statement required pursuant to section 116D.04. Such costs shall be determined by the responsible agency pursuant to such procedures, and in no event shall exceed .5 percent of the total value of the project to which an environmental impact statement will be prepared.*

*Subd. 2. In the event of a disagreement between the proposer of the action and the responsible agency over the cost of an environmental impact statement, the responsible agency shall consult with the council, which may modify the cost or determine that the cost assessed by the responsible agency is reasonable.*

*Subd. 3. The proposer shall pay the assessed cost to the council. All money received pursuant to this subdivision shall be deposited in the general fund. So much money as is necessary is annually appropriated from the general fund to the council to pay expenses incurred in the preparation and distribution of environmental impact statements in accordance with the provisions of section 116D.04 and in the event such expenses are less than the assessment paid, to refund the excess to the applicant. This annual appropriation shall not exceed the assessments to be paid during each period.*

*Subd. 4. No agency or governmental subdivision shall commence with the preparation of an environmental impact statement until at least one half of the cost of the environmental impact statement is paid pursuant to subdivision 2. Other laws notwithstanding, no state agency may issue any permits for the construction or operation of a project for which an environmental impact statement is prepared until the assessed cost for the environmental impact statement has been paid in full."*

Further amend the title as follows:

Page 1, line 2, delete "revising the".

Page 1, delete lines 3 to 5 and insert "providing for the assessment of the cost of preparing an environmental impact statement; appropriating money; amending Minnesota Statutes 1974, Chapter 116D, by adding a section."

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 2263, A bill for an act relating to game and fish; clothing required during certain seasons; amending Minnesota Statutes 1974, Section 100.29, Subdivision 8; repealing Minnesota Statutes 1974, Section 98.52, Subdivision 5.

Reported the same back with the following amendments:

Page 1, line 14, after "garments," insert "above the waist".

Page 1, line 14, delete "including" and insert "excluding".

Page 1, line 14, after "any" and before the comma insert "and excluding gloves".

With the recommendation that when so amended the bill do 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. 2293, A bill for an act relating to sound pollution; authorizing the pollution control agency to establish rules, standards and permits for the control of sound emanating from ground vibration; appropriating money; amending Minnesota Statutes 1974, Section 116.07, Subdivision 4a.

Reported the same back with the following amendments:

Page 1, line 13, after "of" delete "*sound emanating from*".

Page 1, line 14, after the period insert "*For purposes of this section, ground vibration means sound moving through the ground or structures upon the ground.*".

Page 1, line 17, delete "*variances in*".

Page 1, delete line 18 and insert "*variations therein.*".

Further amend the title as follows:

Page 1, line 4, delete "sound".

Page 1, line 5, delete "emanating from".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 2084, A bill for an act relating to banks and banking; authorizing consumer banking facilities; providing penalties.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [POLICY.] It is the public policy of this state that:

(1) Funds transfer facilities should provide reliable service to consumers with full protection of privacy of personal financial information;

(2) Funds transfer facilities should not impair the safety and soundness of a person's funds;

(3) Services of funds transfer facilities should be offered in competitive markets at fair prices in a nondiscriminatory manner;

(4) A person or group of persons should not dominate or monopolize the market for services of funds transfer facilities to the detriment of the public interest; and

(5) Regulation of funds transfer facilities should be fair and not unduly impede the development of new technologies which benefit the public.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 15, the following terms shall have the meanings given them.

Subd. 2. "Automated teller machine" means an unattended free standing information processing device, located separate and apart from a financial institution's principal office, branch or detached facility, by which, through, or by means of electronic, automated, or mechanical signals or impulses generated through the use of electronic, automated, or mechanical equipment, a customer of a financial institution may complete financial transactions pursuant to an existing contractual agreement.

Subd. 3. "Banking transaction" means disbursing funds under a preauthorized credit agreement, withdrawing or depositing funds from a customer's account, receiving cash or checks, disbursing cash, and transferring funds to or from one or more accounts in financial institutions. A banking transaction may take place either off-line or on-line.

Subd. 4. "Commissioner" means the commissioner of banks.

Subd. 5. "Consumer banking facility" means either an automated teller machine or a point-of-sale terminal.

Subd. 6. "Financial institution" means a national banking association having its main office in this state or a bank, a savings bank, a savings and loan association, or a credit union established and operating under the laws of this state.

Subd. 7. "Funds transfer facility" means an automated teller machine, a point-of-sale terminal or a transmission facility.

Subd. 8. "Funds transfer organization" means a person who establishes, operates, or makes available in this state one or more transmission facilities.

Subd. 9. "Municipality" means the geographical area within the legal boundaries of any city or organized town located in Minnesota.

Subd. 10. "Person" means an individual, a corporation, a partnership, an association, a joint stock company, a trust, an unincorporated organization, or a financial institution. Person shall not mean a federally chartered credit union or federally chartered savings and loan association.

Subd. 11. "Point-of-sale terminal" means a manned electronic information processing device other than a telephone which is established to either transfer funds to or from one or more accounts in financial institutions or segregate funds in one or more accounts in financial institutions for future transfer, or both; provided, a point-of-sale terminal shall include an electronic information processing device which can be physically attached to a standard telephone and which transfers funds in accordance with the foregoing.

Subd. 12. "Transmission facility" means an information processing facility or device used to receive and retransmit or clear financial transactions which originate from a consumer banking facility and which result in either transferring funds to or from one or more accounts in financial institutions or segregating funds in one or more accounts in financial institutions for future transfer, or both.

Sec. 3. [AUTHORIZATION.] Subdivision 1. Any financial institution may establish and maintain at a specific location with the approval of the commissioner one or more consumer banking facilities for use by its customers, and any person may establish and maintain at a specific location with the approval of the commissioner one or more point-of-sale terminals. Any financial institution may provide for its customers the use of a consumer banking facility by entering into agreement with any person who has been authorized to establish and maintain one or more consumer banking facilities.

Subd. 2. Before installation and operation, or change of location, a consumer banking facility application shall be submitted to the commissioner on a form provided by the commissioner. The application shall state: the location where the consumer banking facility will be installed and operated; the ownership of the business entity for whose sales transactions the consumer banking facility is installed, if applicable; the ownership of the consumer banking facility; and all other information necessary for the commissioner to determine a reasonable fee based upon actual expenditures and a reasonable return on investment. In

an application for a point-of-sale terminal, if the commissioner finds that the point-of-sale terminal will be properly and safely managed and that the applicant is financially sound and that all information required of the applicant has been furnished, he shall approve the application within 45 days. In an application for an automated teller machine, if the commissioner finds that: (a) the automated teller machine will be properly and safely managed; (b) the applicant is financially sound; (c) reasonable public demand exists for the terminal; and (d) all information required of the applicant has been furnished, he shall approve the application within 45 days. Failure to approve or disapprove any application within 45 days shall be deemed approval of the application. For each application, a \$100 fee shall be paid to the commissioner. If the \$100 fee is less than the costs actually incurred by the commissioner in approving or disapproving the application, the fee shall be equal to those costs.

Subd. 3. Subject to the procedures in subdivisions 1 and 2, a consumer banking facility may be established and maintained anywhere within a municipality in which no financial institutions or detached facilities are located, or anywhere within a municipality in which at least one financial institution is located; provided a financial institution in that municipality, pursuant to the provisions of this section, has established and maintains or provides the use of one or more consumer banking facility located within that municipality. The location and placement of consumer banking facilities shall not be designed to give or promote an unfair competitive advantage to any financial institution in Minnesota.

Sec. 4. [FUNCTIONS OF A CONSUMER BANKING FACILITY.] Subdivision 1. Consumer banking facilities are limited to the performance of banking transactions and shall not be used to open accounts.

Subd. 2. The methods by which a consumer banking facility performs banking transactions shall be limited to the use of electronic based systems which utilize devices capable of processing electronic information through or by means of which information relating to financial services rendered to the public is stored and transmitted, whether instantaneously or otherwise, to a financial institution and which devices, for activation and account access, are dependent upon the use of a machine readable instrument in the possession and control of the holder of an account with a financial institution. Any customer of a financial institution who has lost or has had stolen his or her machine readable instrument shall not be liable for any unauthorized use of the instrument which occurs after the financial institution has been notified of its disappearance. The financial institution shall be liable for its customers' losses caused by such use to the extent that they exceed the lesser of \$50 or the amount of money obtained thereby within the period of time equal to the financial institution's statement period.

Subd. 3. A point-of-sale terminal shall be operated exclusively by a person who is not employed by any financial institution, any financial institution holding company, or subsidiary thereof. Persons assisting customers of financial institutions at the site of the point-of-sale terminal may be trained by employees of a financial institution, financial institution holding company, or subsidiary thereof. Nothing in this section shall be construed to prohibit periodic servicing of a point-of-sale terminal by an employee of a financial institution, financial institution holding company, or subsidiary thereof.

Sec. 5. [TRANSMISSION FACILITY.] Subdivision 1. A person may establish a transmission facility in this state upon approval by the commissioner. A transmission facility which is used by or made available to any kind of financial institution shall be made available to all other financial institutions upon request of other financial institutions and agreement by the financial institutions to pay reasonable fees based upon actual expenditures in establishing and maintaining the transmission facility and a reasonable return on investment as determined by the commissioner.

Subd. 2. Before installation and operation, a transmission facility application shall be submitted to the commissioner on a form provided by the commissioner. The application shall state the location at which the transmission facility will be operated, the ownership of the transmission facility, and all other information necessary for the commissioner to determine a reasonable fee based upon actual expenditures and a reasonable return on investment. If the commissioner finds that the facility will be properly and safely managed, the applicant is financially sound, and all information required by the commissioner has been furnished by the applicant, he shall approve the application within 120 days. Otherwise, the commissioner shall disapprove the application within 120 days. Failure by the commissioner to act within 120 days shall be deemed approval of the application. For each application, a \$500 fee shall be paid to the commissioner. If the \$500 fee is less than the costs actually incurred by the commissioner in approving or disapproving the application, the fee shall be equal to those costs.

Sec. 6. [ESTABLISHMENT, MAINTENANCE AND USE OF A CONSUMER BANKING FACILITY.] Subdivision 1. The person holding legal title to a consumer banking facility located in Minnesota, exclusive of any supporting equipment, structure or system, shall limit its use to the performance of banking transactions for customers of Minnesota financial institutions. The authority of third parties referred to in this act is limited to ownership, operation and maintenance of consumer banking facilities and any supporting equipment, structures or systems, and nothing in sections 3 to 14 shall be construed to authorize any person, other than a financial institution, to engage in the business authorized to financial institutions. Any service

corporation that affords to a financial institution the use of a consumer banking facility may be examined whenever the commissioner deems it necessary. The service corporation shall pay examination fees as determined by the commissioner.

Subd. 2. A consumer banking facility which is used by or made available to any financial institution shall be made available to all other financial institutions upon request of other financial institutions and agreement by the financial institutions to pay reasonable fees based upon actual expenditures in establishing and maintaining the consumer banking facility and a reasonable return on investment as determined by the commissioner. Any financial institution requesting to share a consumer banking facility shall conform to reasonable technical operation standards established by the facility provider and approved by the commissioner.

Sec. 7. [ADVERTISING.] No advertisement by a person which relates to a consumer banking facility may be inaccurate or misleading with respect to such a facility. Except with respect to direct mailings by financial institutions to their customers, the advertising of rate of interest paid on accounts in connection with consumer banking facilities is prohibited. Any advertisement, either on or off the site of a consumer banking facility, promoting the use or identifying the location of a consumer banking facility, which identifies any financial institution, group or combination of financial institutions, or third parties as owning or providing for the use of its services, is prohibited. The following shall be expressly permitted:

(1) A simple directory listing placed at the site of a consumer banking facility identifying the particular financial institution using its services;

(2) The use of a generic name, either on or off the site of a consumer banking facility, which does not promote or identify any particular financial institution, group or combination of financial institutions, or any third parties; and

(3) Media advertising or direct mailing of information by a financial institution identifying locations of consumer banking facilities and promoting their usage.

Sec. 8. [CONSUMER PRIVACY.] Subdivision 1. To protect the privacy of people using funds transfer facilities, information received by or processed through such facilities shall be treated and used only in accordance with applicable law relating to the dissemination and disclosure of such information. The person operating a funds transfer facility shall take such steps as are reasonably necessary to safeguard the confidentiality of any information received or obtained about a customer or his account by any person manning a funds transfer facility.

Subd. 2. Every person operating pursuant to sections 3 to 14 shall supply information to customers using funds transfer facilities regarding the consumer protection policies of the person, including the rights and liabilities of the customer and the customer's protection against wrongful or accidental disclosure of confidential information.

Subd. 3. Every person operating pursuant to sections 3 to 14 shall maintain reasonable procedures to minimize losses to financial institution customers from unauthorized withdrawals from the customers' accounts by use of a funds transfer facility.

Subd. 4. Any customer of a financial institution may bring a civil action against any person violating the provisions of this section in district court in the county in which the alleged violator resides or has his principal place of business, or in the county wherein the alleged violation occurred. Upon adverse adjudication, the defendant shall be liable for actual damages, or \$500, whichever is greater, together with court costs and reasonable attorneys' fees incurred by the plaintiff. The court may provide such equitable relief as it deems necessary or proper, including enjoining the defendant from further violations of this section.

Sec. 9. [EXAMINATION.] A funds transfer organization or a person establishing a consumer banking facility may be examined when the commissioner deems it necessary. The examination shall include a determination of whether the person being examined discriminates against any financial institution, directly by limiting access to shared systems and their use, or indirectly by charging unreasonable fees. For each examination, a fee in an amount determined by rule shall be paid to the commissioner.

Sec. 10. [FUNDS TRANSFER ORGANIZATION REPORT.] A funds transfer organization shall report its financial condition at least annually before March 15 for the previous calendar year on forms provided by, or acceptable to, the commissioner. The commissioner may require more frequent or additional reports as he deems necessary. Agreements relating to the use of funds transfer facilities entered into between a funds transfer organization and a person establishing a consumer banking facility or commercial business, or between a person establishing a consumer banking facility and any other financial institution or commercial business, including fee and rental agreement, and amendments, modifications, and extensions thereof, shall be filed with the commissioner within 30 days after their respective dates of execution. A funds transfer organization or person who fails to file a report or document when due, unless excused for cause by the commissioner, shall be fined \$100 for each day of delinquency.

Sec. 11. [ANTI-TRUST.] No person or funds transfer organization engaged in funds transfer facility activities shall con-

tract, combine, or conspire to restrain trade in the market for funds transfer facilities, or engage in anti-competitive practices to the detriment of the public interest. Notwithstanding Minnesota Statutes, Section 325.8017, Subdivision 2, the provisions of sections 325.8011 to 325.8028 shall apply to persons and funds transfer organizations engaged in funds transfer facility activities.

Sec. 12. [RULES AND REGULATIONS.] The commissioner may promulgate such rules and regulations as are reasonably necessary to carry out and make effective the provisions and purposes of sections 3 to 15 pursuant to Minnesota Statutes, Chapter 15.

Sec. 13. [SECURITY.] Every owner of a consumer banking facility and every financial institution using a consumer banking facility shall adopt and maintain safeguards to insure the safety of funds, items and other information, which safeguards shall include security devices consistent with the minimum requirements specified under the Federal Bank Protection Act or such alternative security precautions as are approved by the commissioner.

Sec. 14. [APPLICATION TO PERSONS WHO SELL GOODS OR SERVICES AT RETAIL.] Subdivision 1. Notwithstanding the foregoing, nothing in sections 3 to 15 shall be deemed to prohibit a person primarily engaged in the business of selling goods or services at retail who operates a point-of-sale terminal or transmission facility from limiting his contractual agreement with any financial institution to only one or more types of banking transaction which, except in the case of any open-end type of consumer credit sales plan, agreement and arrangement, such person shall make available upon request to any other financial institution on a non-discriminatory basis.

Subd. 2. Nothing in sections 3 to 15 shall prohibit a person primarily engaged in the business of selling goods or services at retail from establishing or operating a point-of-sale terminal or transmission facility to perform any internal business activities, including the extension of credit as authorized by law.

Subd. 3. A point-of-sale terminal or transmission facility operated by a person primarily engaged in the business of selling goods or services at retail may be examined by the commissioner as to any banking transaction by, with or involving a financial institution solely for the purpose of reconciling accounts and verifying the security and accuracy of such point of sale terminal or transmission facility, and all facts and information obtained in the course of such examination shall not be disclosed except as otherwise provided by law.

Sec. 15. [VIOLATIONS; PENALTIES; HEARING.] A violation of sections 3 to 14 shall be subject to penalties ap-

plicable to violations of laws affecting financial institutions. In addition, violations of sections 3 to 14 may be enjoined by a civil action by any aggrieved financial institution or by the commissioner. Unsafe, unsound, unfair, or discriminatory practices in connection with funds transfer facilities shall be deemed a violation of sections 3 to 14. If a violation continues 15 days after service of a notice by the commissioner of his intention to revoke a person's approval to operate a funds transfer facility, the commissioner may revoke such approval. Any party aggrieved by a revocation may request a hearing. Within 45 days the commissioner shall hold a hearing pursuant to Minnesota Statutes, Chapter 15.

No revocation shall be effective until after a hearing if a hearing is requested. Notwithstanding Minnesota Statutes, Section 15.052, Subdivision 6, all costs of the hearing shall be paid by the aggrieved party.

Sec. 16. [EFFECTIVE DATE.] This act shall become effective October 1, 1976."

Further amend the title as follows:

Page 1, line 2, delete "banks and banking" and insert "financial institutions"; line 3, delete "consumer banking" and insert "funds transfer".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1010, A bill for an act relating to health; establishing a program for the care of persons suffering from hemophilia; providing for an advisory committee to act with the department of health to implement the program; appropriating money; amending Minnesota Statutes 1974, Chapter 144, by adding a section.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Chapter 144, is amended by adding a section to read:

[144.147] [TREATMENT FOR HEMOPHILIACS.] *Subdivision 1.* [DEFINITION.] *For the purposes of this section,*

"hemophilia" means a bleeding tendency resulting from a genetically determined deficiency in a blood factor or a blood component.

Subd. 2. [PROGRAM TO ASSIST IN TREATMENT.] The board of health shall establish a program for the care and treatment of persons who require continuing treatment with blood and blood derivatives to avoid extensive hospitalization and other serious effects associated with hemophilia but who are unable to pay for or obtain third party reimbursement from any public or private source for the entire cost of the services on a continuing basis.

Subd. 3. [ADVISORY COMMITTEE.] The board of health shall appoint a hemophilia advisory committee to consult with the commissioner in the administration of the program. The committee shall be composed of 11 persons representing consumers, individual and institutional providers of hemophiliac care, major nonprofit blood banks and voluntary agencies interested in hemophilia. Each member shall hold office for a term of four years and until his successor is appointed and qualified, except that the terms of the members first taking office shall expire, as designated at the time of appointment, two at the end of the first year, three at the end of the second year, three at the end of the third year and three at the end of the fourth year, after the date of appointment. Vacancies shall be filled by the commissioner for the unexpired term. The committee shall annually elect a secretary and shall meet as frequently as the secretary deems necessary, but not less than once each year. The committee members shall receive no compensation but shall be reimbursed for actual expenses incurred in carrying out their official duties in the same manner and at the same rate as state employees.

Subd. 4. [DUTIES OF THE BOARD.] The board shall:

(a) Develop standards for determining eligibility for care and treatment under this program;

(b) Promote the development and expansion of a statewide comprehensive program for the care and treatment of persons suffering from hemophilia, including self-administration, prevention, and development of comprehensive care centers, home care and other medical and dental procedures and techniques designed to provide maximum control over bleeding episodes typical of this condition;

(c) Extend financial assistance to persons or to the parent or guardian of dependent persons suffering from hemophilia for obtaining blood, blood components, and other efficacious agents for use in hospital, medical and dental facilities, and at home. The assistance is subject to periodic review based on evaluation at one of the comprehensive care centers. Financial assistance shall in-

*clude costs of periodic review and shall be made available on the basis of patient financial need;*

*(d) Extend financial assistance to persons or to the parent or guardian of dependent persons suffering from hemophilia who incur extraordinary financial hardship for treatment of complications resulting from hemophilia;*

*(e) Utilize ongoing educational programs among physicians, dentists, allied health professionals, and the public concerning hemophilia;*

*(f) Promulgate all rules and regulations necessary to implement the provisions of this section.*

**Sec. 2. [APPROPRIATION.]** *There is appropriated from the general fund in the state treasury to the department of health the sum of \$250,000 for the purposes of this act. Notwithstanding Minnesota Statutes, Section 16A.28, or other law, this appropriation expires June 30, 1977. The money appropriated may not be used to supplement or replace funds being made available by the department of public welfare to persons who qualify for benefits under chapter 256B.*

**Sec. 3. [EFFECTIVE DATE.]** *This act shall be effective the day following its final enactment."*

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2019, A bill for an act relating to controlled substances; scheduling certain substances; amending Minnesota Statutes 1974, Section 152.02, Subdivision 5.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Section 152.02, Subdivision 2, is amended to read:

Subd. 2. The following items are listed in Schedule I:

(1) Any of the following substances, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, un-

less specifically excepted, whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation: Acetylmethadol; Allylprodine; Alphacetylmethadol; Alphameprodine; Alphamethadol; Benzethidine; Betacetylmethadol; Betameprodine; Betamethadol; Betaprodine; Clonitazene; Dextromoramide; Dextrorphan; Diampromide; Diethylambutene; Dimenoxadol; Dimepheptanol; Dimethylambutene; Dioxaphetyl butyrate; Dipipanone; Ethylmethylthiambutene; Etonitazene; Etoxeridine; Furethidine; Hydroxypethidine; Ketobemidone; Levomoramide; Levophenacymorphan; Morpheridine; Noracymethadol; Norlevorphanol; Normethadone; Norpipanone; Phenadoxone; Phenampromide; Phenomorphan; Phenoperidine; Piritramide; Proheptazine; Properidine; Racemoramide; Trimeperidine.

(2) Any of the following opium derivatives, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation: Acetorphine; Acetyldihydrocodeine; Acetylcodeine; Benzylmorphine; Codeine methylbromide; Codeine-N-Oxide; Cyprenorphine; Desomorphine; Dihydromorphine; Etorphine; Heroin; Hydromorphinol; Methyldesorphine; Methylhydromorphine; Morphine methylbromide; Morphine methylsulfonate; Morphine-N-Oxide; Myrophine; Nicocodeine; Nicomorphine; Normorphine; Pholcodine; Thebacon.

(3) Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation: 3,4-methylenedioxy amphetamine; 4-bromo-2,5-dimethoxyamphetamine; 2,5-dimethoxyamphetamine; 4-methoxyamphetamine; 5-methoxy-3, 4-methylenedioxy amphetamine; Bufotenine; Diethyltryptamine; Dimethyltryptamine; 3,4,5-trimethoxy amphetamine; 4-methyl-2, 5-dimethoxyamphetamine; Ibogaine; Lysergic acid diethylamide; marijuana; Mescaline; N-ethyl-3-piperidyl benzilate; N-methyl-3-piperidyl benzilate; Psilocybin; Psilocyn; Tetrahydrocannabinols ; *Thiophene Analog of Phenclidine*.

(4) Peyote, providing the listing of peyote as a controlled substance in schedule I does not apply to the nondrug use of peyote in bona fide religious ceremonies of the Native American Church, and members of the Native American Church are exempt from registration. Any person who manufactures peyote for or distributes peyote to the Native American Church, however, is required to obtain federal registration annually and to comply with all other requirements of law.

(5) *Unless specifically excepted or unless listed in another schedule, any material compound, mixture or preparation which*

*contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:*

*Mecloqualone*

Sec. 2. Minnesota Statutes 1974, Section 152.02, Subdivision 3, is amended to read:

Subd. 3. The following items are listed in Schedule II:

(1) Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(a) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, including the following: raw opium, opium extracts, opium fluidextracts, powdered opium, granulated opium, tincture of opium, apomorphine, codeine, ethylmorphine, hydrocodone, hydromorphone, metopon, morphine, oxycodone, oxymorphone, thebaine.

(b) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (a), except that these substances shall not include the isoquinoline alkaloids of opium.

(c) Opium poppy and poppy straw.

(d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves, with extractions do not contain cocaine or ecgonine.

(2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers, unless specifically excepted, or unless listed in another schedule, whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation: Alphaprodine; Anileridine; Bezitramide; Dihydrocodeine; Dihydromorphinone; Diphenoxylate; Fentanyl; Isomethadone; Levomethorphan; Levorphanol; Metazocine; Methadone; Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane; Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic acid; Pethidine; Pethidine Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine; Pethidine-Intermediate-B, ethyl-4-phenylpi-

peridine-4-carboxylate; Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid; Phenazocine; Piminodine; Racemethorphan; Racemorphan.

(3) Unless specifically excepted or unless listed in another schedule, any (INJECTABLE LIQUID WHICH CONTAINS ANY QUANTITY OF METHAMPHETAMINE, INCLUDING ITS SALTS, ISOMERS, AND SALTS OF ISOMERS.) *material compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:*

(a) *Amphetamine, its salts, optical isomers, and salts of its optical isomers;*

(b) *Methamphetamine, its salts, isomers, and salts of its isomers;*

(c) *Phenmetrazine and its salts;*

(d) *Methylphenidate.*

(4) *Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:*

(a) *Methaqualone*

(b) *Amobarbital*

(c) *Secobarbital*

(d) *Pentobarbital.*

Sec. 3. Minnesota Statutes 1974, Section 152.02, Subdivision 4, is amended to read:

Subd. 4. The following items are listed in Schedule III:

(1) (ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION WHICH CONTAINS ANY QUANTITY OF THE FOLLOWING SUBSTANCES HAVING A POTENTIAL FOR ABUSE ASSOCIATED WITH A STIMULANT EFFECT ON THE CENTRAL NERVOUS SYSTEM:)

((A) AMPHETAMINE, ITS SALTS, OPTICAL ISOMERS, AND SALTS OF ITS OPTICAL ISOMERS;)

**((B) PHENMETRAZINE AND ITS SALTS;)**

**((C) ANY SUBSTANCE, EXCEPT AN INJECTABLE LIQUID, WHICH CONTAINS ANY QUANTITY OF METHAMPHETAMINE, INCLUDING ITS SALTS, ISOMERS, AND SALTS OF ISOMERS;)**

**((D) METHYLPHENIDATE)** *Any material, compound, mixture, or preparation which contains any quantity of Amphetamine, its salts, optical isomers, and salts of its optical isomers; Phenmetrazine and its salts; Methamphetamine, its salts, isomers, and salts of isomers; Methpyphenidate; and which is required by federal law to be labeled with the symbol prescribed by 21 Code of Federal Regulations Section 1302.03 and in effect on February 1, 1976 designating that the drug is listed as a Schedule III controlled substance under federal law.*

**(2)** Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

*(a) Any compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule.*

*(b) Any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs and approved by the food and drug administration for marketing only as a suppository.*

**(3)** Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules: Chlorhexadol; Gluthethimide; Lysergic acid; Lysergic acid amide; Methpyrlyon; Phencyclidine; Sulfondimethylmethane; Sulfonethylmethane; Sulfonmethane.

**(4)** *Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:*

*(a) Benzphetamine*

*(b) Chlorphentermine*

*(c) Clortermine*

*(d) Mazindol*

(e) *Phendimetrazine*.

((3)) (5) Nalorphine.

((4)) (6) Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

(a) Not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium.

(b) Not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(c) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium.

(d) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(e) Not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(f) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(g) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(h) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

Sec. 4. Minnesota Statutes 1974, Section 152.02, Subdivision 5, is amended to read:

Subd. 5. The following items are listed in Schedule IV: Barbitol; Chloral betaine; Chloral hydrate; *Chlordiazepoxide*; *Clona-*

*zepam; Clorazepate; Diazepam; Diethylpropion; Ethchlorvynol; Ethinamate; Fenfluramine; Flurazepam; Mebutamate; Methohexital; Meproamate except when in combination with the following drugs in the following or lower concentrations; conjugated estrogens, 0.4 mg; tridihexethyl chloride, 25 mg; pentaerythritol tetranitrate, 20 mg; Methylphenobarbital; Oxazepam; Paraldehyde; Pemoline; Petrichloral; Phenobarbital; Phentermine.*

Sec. 5. Minnesota Statutes 1974, Section 152.02, is amended by adding a subdivision to read:

*Subd. 6a. A drug which is not required by federal law to bear any one of the symbols prescribed by 21 Code of Federal Regulations Section 1302.03 and in effect on February 1, 1976 designating that the drug is listed as a scheduled controlled substance under federal law is exempt from the provisions of chapter 152, provided, however, that drugs containing any quantity of phenobarbital shall be dispensed only on prescription."*

Further, amend the title:

Page 1, line 4, delete "Subdivision 5" and insert "Subdivisions 2, 3, 4, 5, and by adding a subdivision".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2233, A bill for an act relating to Otter Tail county; permitting Otter Tail county to designate a human services board.

Reported the same back with the following amendments:

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 1974, Section 402.01, Subdivision 1, is amended to read:

402.01 [AGREEMENT.] Subdivision 1. One or more contiguous counties, having an aggregate population of 50,000 or more persons or *three or more contiguous counties* (COMPRISING ALL OF THE COUNTIES WITHIN A REGION DESIGNATED PURSUANT TO SECTIONS 462.381 TO 462.396 OR CHAPTER 473B,) situated within the boundaries of the same region designated pursuant to sections 462.381 to 462.396 or chapter 473B, may, by resolution of their county boards of commissioners, designate a human services board having the composition, powers, and duties provided in sections 402.01 to 402.10."

Page 1, line 10, delete "This act" and insert "Section 2".

Renumber the remaining sections in sequence.

Further, amend the title as follows:

Page 1, delete lines 2 and 3 and insert: "relating to human services; permitting Otter Tail county to designate a human services board; amending Minnesota Statutes 1974, Section 402.01, Subdivision 1."

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2305, A bill for an act relating to anatomical gifts; eye enucleation; authorizing eye enucleation upon pronouncement of death by a physician; amending Minnesota Statutes, 1975 Supplement, Section 525.924, Subdivision 6.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2370, A bill for an act relating to daytime activity centers; renaming them developmental achievement centers; making the necessary revisions in Minnesota Statutes; amending Minnesota Statutes 1974, Sections 252.21; 252.22; 252.23; 252.24, as amended; 252.25; 257.081, Subdivision 10; and Minnesota Statutes, 1975 Supplement, Sections 123.39, Subdivision 13; and 252.26.

Reported the same back with the following amendments:

Page 2, line 11, reinstate the stricken "is".

Page 2, line 12, reinstate the stricken "hereby authorized and directed to" and delete "may".

Page 8, line 30, delete "and shall as soon as practicable".

Page 8, delete lines 31 and 32.

Page 9, line 1, delete "act".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2477, A bill for an act relating to health; authorizing the board of medical examiners to issue licenses to certain persons who practice massage; amending Minnesota Statutes 1974, Chapter 145, by adding a section.

Reported the same back with the following amendments:

Page 1, line 7, delete "145" and insert "147".

Page 1, line 9, delete "(145.171)" and insert "(147.171)".

Page 1, line 12, delete "will" and insert "shall".

Further amend the title as follows:

Page 1, line 5, delete "145" and insert "147".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2504, A bill for an act relating to pharmacy; authorizing notices on prescription drugs when driving may be impaired; amending Minnesota Statutes, 1975 Supplement, Section 151.212, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 14, delete "may" and insert "shall".

Page 1, line 16, after the period insert "*The board may waive this requirement if there is evidence that the user will not operate a motor vehicle while using the drug*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 1202, A bill for an act relating to the administration of justice; providing that a defendant who is 18 years or older must show that he is emancipated in fact in order to satisfy the court that he is financially unable to procure counsel and should receive the assistance of court appointed counsel; amending Minnesota Statutes 1974, Section 611.07, Subdivision 1.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 1267, A bill for an act relating to highway traffic regulations; requiring a notice to respond to a summons made to a person charged with a non-moving traffic violation to be made by personal service or certified mail; prohibiting issuance of a warrant for the arrest of a person charged with a non-moving traffic violation unless an affidavit of personal service of the notice to respond to a summons is made or a receipt evidencing service of such notice by certified mail is obtained; amending Minnesota Statutes 1974, Section 492.04, Subdivision 5.

Reported the same back with the following amendments:

Page 2, line 13, after the period insert "*If a defendant is wilfully evading service, an affidavit shall be made by the sheriff setting forth the facts constituting the same.*"

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 1615, A bill for an act relating to public health; providing for care, medical treatment, and legal rights of live births resulting from abortions.

Reported the same back with the following amendments:

Page 1, line 9, delete "and only on an in-patient".

Page 1, line 10, delete "basis".

Page 1, line 12, delete "in attendance" and insert "immediately accessible".

Page 1, line 17, delete "viable".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 1865, A bill for an act relating to crimes; providing increased sentences for persons convicted of certain second or subsequent violations of theft; prescribing penalties; amending Minnesota Statutes 1974, Section 609.52, Subdivision 3.

Reported the same back with the following amendments:

Page 2, line 32, after "*convicted*" insert "*within a two year period*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 1938, A bill for an act relating to adoptions; providing that adopted persons may have access to their birth records; amending Minnesota Statutes 1974, Sections 144.176, Subdivision 1; and 259.31.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1974, Section 144.151, is amended by adding a subdivision to read:

*Subd. 8. "State registrar" means the state registrar of vital statistics.*

Sec. 2. Minnesota Statutes 1974, Section 144.176, Subdivision 1, is amended to read:

144.176 [ADOPTION.] Subdivision 1. [SUPPLEMENTARY BIRTH CERTIFICATE.] In cases of adoption the state registrar upon receipt of a certified copy of an order or decree of adoption shall prepare a supplementary certificate in the new name of the adopted person, and seal and file the original certificate of birth with said certified copy attached thereto. Such sealed documents may be opened only upon order of the court or according to the provisions of this section, or (, IF OTHERWISE) as found necessary (,) by the state registrar. (UPON THE RECEIPT OF A CERTIFIED COPY OF A COURT ORDER OF ANNULMENT OF ADOPTION THE STATE REGISTRAR SHALL RESTORE THE ORIGINAL CERTIFICATE TO ITS ORIGINAL PLACE IN THE FILE.)

Sec. 3. Minnesota Statutes 1974, Section 144.176, is amended by adding a subdivision to read:

*Subd. 4. [RELEASE OF BIRTH INFORMATION.] An adopted person who has reached the age of 25 may file an affidavit with the state registrar requesting the information on his original birth certificate. The state registrar shall fulfill the request unless*

*(a) on or after the date the adopted person reaches the age of 25, the genetic parent files an affidavit with the state registrar stating that information should be withheld; or*

*(b) within 120 days from notice of the filing of the request the genetic parent objects to the release of information.*

*If a parent files an objection, the state registrar shall withhold the information that identifies the objecting parent, and shall release the remaining information.*

Sec. 4. Minnesota Statutes 1974, Section 144.176, is amended by adding a subdivision to read:

*Subd. 5. [NOTICE TO COMMISSIONER; WAITING PERIOD.] Within five days from receiving the request, the state registrar shall send written notice of the request to the commissioner of public welfare. The state registrar shall wait 120 days after notice to the genetic parents for objections from the genetic parents before releasing the information.*

Sec. 5. Minnesota Statutes 1974, Section 144.176, is amended by adding a subdivision to read:

*Subd. 6. The commissioner of public welfare shall make reasonable efforts to find the genetic parents. Public and private adoption agencies shall cooperate with the commissioner of public welfare if not prohibited by objection of the genetic parents*

*as provided above. All communications hereunder shall be confidential, except as otherwise provided in this act.*"

And further amend the title:

Page 1, line 2, delete "adoptions" and insert "adoption".

Page 1, line 2, delete "providing that" and insert "authorizing release of birth information to".

Page 1, line 3, delete "may have access to their birth records".

Page 1, line 3, after the semi-colon insert "requiring waiting period for objections from parents;"

Page 1, line 4, after "Sections" insert "144.151, by adding a subdivision;"

Page 1, line 5, delete the semi-colon and insert a comma.

Page 1, line 5, after "and" delete "259.31" and insert "by adding subdivisions".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H F. No. 1970, A bill for an act relating to mortgages; legalizing certain foreclosure sales heretofore made and the records of the mortgage foreclosure proceedings.

Reported the same back with the following amendments:

Page 8, line 2, delete ", heretofore" and insert "prior to the date specified in subdivision 2 of section 3".

Page 8, line 27, after "(1)," delete "August 1, 1976" and insert "the day after final enactment of this act".

Page 8, line 29, after "(5)," delete "August 1, 1976" and insert "the day after final enactment of this act".

Page 8, line 30, after "(8)," delete "August 1, 1976" and insert "the day after final enactment of this act".

Page 8, line 31, after "(a)," delete "August 1, 1976" and insert "the day after final enactment of this act".

Page 8, after line 31, insert:

"Subd. 2. The date of the report of sale to which section 2 applies is the day after final enactment of this act."

Page 8, line 32, renumber "Subd. 2." as "Subd. 3."

Page 9, after line 4, insert:

"Sec. 4. [EFFECTIVE DATE.] This act is effective the day after final enactment."

Further amend the title as follows:

Page 1, line 3, delete "forclosure" and insert "foreclosure".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2037, bill for an act relating to medical assistance for the needy; prohibiting false claims for reimbursement; making certain vendors ineligible for reimbursement; providing access to certain medical records for verification of claims; amending Minnesota Statutes 1974, Sections 256B.064; 256B.27; Chapters 256B, by adding a section; and 609, by adding a section; Minnesota Statutes, 1975 Supplement, Section 609.52, Subdivision 2.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2063, A bill for an act relating to the registration of title to real estate; fees of the registrar; providing that certain fees be credited to the assurance fund; eliminating the fees for filing the certified copy of the application for registration; amending Minnesota Statutes 1974, Sections 508.75 and 508.82.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2137, A bill for an act relating to courts; providing a judicial advisory service for the county courts; appropriating money; amending Minnesota Statutes 1974, Chapter 487, by adding a section.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2277, A bill for an act relating to courts; authorizing the appointment of judicial officers in Hennepin county municipal court; establishing salary limitations; amending Minnesota Statutes 1974, Chapter 488A, by adding a section.

Reported the same back with the following amendments:

Page 1, line 18, after "board" insert "*which compensation shall not exceed 80 percent of the compensation provided for judges of the municipal court*".

Page 1, line 20, after the period insert "*Judicial officers appointed under this section shall not engage in the practice of law*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2307, A bill for an act relating to trusts; administration of express trusts by cities; amending Minnesota Statutes 1974, Section 501.11.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2350, A bill for an act relating to crime victims reparations; authorizing a claim to be filed within one year of the time when it could have been reasonably made; appropriating money; amending Minnesota Statutes 1974, Section 299B.03, Subdivision 2.

Reported the same back with the following amendments:

Page 2, delete lines 10 to 15.

Further amend the title as follows:

Page 1, line 5, delete "appropriating money;".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2374, A bill for an act relating to highway traffic regulation; requiring courts to report to the commissioner of public safety a stay of imposition of sentence granted under provisions of law relating to driving while under the influence of drugs or alcoholic beverages; amending Minnesota Statutes 1974, Section 169.121, Subdivision 6.

Reported the same back with the following amendments:

Page 1, after line 20, insert the following:

"Sec. 2. Minnesota Statutes 1974, Section 609.135, Subdivision 3, is amended to read:

Subd. 3. The court shall report to the commissioner of public safety any stay of *imposition or* execution granted in the case of a conviction for an offense in which a motor vehicle, as defined in section 169.01, subdivision 3, is used.

Sec. 3. [EFFECTIVE DATE.] This act shall take effect on the day following its final enactment."

Further amend the title as follows:

Page 1, line 8, delete "Section" and insert "Sections".

Page 1, line 8, after "Subdivision 6" and before the period insert "; and 609.135, Subdivision 3".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2440, A bill for an act relating to the administration of justice; authorizing judicially imposed fees for county law libraries; amending Minnesota Statutes 1974, Sections 140.-26; 140.30; 140.31; and Chapter 140, by adding a section.

Reported the same back with the following amendments:

Page 4, after line 14 insert the following:

"Sec. 5. [EFFECTIVE DATE.] *This act is effective the day following its final enactment.*"

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2443, A bill for an act relating to estates; clarifies aspects of the law concerning administration of estates; harmonizes relevant registered land law with probate code; modifies document verification requirements; changes notice requirements; eliminates de novo appeals from probate court; authorizes the probate court to waive inheritance tax liens in supervised administrations; eliminates notice to attorney general for certain charitable devises; amending Minnesota Statutes 1974, Sections 524.1-310; 524.3-505; 524.3-1003; 524.3-1007; 524.3-1201; 525.72; amending Minnesota Statutes, 1975 Supplement, Sections 501.79, Subdivision 2; 508.68; 524.1-401; 524.3-301; 524.3-306; 524.3-310; 524.3-403; 524.3-603; 524.3-715; 524.3-801; 524.3-803; 524.3-806; 524.3-1204; 524.4-204; and 525.31.

Reported the same back with the following amendments:

Page 5, line 1, strike "of the court" and insert "*, if there be one,*".

Page 21, line 3, after "the" insert "*presentment and*".

Page 23, after line 19, insert the following sections to read:

"Sec. 15. Minnesota Statutes 1974, Section 524.3-908, is amended to read:

524.3-908 [DISTRIBUTION; RIGHT OR TITLE OF DISTRIBUTE.] Proof that a distributee has received an instrument or deed of distribution of assets in kind, or payment in distribution, from a personal representative, is conclusive evidence that the distributee has succeeded to the interest of the *decedent and the estate* in the distributed assets, as against all persons interested in the estate, except that the personal representative may recover the assets or their value if the distribution was improper.

Sec. 16. Minnesota Statutes, 1975 Supplement, Section 524.3-910, is amended to read:

524.3-910 [PURCHASERS FROM DISTRIBUTEES PROTECTED.] If property distributed in kind or a security interest therein is acquired by a purchaser, or lender, for value from a distributee who has received an instrument or deed of distribution from the personal representative, the purchaser or lender takes title free of any claims of the estate *and any interested person*, and incurs no personal liability to (THE ESTATE) *them*, whether or not the distribution was proper. To be protected under this provision, a purchaser or lender need not inquire whether a personal representative acted properly in making the distribution in kind."

Renumber the remaining sections in sequence.

Amend the title as follows:

Page 1, line 12, after "524.3-505;" insert "524.3-908;"

Page 1, line 17, after "524.3-806;" insert "524.3-910;"

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

S. F. No. 1838, A bill for an act relating to crimes; accusation; increasing the limitation on time in which an indictment for of-

fering of bribes to or acceptance of bribes by public officers or employees may be found; amending Minnesota Statutes 1974, Section 628.26.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 2139, A bill for an act relating to labor and employment; treatment of gratuities in computation of minimum wages; repealing Minnesota Statutes 1974, Sections 177.23, Subdivision 9; and 177.28, Subdivision 4.

Reported the same back with the following amendments:

Page 1, after line 6, insert a new section:

"Section 1. Minnesota Statutes 1974, Section 177.24, is amended by adding a subdivision to read:

*Subd. 2. Any gratuity received by an employee is the sole property of the employee, provided that nothing in this section shall prevent employees in an establishment from voluntarily agreeing among themselves to distribute gratuities among all or some portion of the employees in the establishment. No employer shall in any manner prohibit or discourage the rendering of gratuities to his employees."*

Page 1, line 7, delete "Section 1" and insert "Sec. 2" and delete "Sections 177.23,".

Page 1, line 8, delete "Subdivision 9, and" and insert "Section".

Page 1, line 8, delete "are" and insert "is".

Further, amend the title as follows:

Page 1, after line 3, insert "amending Minnesota Statutes 1974, Section 177.24, by adding a subdivision,".

Page 1, line 4, delete "Sections" and insert "Section".

Page 1, line 5, delete "177.23, Subdivision 9; and".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 2243, A bill for an act relating to migrant labor; providing contract requirements; providing for the recruiting of migrant workers; prescribing penalties.

Reported the same back with the following amendments:

Page 1, line 17, after the comma insert "except agricultural cooperatives which neither provide housing for nor pay wages directly to the migrant worker,".

Page 1, line 22, after "grown" insert "or harvested".

Page 2, line 3, delete "or" and insert "and".

Page 3, line 32, after the period, insert "Utilization of the interstate recruitment system of the state department of employment services shall be deemed to be in compliance with this act and the provisions of the job order so generated shall supersede any similar contractual provisions between the employer and migrant.".

Page 4, after line 11, insert a new section:

"Sec. 7. [APPROPRIATION.] There is hereby appropriated the sum of \$2000 to the state department of employment services for the implementation of a blank form statement of hire and its disbursement."

Further, amend the title as follows:

Page 1, line 4, after "penalties" insert "; appropriating funds".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1944, A bill for an act relating to the St. Cloud metropolitan transit commission; changing the fiscal year of the commission; increasing per diem pay of commissioners; amending Laws 1969, Chapter 1134, Section 3, Subdivision 3 and Subdivision 4, as amended.

Reported the same back with the following amendments:

Page 1, line 18, after "commission" strike "shall be from" and delete "November 1".

Page 1, line 19, strike "to" and delete "October 31" and insert "ending June 30, 1976 shall be extended to September 30, 1976. Thereafter the fiscal year of the commission shall be from October 1 to September 30".

Page 2, line 4, after "commission" insert "by resolution".

Page 2, line 4, after the comma strike "not exceeding" and delete "\$50" and insert "by public hearing".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2026, A bill for an act relating to St. Louis county; limiting the property tax levy.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Laws 1974, Chapter 490, Section 1, is amended by adding a subdivision to read:

*Subd. 1a. The county board of St. Louis county may levy for St. Louis county road and bridge purposes in levy year 1976 an amount not to exceed seven mills on the dollar of taxable valuation in the county less the taconite tax payments received for St. Louis county road and bridge purposes in 1976 under Minnesota Statutes, Sections 298.28 and 298.281. The taconite tax payment received for St. Louis county road and bridge purposes in 1976 under Minnesota Statutes, Section 298.28, shall be computed by multiplying the total taconite tax payment under Minnesota Statutes, Section 298.28 in 1976 times the ratio that the county's total levy for county road and bridge purposes bears to the county's total levy in levy year 1975 prior to any reductions of these levies for taconite tax payments received by St. Louis county in 1976 under Minnesota Statutes, Sections 294.26, 298.244, 298.28 and 298.281.*

Sec. 2. Laws 1974, Chapter 490, Section 2, Subdivision 1, is repealed."

Further delete the title in its entirety and insert:

"A bill for an act relating to St. Louis county; authorizing a tax levy for road and bridge purposes; amending Laws 1974, Chapter 490, Section 1, by adding a subdivision; repealing Laws 1974, Chapter 490, Section 2, Subdivision 1."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2068, A bill for an act relating to hospitals; providing for loans to medical students who agree to practice in the hospital district; amending Minnesota Statutes 1974, Chapter 447, by adding a section.

Reported the same back with the following amendments:

Page 1, line 11, after "students" insert "*who meet eligibility criteria established by resolution of the hospital board*".

Page 1, line 13, delete "*in the state*".

Page 1, line 15, after the period insert "*No loan may exceed \$28,000 to any one applicant, to be paid in annual installments not to exceed \$7,000 per year. No loan may be made to any student who is receiving a similar loan under any other program authorized by law. Each recipient shall execute a note to the hospital district payable on demand for the principal amount of the loan, and for any interest agreed to by the parties. All other*".

Page 1, line 17, after "be" insert "*determined by the parties and shall be*".

Page 1, line 18, after the period insert "*If the recipient fails to fulfill the obligation to practice, the principal and interest, if any, shall be payable according to the terms of the note executed by the recipient.*".

Page 1, after line 18 insert:

"Sec. 2. Minnesota Statutes 1974, Section 447.34, Subdivision 1, is amended to read:

447.34 [PAYMENT OF EXPENSES; TAXATION.] Subdivision 1. Expenses of acquisition, betterment, administration,

operation, and maintenance of all hospital and nursing home facilities operated by any hospital district, *expenses incurred pursuant to section 1 of this act*, and the expenses of organization and administration of such district and of planning and financing such facilities, shall be paid from the revenues derived from such facilities, and to the extent necessary, from ad valorem taxes levied by the hospital board upon all taxable property situated within the district, and, to the extent determined from time to time by the board of county commissioners of any county in which territory of the district is situated, from appropriations made by said board in accordance with the provisions of Minnesota Statutes, Section 376.08, and any future laws amending or supplementing the same. Any moneys appropriated by such board of county commissioners for the acquisition or betterment of facilities of the hospital district may be transferred in the discretion of the hospital board to a sinking fund for bonds issued for that purpose. The hospital board may agree to repay to the county any sums appropriated by the board of county commissioners for this purpose, out of the net revenues to be derived from operation of its facilities, and subject to such terms as may be agreed upon. No taxes levied by a hospital district in any year, other than taxes levied for payment of bonded indebtedness, shall exceed in amount \$1.50 per capita of the population of the district according to the last state or federal census, if the amount proposed to be levied in excess of such amount, when added to the levy subject to the limitations of Minnesota Statutes, Section 275.10 or Section 275.11, of any of the municipalities within the district, would cause such municipal levy to exceed the limitations of such applicable section.”.

Further amend the title as follows:

Page 1, line 5, after “1974,” insert “Section 447.34, Subdivision 1; and”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2315, A bill for an act relating to the city of Maple Grove; authorizing the city of Maple Grove to refund certain temporary improvement bonds.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2356, A bill for an act relating to Red River watershed; authorizing watershed districts which are members of the lower Red River watershed management board to levy a tax; authorizing the management board to institute certain projects; allowing the board to enter certain intergovernmental agreements.

Reported the same back with the following amendments:

Page 2, line 8, delete "by assessment upon".

Page 2, line 9, delete "benefited properties" and insert "in any manner permitted by Minnesota Statutes, Chapter 112".

Page 2, line 9, after "the" insert "limitations of".

Page 2, line 10, after "preliminary" insert "cost".

Page 2, line 10, delete "of costs for projects and works".

Page 2, delete line 11.

Page 2, line 12, delete "aggregate" and insert "specified in Minnesota Statutes, Section 112.48, Subdivision 4, shall not be applicable".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Taxes.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2485, A bill for an act relating to the counties of Nobles and Rock; authorizing the acquisition of real estate for the operation of television translator systems.

Reported the same back with the following amendments:

Amend the title as follows:

Page 1, line 2, delete "Nobels" and insert "Nobles".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 2155, bill for an act relating to United Hospital District, Staples, Minnesota; authorizing the issuance of general obligation bonds of the district without the consent of the governing bodies of the municipalities included in the district; excluding the bonds from the net debt of the district; and excluding taxes levied for the payment of the bonds from certain levy limitations.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2214, A bill for an act relating to motor vehicle registration; providing for waiver of penalty for cars in storage; amending Minnesota Statutes 1974, Section 168.31, Subdivision 3.

Reported the same back with the following amendments:

Amend the title as follows:

Line 3, delete "cars" and insert "vehicles".

Line 3, after the semicolon, insert "providing an exception for automobiles;"

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2413, A bill for an act relating to railroads; allowing reduced rates for transportation of solid waste material for reprocessing; amending Minnesota Statutes 1974, Section 218.021, Subdivision 2.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2461, A bill for an act relating to motor vehicles; authorizing the issuance of temporary vehicle permits for certain specified purposes; amending Minnesota Statutes 1974, Sections 168.091, Subdivision 1; and 168.092, Subdivision 1.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2489, A bill for an act relating to highway traffic regulations; special permits for oversize and overweight vehicles; authorizing an annual permit for refuse compactor vehicles and prescribing maximum loads thereon; providing a fee therefor; amending Minnesota Statutes 1974, Section 169.86, Subdivision 5.

Reported the same back with the following amendments:

Page 1, line 20, delete "40,000" and insert "38,000".

Page 1, after line 24 insert a new section to read:

"Sec. 2. Minnesota Statutes 1971, Section 168.011, Subdivision 17, as amended by Laws 1973, Chapter 218, Section 2, is amended to read:

Subd. 17. [FARM TRUCK.] "Farm truck" means all single unit trucks, truck-tractors, tractors, semitrailers, and trailers used by the owner thereof to transport agricultural, horticultural, dairy, and other farm products, including livestock, produced or finished by the owner of the truck, and any other personal property owned by the farmer to whom the license for such truck is issued, from the farm to market, and to transport property and supplies to the farm of the owner. Trucks, truck-tractors, tractors, semitrailers, and trailers registered as "farm trucks" may be used by the owner thereof to occasionally transport unprocessed and raw farm products, not produced by the owner of the truck, from the place of production to market when such transportation constitutes the first haul of such products, and may be used by the owner thereof, either farmer or logger who harvests and hauls forest products only, to transport logs, pulpwood, lumber, chips, railroad ties and other raw and unfinished forest products from the place of production to an assembly yard or railhead when such transportation constitutes

the first haul thereof, provided that the owner and operator of such vehicle transporting planed lumber shall have in his immediate possession a statement signed by the producer of such lumber designating the governmental subdivision, section and township where such lumber was produced and that this haul, indicating the date, is the first haul thereof. *Such licensed vehicles may also be used by the owner thereof to transport, to and from timber harvesting areas, equipment and appurtenances incidental to timber harvesting, and gravel and other road building materials for timber haul roads.*

“Farm trucks” shall also include only single unit trucks, which, because of their construction, cannot be used for any other purpose and are used exclusively to transport milk and cream enroute from farm to an assembly point or place for final manufacture, and for transporting milk and cream from an assembly point to a place for final processing or manufacture. This section shall not be construed to mean that the owner or operator of any such truck cannot carry on his usual accommodation services for his patrons on regular return trips, such as butter, cream, cheese, and other dairy supplies.”.

Further amend the title as follows:

Line 6, after “therefor;” insert “redefining farm trucks;”.

Line 6, after “amending” insert “Minnesota Statutes 1971, Section 168.011, Subdivision 17, as amended; and”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2560, A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; amending Minnesota Statutes 1974, Section 169.80, Subdivision 2.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2600, A bill for an act relating to highway traffic regulations; license requirements for operating motorcycles; re-

quiring enrollment in two-wheeled vehicle safety course prior to issuance of instruction permit; amending Minnesota Statutes, 1975 Supplement, Section 169.974, Subdivision 2.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

S. F. No. 1862, A bill for an act relating to motor vehicles; registration and taxation; removing certain requirements for notarization; amending Minnesota Statutes, 1975 Supplement, Section 168.10, Subdivision 1.

Reported the same back with the recommendation that the bill do 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. 2318, A bill for an act relating to highways; providing for the construction and maintenance of acoustical barriers along the perimeter of certain trunk highways; amending Minnesota Statutes, 1975 Supplement, Section 161.125.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 2472, 2263, 2084, 2019, 2233, 2305, 2370, 2477, 2504, 1202, 1267, 1615, 1865, 1938, 1970, 2037, 2063, 2277, 2307, 2350, 2374, 2440, 2443, 2139, 1944, 2026, 2068, 2315, 2485, 2214, 2413, 2461, 2489, 2560 and 2600 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 2057, 2068, 2161, 2168, 2237, 2076, 1838, 2155, 1862 and 2318 were read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Wieser introduced:

H. F. No. 2628, A bill for an act relating to game and fish; seasons for trapping of beaver; amending Minnesota Statutes 1974, Section 100.27, Subdivision 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Luther and Skoglund introduced:

H. F. No. 2629, A bill for an act relating to civil actions; removing requirement for bond in certain environmental cases; amending Minnesota Statutes 1974, Section 562.02.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Fjoslien, Schumacher, Wenstrom, Brinkman and Niehaus introduced:

H. F. No. 2630, A bill for an act relating to utilities, regulating transmission line routing; providing local control; amending Minnesota Statutes 1974, Section 116C.61, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Jude, Mangan, Neisen, Metzen and Berglin introduced:

H. F. No. 2631, A bill for an act relating to civil service; providing for payment of a portion of unused sick leave time to a state employee upon separation; amending Minnesota Statutes, 1975 Supplement, Section 43.12, Subdivision 17.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Simoneau and McCarron introduced:

H. F. No. 2632, A bill for an act relating to the city of Fridley; providing for membership of a certain employee thereof in the Public Employees Police and Fire Fund.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Dieterich, Berglin, Suss and McCarron introduced:

H. F. No. 2633, A bill for an act relating to consumer protection; regulating invention development services; prescribing contract terms and disclosures to customers; defining terms; requiring invention developers to file a bond; providing penalties.

The bill was read for the first time and referred to the Committee on Judiciary.

Wenzel introduced:

H. F. No. 2634, A bill for an act relating to juries; providing that persons 70 years of age or younger may serve on juries; amending Minnesota Statutes 1974, Section 628.43.

The bill was read for the first time and referred to the Committee on Judiciary.

Zubay, Haugerud, Voss, Adams, S., and Sherwood introduced:

H. F. No. 2635, A bill for an act relating to trials; authorizing electronic transcription of trial proceedings; providing for costs and payment.

The bill was read for the first time and referred to the Committee on Judiciary.

Vento; Kelly, R.; Norton; Byrne and Sieloff introduced:

H. F. No. 2636, A bill for an act relating to labor unions; providing time off for employees engaged in union business.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Wigley, Osthoff, Voss and Neisen introduced:

H. F. No. 2637, A bill for an act relating to highways; removing highway construction limitations; repealing Minnesota Statutes, 1975 Supplement, Section 161.123.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Norton, Moe, and Sieben, H., introduced:

H. F. No. 2638, A bill for an act relating to highways; construction limitations on certain trunk highways; authorizing the preparation of environmental impact statements for such highways; amending Minnesota Statutes, 1975 Supplement, Section 161.123.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Johnson, D.; Anderson, I.; Vanasek and Mann introduced:

H. F. No. 2639, bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; removing limits on interest, maturity, sale price, and amount of highway bonds; repealing Laws 1975, Chapter 203, Sections 25 and 26.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

#### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Dahl reported on the progress of S. F. No. 932, now in Conference Committee.

#### REPORTS FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pursuant to Rule 1.9, Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as a Special Order for Wednesday, March 10, 1976, to be acted upon immediately following the Calendar for the day:

H. F. Nos. 1056, 1699, 2066, 2286, 1801, 1883, 2107, 2239, 1993, 2172 and 1909.

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

House Concurrent Resolution No. 21, A house concurrent resolution designating September 13 to 19, 1976, as Minnesota Farm-fest Week.

Reported the same back with the recommendation that the house concurrent resolution be adopted.

The report was adopted.

## HOUSE CONCURRENT RESOLUTION NO. 21

A house concurrent resolution designating September 13 to 19, 1976 as Minnesota Farmfest Week.

*Whereas*, Farmfest is a national agricultural project officially recognized by the American Revolution Bicentennial Administration; and

*Whereas*, Farmfest will recreate the epic of American agriculture with pageants, machinery exhibitions and salutes to craftsmen who have advanced the art and science of agriculture; and

*Whereas*, The Future Farmers of America have designated Farmfest as their 1976 Bicentennial activity; and

*Whereas*, Farmfest will include tractor pulling, plowing and other competitions in every technique of modern farming; now, therefore,

*Be It Resolved*, by the House of Representatives, the Senate concurring, that September 13 to 19, 1976 be designated Minnesota Farmfest Week.

*Be It Further Resolved*, that the Governor of Minnesota should officially proclaim Minnesota Farmfest Week and the general encouragement of the state of Minnesota be given to it.

Wigley moved that House Concurrent Resolution No. 21 be now adopted. The motion prevailed and the resolution was adopted.

## CONSENT CALENDAR

S. F. No. 2070, A bill for an act relating to highways; adding a new route to the trunk highway system in substitution of an existing route.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Begich	Carlson, L.	Dieterich	Ewald
Adams, L.	Berg	Carlson, R.	Doty	Farcy
Adams, S.	Berglin	Cassery	Eckstein	Fjoslien
Albrecht	Biersdorf	Clark	Eken	Forsythe
Anderson, G.	Braun	Clawson	Enebo	Friedrich
Anderson, I.	Brinkman	Corbid	Erickson	Fugina
Arlandson	Byrne	Dahl	Esau	George
Beauchamp	Carlson, A.	Dean	Evans	Graba

Hanson	Kostohryz	Munger	St. Onge	Stanton
Haugerud	Kroening	Neisen	Samuelson	Swanson
Heinitz	Kvam	Nelsen	Sarna	Tomlinson
Hokanson	Laidig	Nelson	Savelkoul	Ulland
Jacobs	Langseth	Niehaus	Schreiber	Vanasek
Jaros	Lemke	Norton	Schulz	Vento
Jensen	Lindstrom	Novak	Schumacher	Volk
Jude	Luther	Osthoff	Searle	Wenstrom
Kahn	Mangan	Parish	Setzepfandt	Wenzel
Kaley	Mann	Patton	Sherwood	White
Kalis	McCarron	Pehler	Sieben, H.	Wieser
Kelly, R.	McCauley	Peterson	Sieben, M.	Williamson
Kelly, W.	McCollar	Petrafeso	Sieloff	Zubay
Kempe, A.	McEachern	Philbrook	Skoglund	Speaker Sabo
Ketola	Menning	Pleasant	Smith	
Knickerbocker	Metzen	Prahl	Smogard	
Knoll	Moe	Reding	Spanish	

The bill was passed and its title agreed to.

H. F. No. 2048, A bill for an act relating to highways; authorizing the use by certain local business and religious establishments of certain advertising devices on certain highways; amending Minnesota Statutes 1974, Sections 160.283, by adding a subdivision; and 160.284.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 113, and nays 15, as follows:

Those who voted in the affirmative were:

Abeln	Enebo	Kelly, R.	Niehaus	Sieben, M.
Adams, L.	Erickson	Kelly, W.	Norton	Sieloff
Adams, S.	Esau	Kempe, R.	Novak	Simoneau
Albrecht	Evans	Ketola	Osthoff	Skoglund
Anderson, G.	Ewald	Knickerbocker	Parish	Smith
Anderson, I.	Fjoslien	Knoll	Patton	Smogard
Arlandson	Forsythe	Kostohryz	Pehler	Spanish
Beauchamp	Friedrich	Kroening	Peterson	Suss
Begich	Fudro	Kvam	Philbrook	Swanson
Biersdorf	Fugina	Laidig	Pleasant	Tomlinson
Birnstihl	George	Langseth	Prahl	Vanasek
Braun	Graba	Lemke	Reding	Vento
Brinkman	Haugerud	Luther	Rice	Volk
Carlson, R.	Heinitz	Mangan	St. Onge	Wenstrom
Clark	Hokanson	Mann	Sarna	Wenzel
Clawson	Jacobs	McCarron	Savelkoul	White
Corbid	Jensen	McCauley	Schreiber	Wieser
Dahl	Johnson, C.	McCollar	Schulz	Wigley
Dean	Johnson, D.	McEachern	Schumacher	Williamson
DeGroat	Jopp	Menning	Searle	Zubay
Doty	Jude	Metzen	Setzepfandt	Speaker Sabo
Eckstein	Kaley	Neisen	Sherwood	
Eken	Kalis	Nelsen	Sieben, H.	

Those who voted in the negative were:

Berg	Byrne	Carlson, A.	Carlson, L.	Cassery
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Dieterich  
FaricyHanson  
JarosKahn  
LindstromMoe  
PetrafesoStanton  
Ulland

The bill was passed and its title agreed to.

H. F. No. 595, A bill for an act relating to retirement; authorized expenditures of firemen's relief associations; amending Minnesota Statutes 1974, Section 424.31.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Sieben, M.
Adams, L.	Eckstein	Kaley	Neisen	Sieloff
Adams, S.	Eken	Kalis	Nelsen	Simoneau
Albrecht	Enebo	Kelly, R.	Nelson	Skoglund
Anderson, G.	Erickson	Kelly, W.	Niehaus	Smith
Anderson, I.	Esau	Kempe, A.	Norton	Smogard
Arlandson	Evans	Kempe, R.	Novak	Spanish
Beauchamp	Ewald	Ketola	Osthoff	Stanton
Begich	Faricy	Knickerbocker	Parish	Suss
Berg	Fjoslien	Knoll	Patton	Swanson
Berglin	Forsythe	Kostohryz	Pehler	Tomlinson
Biersdorf	Friedrich	Kroening	Peterson	Ulland
Birnstihl	Fudro	Kvam	Petrafeso	Vanasek
Braun	Fugina	Laidig	Philbrook	Vento
Brinkman	George	Langseth	Pleasant	Voik
Byrne	Graba	Lemke	Prahl	Wenstrom
Carlson, A.	Hanson	Lindstrom	Reding	Wenzel
Carlson, L.	Haugerud	Luther	St. Onge	White
Carlson, R.	Heinitz	Mangan	Sarna	Wieser
Casserly	Hokanson	Mann	Savelkoul	Wigley
Clark	Jacobs	McCarron	Schreiber	Williamson
Clawson	Jaros	McCauley	Schulz	Zubay
Corbid	Jensen	McCollar	Schumacher	Speaker Sabo
Dahl	Johnson, C.	McEachern	Searle	
Dean	Johnson, D.	Menning	Setzpfandt	
DeGroat	Jopp	Metzen	Sherwood	
Dieterich	Jude	Moe	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 1913, A bill for an act relating to the city of Waseca; authorizing lump sum firemen's service pensions.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 132, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Sieben, H.
Adams, L.	Eckstein	Kaley	Neisen	Sieben, M.
Adams, S.	Eken	Kalis	Nelsen	Sieloff
Albrecht	Enebo	Kelly, R.	Nelson	Simoneau
Anderson, G.	Erickson	Kelly, W.	Niehaus	Skoglund
Anderson, I.	Esau	Kempe, A.	Norton	Smith
Arlandson	Evans	Kempe, R.	Novak	Smogard
Beauchamp	Ewald	Ketola	Osthoff	Spanish
Begich	Faricy	Knickerbocker	Parish	Stanton
Berg	Fjoslien	Knoll	Patton	Suss
Berglin	Forsythe	Kostohryz	Pehler	Swanson
Biersdorf	Friedrich	Kroening	Peterson	Tomlinson
Birnstihl	Fudro	Kvam	Petrafeso	Ulland
Braun	Fugina	Laidig	Philbrook	Vanasek
Brinkman	George	Langseth	Pleasant	Vento
Byrne	Graba	Lemke	Prahl	Volk
Carlson, A.	Hanson	Lindstrom	Reding	Wenstrom
Carlson, L.	Haugerud	Luther	Rice	Wenzel
Carlson, R.	Heinitz	Mangan	St. Onge	White
Casserly	Hokanson	Mann	Sarna	Wieser
Clark	Jacobs	McCarron	Savelkoul	Wigley
Clawson	Jaros	McCauley	Schreiber	Williamson
Corbid	Jensen	McCollar	Schulz	Zubay
Dahl	Johnson, C.	McEachern	Schumacher	Speaker Sabo
Dean	Johnson, D.	Menning	Searle	
DeGroat	Jopp	Metzen	Setzepfandt	
Dieterich	Jude	Moe	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 1918, A bill for an act relating to the city of Shakopee; authorizing an increase in fire department relief association lump sum service benefits.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 132, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, R.	Fjoslien	Kahn	Mann
Adams, L.	Casserly	Forsythe	Kaley	McCarron
Adams, S.	Clark	Friedrich	Kalis	McCauley
Albrecht	Clawson	Fudro	Kelly, R.	McCollar
Anderson, G.	Corbid	Fugina	Kelly, W.	McEachern
Anderson, I.	Dahl	George	Kempe, A.	Menning
Arlandson	Dean	Graba	Kempe, R.	Metzen
Beauchamp	DeGroat	Hanson	Ketola	Moe
Begich	Dieterich	Haugerud	Knickerbocker	Munger
Berg	Doty	Heinitz	Kostohryz	Neisen
Berglin	Eckstein	Hokanson	Kroening	Nelsen
Biersdorf	Eken	Jacobs	Kvam	Nelson
Birnstihl	Enebo	Jaros	Laidig	Niehaus
Braun	Erickson	Jensen	Langseth	Norton
Brinkman	Esau	Johnson, C.	Lemke	Novak
Byrne	Evans	Johnson, D.	Lindstrom	Osthoff
Carlson, A.	Ewald	Jopp	Luther	Parish
Carlson, L.	Faricy	Jude	Mangan	Patton

Pehler	Samuelson	Sieben, H.	Suss	White
Peterson	Sarna	Sieben, M.	Swanson	Wieser
Petrafeso	Savelkoul	Sieloff	Tomlinson	Wigley
Philbrook	Schreiber	Simoneau	Ulland	Williamson
Pleasant	Schulz	Skoglund	Vanasek	Zubay
Prahl	Schumacher	Smith	Vento	Speaker Sabo
Reding	Searle	Smogard	Volk	
Rice	Setzepfandt	Spanish	Wenstrom	
St. Onge	Sherwood	Stanton	Wenzel	

The bill was passed and its title agreed to.

H. F. No. 1919, A bill for an act relating to public employees; providing for state recognition of the certified professional secretary examination.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 0, as follows:

Those who voted in the affirmative were:

Abel	Eckstein	Kalis	Nelsen	Sieben, M.
Adams, L.	Eken	Kelly, R.	Nelson	Sieloff
Adams, S.	Enebo	Kelly, W.	Niehaus	Simoneau
Albrecht	Erickson	Kempe, A.	Norton	Skoglund
Anderson, G.	Esau	Kempe, R.	Novak	Smith
Anderson, I.	Evans	Ketola	Osthoff	Smogard
Arlandson	Ewald	Knickerbocker	Parish	Spanish
Beauchamp	Farley	Knoll	Patton	Stanton
Begich	Fjoslien	Kostohryz	Pehler	Suss
Berg	Forsythe	Kroening	Peterson	Swanson
Berglin	Friedrich	Kvam	Petrafeso	Tomlinson
Biersdorf	Fudro	Laidig	Philbrook	Ulland
Birnstihl	Fugina	Langseth	Pleasant	Vanasek
Braun	George	Lemke	Prahl	Vento
Byrne	Graba	Lindstrom	Reding	Volk
Carlson, A.	Hanson	Luther	Rice	Wenstrom
Carlson, L.	Heinitz	Mangan	St. Onge	Wenzel
Carlson, R.	Hokanson	Mann	Samuelson	White
Casserly	Jacobs	McCarron	Sarna	Wieser
Clark	Jaros	McCauley	Savelkoul	Wigley
Clawson	Jensen	McCollar	Schreiber	Williamson
Corbid	Johnson, C.	McEachern	Schulz	Zubay
Dahl	Johnson, D.	Menning	Schumacher	Speaker Sabo
Dean	Jopp	Metzen	Searle	
DeGroat	Jude	Moe	Setzepfandt	
Dieterich	Kahn	Munger	Sherwood	
Doty	Kaley	Neisen	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 1960, A bill for an act relating to the firemen's relief association of the city of Goodview; providing that years of service with the Goodview volunteer fire department shall be treated as years of service with the Goodview firemen's relief association; repealing Laws 1974, Chapter 188.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 133, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Sherwood
Adams, L.	Eckstein	Kaley	Neisen	Sieben, H.
Adams, S.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Farcy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Kvam	Petrafeso	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Volk
Carlson, L.	Haugerud	Luther	Rice	Wenstrom
Carlson, R.	Heinitz	Mangan	St. Onge	Wenzel
Casserly	Hokanson	Mann	Samuelson	White
Clark	Jacobs	McCarron	Sarna	Wieser
Clawson	Jaros	McCauley	Savelkoul	Wigley
Corbid	Jensen	McCollar	Schreiber	Williamson
Dahl	Johnson, C.	McEachern	Schulz	Zubay
Dean	Johnson, D.	Menning	Schumacher	Speaker Sabo
DeGroat	Jopp	Metzen	Searle	
Dieterich	Jude	Moe	Setzpfandt	

The bill was passed and its title agreed to.

H. F. No. 1961, A bill for an act relating to the city of Chanhassen; firemen's service pensions.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 132, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Biersdorf	Corbid	Evans	Heinitz
Adams, L.	Birnstihl	Dahl	Ewald	Hokanson
Adams, S.	Braun	Dean	Farcy	Jacobs
Albrecht	Brinkman	DeGroat	Fjoslien	Jaros
Anderson, G.	Byrne	Dieterich	Forsythe	Jensen
Anderson, I.	Carlson, A.	Doty	Friedrich	Johnson, C.
Arlandson	Carlson, L.	Eckstein	Fudro	Johnson, D.
Beauchamp	Carlson, R.	Eken	Fugina	Jopp
Begich	Casserly	Enebo	George	Jude
Berg	Clark	Erickson	Graba	Kahn
Berglin	Clawson	Esau	Haugerud	Kaley

Kalis	Mangan	Osthoff	Schulz	Tomlinson
Kelly, R.	Mann	Parish	Schumacker	Ulland
Kelly, W.	McCarron	Patton	Searle	Vanasek
Kempe, A.	McCauley	Pehler	Setzepfandt	Vento
Kempe, R.	McCollar	Peterson	Sherwood	Volk
Ketola	McEachern	Petrafeso	Sieben, H.	Wenstrom
Knickerbocker	Menning	Philbrook	Sieben, M.	Wenzel
Knoll	Metzen	Pleasant	Sieloff	White
Kostohryz	Moe	Prahl	Simoneau	Wieser
Kroening	Munger	Reding	Skoglund	Wigley
Kvam	Neisen	Rice	Smith	Williamson
Laidig	Nelsen	St. Onge	Smogard	Zubay
Langseth	Nelson	Samuelson	Spanish	Speaker Sabo
Lemke	Niehaus	Sarna	Stanton	
Lindstrom	Norton	Savelkoul	Suss	
Luther	Novak	Schreiber	Swanson	

Those who voted in the negative were:

Hanson

The bill was passed and its title agreed to.

H. F. No. 1962, A bill for an act relating to the city of Wadena; increasing payments for firemen's relief association service pensions.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 132, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Neisen	Sieben, H.
Adams, L.	Eken	Kalis	Nelsen	Sieben, M.
Adams, S.	Enebo	Kelly, R.	Nelson	Sieloff
Albrecht	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, G.	Esau	Kempe, A.	Norton	Skoglund
Anderson, I.	Evans	Kempe, R.	Novak	Smith
Arlandson	Ewald	Ketola	Osthoff	Smogard
Beauchamp	Farcy	Knickerbocker	Parish	Spanish
Begich	Fjoslien	Knoll	Patton	Stanton
Berg	Forsythe	Kostohryz	Pehler	Suss
Berglin	Friedrich	Kroening	Peterson	Swanson
Biersdorf	Fudro	Kvam	Petrafeso	Tomlinson
Birnstihl	Fugina	Laidig	Philbrook	Ulland
Braun	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Wenstrom
Carlson, L.	Haugerud	Luther	Rice	Wenzel
Carlson, R.	Heinitz	Mangan	St. Onge	White
Casserly	Hokanson	Mann	Samuelson	Wieser
Clark	Jacobs	McCarron	Sarna	Wigley
Clawson	Jaros	McCauley	Savelkoul	Williamson
Corbid	Jensen	McCollar	Schreiber	Zubay
Dahl	Johnson, C.	McEachern	Schulz	Speaker Sabo
Dean	Johnson, D.	Menning	Schumacher	
DeGroat	Jopp	Metzen	Searle	
Dieterich	Jude	Moe	Setzepfandt	
Doty	Kahn	Munger	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 1963, bill for an act relating to the city of Mound; firemen's service pensions; amending Laws 1973, Chapter 175, Section 1, as amended.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 133, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Sherwood
Adams, L.	Eckstein	Kaley	Neisen	Sieben, H.
Adams, S.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Faricy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Kvam	Petrafeso	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Volk
Carlson, L.	Haugerud	Luther	Rice	Wenstrom
Carlson, R.	Heinitz	Mangan	St. Onge	Wenzel
Casserly	Hokanson	Mann	Samuelson	White
Clark	Jacobs	McCarron	Sarna	Wieser
Clawson	Jaros	McCauley	Savelkoul	Wigley
Corbid	Jensen	McCollar	Schreiber	Williamson
Dahl	Johnson, C.	McEachern	Schulz	Zubay
Dean	Johnson, D.	Menning	Schumacher	Speaker Sabo
DeGroat	Jopp	Metzen	Searle	
Dieterich	Jude	Moe	Setzepfandt	

The bill was passed and its title agreed to.

H. F. No. 1964, A bill for an act relating to the city of Newport; volunteer firemen's service pensions.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 133, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Sherwood
Adams, L.	Eckstein	Kaley	Neisen	Sieben, H.
Adams, S.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Faricy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Kvam	Petraleso	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Volk
Carlson, L.	Haugerud	Luther	Rice	Wenstrom
Carlson, R.	Heinitz	Mangan	St. Onge	Wenzel
Casserly	Hokanson	Mann	Samuelson	White
Clark	Jacobs	McCarron	Sarna	Wieser
Clawson	Jaros	McCauley	Savelkoul	Wigley
Corbid	Jensen	McCollar	Schreiber	Williamson
Dahl	Johnson, C.	McEachern	Schulz	Zubay
Dean	Johnson, D.	Menning	Schumacher	Speaker Sabo
DeGroat	Jopp	Metzen	Searle	
Dieterich	Jude	Moe	Setzefand	

The bill was passed and its title agreed to.

H. F. No. 1966, A bill for an act relating to judges; authorizing certain retired judges and their dependents to participate in the state employee hospital benefits and medical benefits program; amending Minnesota Statutes 1974, Section 43.491, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Ewald	Johnson, C.	Kvam
Adams, L.	Carlson, R.	Faricy	Johnson, D.	Laidig
Adams, S.	Casserly	Fjoslien	Jopp	Langseth
Anderson, G.	Clark	Forsythe	Jude	Lemke
Anderson, I.	Clawson	Friedrich	Kahn	Lindstrom
Arlandson	Corbid	Fudro	Kaley	Luther
Beauchamp	Dahl	Fugina	Kalis	Mangan
Begich	Dean	George	Kelly, R.	Mann
Berg	DeGroat	Graba	Kelly, W.	McCarron
Berglin	Dieterich	Hanson	Kempe, A.	McCauley
Biersdorf	Doty	Haugerud	Kempe, R.	McCollar
Birnstihl	Eckstein	Heinitz	Ketola	McEachern
Braun	Eken	Hokanson	Knickerbocker	Menning
Brinkman	Enebo	Jacobs	Knoll	Metzen
Byrne	Erickson	Jaros	Kostohryz	Moe
Carlson, A.	Evans	Jensen	Kroening	Munger

Neisen	Petrafeso	Schulz	Smogard	Wenzel
Nelsen	Philbrook	Schumacher	Spanish	White
Nelson	Pleasant	Searle	Stanton	Wieser
Niehaus	Prahl	Setzepfandt	Suss	Wigley
Norton	Reding	Sherwood	Swanson	Williamson
Novak	Rice	Sieben, H.	Tomlinson	Zubay
Osthoff	St. Onge	Sieben, M.	Ulland	Speaker Sabo
Parish	Samuelson	Sieloff	Vanasek	
Patton	Sarna	Simoneau	Vento	
Pehler	Savelkoul	Skoglund	Volk	
Peterson	Schreiber	Smith	Wenstrom	

Those who voted in the negative were:

Albrecht

The bill was passed and its title agreed to.

H. F. No. 1967, A bill for an act relating to the city of Rockford; proportionate service pensions and financing requirements of the firemen's relief association.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 132, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Sieben, H.
Adams, L.	Eckstein	Kaley	Neisen	Sieben, M.
Adams, S.	Eken	Kalis	Nelsen	Sieloff
Albrecht	Enebo	Kelly, R.	Nelson	Simoneau
Anderson, G.	Erickson	Kelly, W.	Niehaus	Skoglund
Anderson, I.	Esau	Kempe, A.	Norton	Smith
Arlandson	Evans	Kempe, R.	Novak	Smogard
Beauchamp	Ewald	Ketola	Osthoff	Spanish
Begich	Faricy	Knickerbocker	Parish	Stanton
Berg	Fjoslien	Knoll	Patton	Suss
Berglin	Forsythe	Kostohryz	Pehler	Swanson
Biersdorf	Friedrich	Kroening	Peterson	Tomlinson
Birnstihl	Fudro	Kvam	Petrafeso	Ulland
Braun	Fugina	Laidig	Philbrook	Vanasek
Brinkman	George	Langseth	Pleasant	Vento
Byrne	Graba	Lemke	Prahl	Volk
Carlson, A.	Hanson	Lindstrom	Reding	Wenstrom
Carlson, L.	Haugerud	Luther	St. Onge	Wenzel
Carlson, R.	Heinitz	Mangan	Samuelson	White
Casserly	Hokanson	Mann	Sarna	Wieser
Clark	Jacobs	McCarron	Savelkoul	Wigley
Clawson	Jaros	McCauley	Schreiber	Williamson
Corbid	Jensen	McCollar	Schulz	Zubay
Dahl	Johnson, C.	McEachern	Schumacher	Speaker Sabo
Dean	Johnson, D.	Menning	Searle	
DeGroat	Jopp	Metzen	Setzepfandt	
Dieterich	Jude	Moe	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 2007, A bill for an act relating to the city of Wayzata; volunteer firemen's service pensions; amending Laws 1973, Chapter 472, Section 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 133, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Sherwood
Adams, L.	Eckstein	Kaley	Neisen	Sieben, H.
Adams, S.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Faricy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Kvam	Petraleso	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Volk
Carlson, L.	Haugerud	Luther	Rice	Wenstrom
Carlson, R.	Heinitz	Mangan	St. Onge	Wenzel
Casserly	Hokanson	Mann	Samuelson	White
Clark	Jacobs	McCarron	Sarna	Wieser
Clawson	Jaros	McCauley	Savelkoul	Wigley
Corbid	Jensen	McCollar	Schreiber	Williamson
Dahl	Johnson, C.	McEachern	Schulz	Zubay
Dean	Johnson, D.	Menning	Schumacher	Speaker Sabo
DeGroat	Jopp	Metzen	Searle	
Dieterich	Jude	Moe	Setzpfandt	

The bill was passed and its title agreed to.

H. F. No. 2009, A bill for an act relating to the city of Eveleth; firemen's pensions therein; amending Laws 1935, Chapter 208, Section 11, as added.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 133, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Anderson, G.	Begich	Birnstihl	Carlson, A.
Adams, L.	Anderson, I.	Berg	Braun	Carlson, L.
Adams, S.	Arlandson	Berglin	Brinkman	Carlson, R.
Albrecht	Beauchamp	Biersdorf	Byrne	Casserly

Clark	Hanson	Kvam	Parish	Simoneau
Clawson	Haugerud	Laidig	Patton	Skoglund
Corbid	Heinitz	Langseth	Pehler	Smith
Dahl	Hokanson	Lemke	Peterson	Smogard
Dean	Jacobs	Lindstrom	Petrafeso	Spanish
DeGroat	Jaros	Luther	Philbrook	Stanton
Dieterich	Jensen	Mangan	Pleasant	Suss
Doty	Johnson, C.	Mann	Prahl	Swanson
Eckstein	Johnson, D.	McCarron	Reding	Tomlinson
Eken	Jopp	McCauley	Rice	Ulland
Enebo	Jude	McCollar	St. Onge	Vanasek
Erickson	Kahn	McEachern	Samuelson	Vento
Esau	Kaley	Menning	Sarna	Volk
Evans	Kalis	Metzen	Savelkoul	Wenstrom
Ewald	Kelly, R.	Moe	Schreiber	Wenzel
Faricy	Kelly, W.	Munger	Schulz	White
Fjoslien	Kempe, A.	Neisen	Schumacher	Wieser
Forsythe	Kempe, R.	Nelsen	Searle	Wigley
Friedrich	Ketola	Nelson	Setzepfandt	Williamson
Fudro	Knickerbocker	Niehaus	Sherwood	Zubay
Fugina	Knoll	Norton	Sieben, H.	Speaker Sabo
George	Kostohryz	Novak	Sieben, M.	
Graba	Kroening	Osthoff	Sieloff	

The bill was passed and its title agreed to.

H. F. No. 2010, A bill for an act relating to the city of Eveleth; increase in police pensions; amending Laws 1965, Chapter 636, Section 8, as added.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 132, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dean	Jaros	Mangan	Prahl
Adams, L.	DeGroat	Jensen	Mann	Reding
Adams, S.	Dieterich	Johnson, C.	McCarron	Rice
Albrecht	Doty	Johnson, D.	McCauley	St. Onge
Anderson, G.	Eckstein	Jopp	McCollar	Samuelson
Anderson, I.	Eken	Jude	McEachern	Sarna
Arlandson	Enebo	Kahn	Menning	Savelkoul
Beauchamp	Erickson	Kaley	Metzen	Schreiber
Begich	Esau	Kalis	Moe	Schumacher
Berg	Evans	Kelly, R.	Munger	Searle
Berglin	Ewald	Kelly, W.	Neisen	Setzepfandt
Biersdorf	Faricy	Kempe, A.	Nelsen	Sherwood
Birnstihl	Fjoslien	Kempe, R.	Nelson	Sieben, H.
Braun	Forsythe	Ketola	Niehaus	Sieben, M.
Brinkman	Friedrich	Knickerbocker	Norton	Sieloff
Byrne	Fudro	Knoll	Novak	Simoneau
Carlson, A.	Fugina	Kostohryz	Osthoff	Skoglund
Carlson, L.	George	Kroening	Parish	Smith
Carlson, R.	Graba	Kvam	Patton	Smogard
Casserly	Hanson	Laidig	Pehler	Spanish
Clark	Haugerud	Langseth	Peterson	Stanton
Clawson	Heinitz	Lemke	Petrafeso	Suss
Corbid	Hokanson	Lindstrom	Philbrook	Swanson
Dahl	Jacobs	Luther	Pleasant	Tomlinson

Ulland	Volk	White	Williamson	Speaker Sabo
Vanasek	Wenstrom	Wieser	Zubay	
Vento	Wenzel	Wigley		

The bill was passed and its title agreed to.

H. F. No. 2090, A bill for an act relating to the city of Worthington; volunteer firemen's service pensions.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 133, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Sherwood
Adams, L.	Eckstein	Kaley	Neisen	Sieben, H.
Adams, S.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Fariy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Kvam	Petrafaso	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Volk
Carlson, L.	Haugerud	Luther	Rice	Wenstrom
Carlson, R.	Heinitz	Mangan	St. Onge	Wenzel
Casserly	Hokanson	Mann	Samuelson	White
Clark	Jacobs	McCarron	Sarna	Wieser
Clawson	Jaros	McCauley	Savelkoul	Wigley
Corbid	Jensen	McCollar	Schreiber	Williamson
Dahl	Johnson, C.	McEachern	Schulz	Zubay
Dean	Johnson, D.	Menning	Schumacher	Speaker Sabo
DeGroat	Jopp	Metzen	Searle	
Dieterich	Jude	Moe	Setzepfandt	

The bill was passed and its title agreed to.

H. F. No. 2155, A bill for an act relating to retirement; proportionate annuities for members of various funds; amending Minnesota Statutes, 1975 Supplement, Section 356.32, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Neisen	Sieben, H.
Adams, L.	Eken	Kalis	Nelsen	Sieben, M.
Adams, S.	Enebo	Kelly, R.	Nelson	Sieloff
Albrecht	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, G.	Esau	Kempe, A.	Norton	Skoglund
Anderson, I.	Evans	Kempe, R.	Novak	Smogard
Arlandson	Ewald	Ketola	Osthoff	Spanish
Beauchamp	Faricy	Knickerbocker	Parish	Stanton
Begich	Fjoslien	Knoll	Patton	Suss
Berg	Forsythe	Kostohryz	Peehler	Swanson
Berglin	Friedrich	Kroening	Peterson	Tomlinson
Biersdorf	Fudro	Kvam	Petrafeso	Ulland
Birnstihl	Fugina	Laidig	Philbrook	Vanasek
Braun	George	Langseth	Pleasant	Vento
Brinkman	Graba	Lemke	Prah	Volk
Byrne	Hanson	Lindstrom	Reding	Wenstrom
Carlson, A.	Haugerud	Luther	Rice	Wenzel
Carlson, L.	Heinitz	Mangan	St. Onge	White
Carlson, R.	Hokanson	Mann	Samuelson	Wieser
Casserly	Jacobs	McCarron	Sarna	Wigley
Clark	Jaros	McCauley	Savelkoul	Williamson
Clawson	Jensen	McCollar	Schreiber	Zubay
Dahl	Johnson, C.	McEachern	Schulz	Speaker Sabo
Dean	Johnson, D.	Menning	Schumacher	
DeGroat	Jopp	Metzen	Searle	
Dieterich	Jude	Moe	Setzepfandt	
Doty	Kahn	Munger	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 2159, A bill for an act relating to the city of Minneapolis; municipal employees survivor benefits; amending Minnesota Statutes 1974, Section 422A.23, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Section 422A.23, Subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 132, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, A.	Evans	Jensen	Kroening
Adams, L.	Carlson, L.	Ewald	Johnson, C.	Kvam
Adams, S.	Carlson, R.	Faricy	Johnson, D.	Laidig
Albrecht	Casserly	Fjoslien	Jopp	Langseth
Anderson, G.	Clark	Forsythe	Jude	Lemke
Anderson, I.	Clawson	Friedrich	Kahn	Lindstrom
Arlandson	Dahl	Fudro	Kaley	Luther
Beauchamp	Dean	Fugina	Kalis	Mangan
Begich	DeGroat	George	Kelly, R.	Mann
Berg	Dieterich	Graba	Kelly, W.	McCarron
Berglin	Doty	Hanson	Kempe, A.	McCauley
Biersdorf	Eckstein	Haugerud	Kempe, R.	McCollar
Birnstihl	Eken	Heinitz	Ketola	McEachern
Braun	Enebo	Hokanson	Knickerbocker	Menning
Brinkman	Erickson	Jacobs	Knoll	Metzen
Byrne	Esau	Jaros	Kostohryz	Moe

Munger	Peterson	Schreiber	Smith	Wenstrom
Neisen	Petrafeso	Schulz	Smogard	Wenzel
Nelsen	Philbrook	Schumacher	Spanish	White
Nelson	Pleasant	Searle	Stanton	Wieser
Niehaus	Prahl	Setzepfandt	Suss	Wigley
Norton	Reding	Sherwood	Swanson	Williamson
Novak	Rice	Sieben, H.	Tomlinson	Zubay
Osthoff	St. Onge	Sieben, M.	Ulland	Speaker Sabo
Parish	Samuelson	Sieloff	Vanasek	
Patton	Sarna	Simoneau	Vento	
Pehler	Savelkoul	Skoglund	Volk	

The bill was passed and its title agreed to.

H. F. No. 2321, A bill for an act relating to the city of Sauk Rapids; fireman's lump sum service pensions; amending Laws 1973, Chapter 481, Section 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 133, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Sherwood
Adams, L.	Eckstein	Kaley	Neisen	Sieben, H.
Adams, S.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Fariay	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Kvam	Petrafeso	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Volk
Carlson, L.	Haugerud	Luther	Rice	Wenstrom
Carlson, R.	Heinitz	Mangan	St. Onge	Wenzel
Cassery	Hokanson	Mann	Samuelson	White
Clark	Jacobs	McCarron	Sarna	Wieser
Clawson	Jaros	McCauley	Savelkoul	Wigley
Corbid	Jensen	McCollar	Schreiber	Williamson
Dahl	Johnson, C.	McEachern	Schulz	Zubay
Dean	Johnson, D.	Menning	Schumacher	Speaker Sabo
DeGroat	Jopp	Metzen	Searle	
Dieterich	Jude	Moe	Setzepfandt	

The bill was passed and its title agreed to.

H. F. No. 2338, A bill for an act relating to the city of Fergus Falls; firemen's service pensions; amending Laws 1971, Chapter 2, Section 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 133, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Sherwood
Adams, L.	Eckstein	Kaley	Neisen	Sieben, H.
Adams, S.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehau	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Faricy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Kvam	Petrafeso	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Voik
Carlson, L.	Haugerud	Luther	Rice	Wenstrom
Carlson, R.	Heinitz	Mangan	St. Onge	Wenzel
Casserly	Hokanson	Mann	Samuelson	White
Clark	Jacobs	McCarron	Sarna	Wieser
Clawson	Jaros	McCauley	Savelkoul	Wigley
Corbid	Jensen	McCollar	Schreiber	Williamson
Dahl	Johnson, C.	McEachern	Schulz	Zubay
Dean	Johnson, D.	Menning	Schumacher	Speaker Sabo
DeGroat	Jopp	Metzen	Searle	
Dieterich	Jude	Moe	Setzepfandt	

The bill was passed and its title agreed to.

H. F. No. 2518, A bill for an act relating to the city of Hastings; removing certain restrictions on the use of certain lands conveyed by the state to the city; amending Extra Session Laws 1967, Chapter 18, Section 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 3, as follows:

Those who voted in the affirmative were:

Abeln	Berg	Carlson, R.	Doty	Forsythe
Adams, L.	Berglin	Casserly	Eckstein	Friedrich
Adams, S.	Biersdorf	Clark	Eken	Fudro
Albrecht	Birnstihl	Clawson	Enebo	Fugina
Anderson, G.	Braun	Corbid	Erickson	George
Anderson, I.	Brinkman	Dahl	Esau	Graba
Arlandson	Byrne	Dean	Evans	Hanson
Beauchamp	Carlson, A.	DeGroat	Ewald	Haugerud
Begich	Carlson, L.	Dieterich	Fjoslien	Heinitz

Hokanson	Kostohryz	Munger	Rice	Smogard
Jacobs	Kroening	Neisen	St. Onge	Spanish
Jaros	Kvam	Nelsen	Samuelson	Stanton
Jensen	Laidig	Nelson	Sarna	Suss
Johnson, C.	Langseth	Niehaus	Savelkoul	Swanson
Johnson, D.	Lemke	Norton	Schreiber	Tomlinson
Jopp	Lindstrom	Novak	Schulz	Vanasek
Jude	Luther	Osthoff	Schumacher	Vento
Kaley	Mangan	Parish	Searle	Volk
Kalis	Mann	Patton	Setzepfandt	Wenstrom
Kelly, R.	McCarron	Pehler	Sherwood	Wenzel
Kelly, W.	McCauley	Peterson	Sieben, H.	White
Kempe, A.	McCollar	Petrafeso	Sieben, M.	Wieser
Kempe, R.	McEachern	Philbrook	Sieloff	Wigley
Ketola	Menning	Pleasant	Simoneau	Williamson
Knickerbocker	Metzen	Prahl	Skoglund	Zubay
Knoll	Moe	Reding	Smith	Speaker Sabo

Those who voted in the negative were:

Faricy                      Kahn                      Ulland

The bill was passed and its title agreed to.

H. F. No. 1926, A bill for an act relating to drugs; clarifying the prohibition against sale or possession of legend drugs by certain persons; authorizing local detoxification centers to purchase and possess legend drugs; amending Minnesota Statutes 1974, Section 151.37, Subdivision 5.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 133, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Hokanson	Lemke	Peterson
Adams, L.	Dean	Jacobs	Lindstrom	Petrafeso
Adams, S.	DeGroat	Jaros	Luther	Philbrook
Albrecht	Dieterich	Jensen	Mangan	Pleasant
Anderson, G.	Doty	Johnson, C.	Mann	Prahl
Anderson, I.	Eckstein	Johnson, D.	McCarron	Reding
Arlandson	Eken	Jopp	McCauley	Rice
Beauchamp	Enebo	Jude	McCollar	St. Onge
Begich	Erickson	Kahn	McEachern	Samuelson
Berg	Esau	Kaley	Menning	Sarna
Berglin	Evans	Kalis	Metzen	Savelkoul
Biersdorf	Ewald	Kelly, R.	Moe	Schreiber
Birnstihl	Faricy	Kelly, W.	Munger	Schulz
Braun	Fjoslien	Kempe, A.	Neisen	Schumacher
Brinkman	Forsythe	Kempe, R.	Nelsen	Searle
Byrne	Friedrich	Ketola	Nelson	Setzepfandt
Carlson, A.	Fudro	Knickerbocker	Niehaus	Sherwood
Carlson, L.	Fugina	Knoll	Norton	Sieben, H.
Carlson, R.	George	Kostohryz	Novak	Sieben, M.
Casserly	Graba	Kroening	Osthoff	Sieloff
Clark	Hanson	Kvam	Parish	Simoneau
Clawson	Haugerud	Laidig	Patton	Skoglund
Corbid	Heinitz	Langseth	Pehler	Smith

Smogard	Swanson	Vento	White	Zubay
Spanish	Tomlinson	Volk	Wieser	Speaker Sabo
Stanton	Ulland	Wenstrom	Wigley	
Suss	Vanasek	Wenzel	Williamson	

The bill was passed and its title agreed to.

H. F. No. 2342, A bill for an act relating to state hospitals; providing certain name changes; amending Minnesota Statutes 1974, Sections 252.025, Subdivision 1; 253.201; 253A.02, by adding a subdivision; and 254.05.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Eken	Kaley	Munger	Sieben, H.
Adams, L.	Enebo	Kalis	Neisen	Sieben, M.
Adams, S.	Erickson	Kelly, R.	Nelsen	Sieloff
Albrecht	Esau	Kelly, W.	Nelson	Simoneau
Anderson, G.	Evans	Kempe, A.	Niehaus	Skoglund
Anderson, I.	Ewald	Kempe, R.	Norton	Smith
Arlandson	Faricy	Ketola	Novak	Smogard
Beauchamp	Fjoslien	Knickerbocker	Osthoff	Spanish
Begich	Forsythe	Knoll	Parish	Stanton
Berg	Friedrich	Kostohryz	Patton	Suss
Berglin	Fudro	Kroening	Pehler	Swanson
Birnstihl	Fugina	Kvam	Peterson	Tomlinson
Braun	George	Laidig	Petrafaso	Ulland
Brinkman	Graba	Langseth	Philbrook	Vanasek
Byrne	Hanson	Lemke	Prahl	Vento
Carlson, L.	Haugerud	Lindstrom	Reding	Volk
Carlson, R.	Heinitz	Luther	Rice	Wenstrom
Clark	Hokanson	Mangan	St. Onge	Wenzel
Clawson	Jacobs	Mann	Samuelson	White
Corbid	Jaros	McCarron	Sarna	Wieser
Dahl	Jensen	McCauley	Schreiber	Wigley
Dean	Johnson, C.	McCollar	Schulz	Williamson
DeGroat	Johnson, D.	McEachern	Schumacher	Zubay
Dieterich	Jopp	Menning	Searle	Speaker Sabo
Doty	Jude	Metzen	Setzepfandt	
Eckstein	Kahn	Moe	Sherwood	

Those who voted in the negative were:

Carlson, A.

The bill was passed and its title agreed to.

H. F. No. 2441, A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted and obsolete references and text; reenacting certain laws inadvertently repealed; eliminating certain duplicitious and conflicting provisions superseded by or conflicting with other pro-

visions of law; amending Minnesota Statutes 1974, Chapter 359, by adding a section; Sections 9.031, Subdivision 3; 15.50, Subdivision 2; 16.02, Subdivision 14; 16.13; 16.872, Subdivision 2; 16A.125, Subdivision 6; 30.464, Subdivision 1; 30.467; 30.469; 38.02, Subdivision 2; 43.07, Subdivision 1; 72A.25, Subdivision 3; 86.41; 110.53; 116F.08; 121.85; 121.86; 121.88; 123.32, Subdivision 7; 144.01; 144.63, Subdivision 2; 144.952, Subdivision 1; 151.02; 155.04; 156.11; 176.471, Subdivision 3; 205.10, as amended; 216.25; 239.46; 246.02, Subdivision 4; 248.07, Subdivision 4; 253A.02, Subdivision 18; 256.863; 256.935, Subdivision 1; 256D.21; 268.10, Subdivision 8; 270.10, Subdivision 1; 271.10, Subdivision 2; 275.127; 291.33, Subdivision 1; 298.281, Subdivision 5; 306.38, Subdivision 2; 309.52, Subdivision 1a; 319A.11, Subdivision 2; 341.05, Subdivision 2; 341.06; 341.07; 341.08; 341.09, Subdivisions 2 and 3; 341.12; 341.13; 341.15; 345.38, Subdivision 1; 355.80; 363.10; 366.10; 368.01, Subdivision 25; 375A.09, Subdivision 4; 414.07, Subdivision 2; 414.08; 430.031, Subdivision 4; 462A.04, Subdivision 1; 472.03, Subdivision 2; 481.15, Subdivision 2; 487.03, Subdivision 2; 490.12, Subdivision 5; 490.16, Subdivision 6; 532.38; 546.09; 546.10; 562.04; 617.41; Minnesota Statutes, 1975 Supplement, Sections 15.162, Subdivision 1; 15.163, Subdivision 2; 15.166, Subdivisions 1 and 2; 15.167; 43.12, Subdivision 23; 43.43, Subdivision 2; 82.18; 116A.01, Subdivision 1a; 116A.20, Subdivision 1; 116A.24, Subdivision 1; 121.87, Subdivision 1; 123.36, Subdivision 10; 124.03, Subdivision 1; 124.212, Subdivision 8a; 127.25, Subdivision 3; 136A.233, Subdivision 1; 144.53; 147.01; 148.03; 148.181, Subdivision 1; 148.52; 148.67; 150A.02, Subdivision 1; 153.02; 154.22; 156.01, Subdivision 1; 210A.09; 273.138, Subdivision 3; 298.281, Subdivision 1; 325.942, Subdivision 1; 326.04; 326.17; 326.241, Subdivision 1; 326.541; 341.01; 341.04; 341.05, Subdivision 1; 341.10; 341.11; 354A.12; 386.63, Subdivision 1; 473.204, Subdivision 2; 473.823, Subdivision 4; 488A.01, Subdivision 5; 500.24, Subdivision 2; 501.81, Subdivision 3; Laws 1975, Chapter 271, Section 3; reenacting Laws 1969, Chapters 1123, as amended; 1126, Section 2, as amended; and 1137, as amended; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivision 1a; 123.31, as amended; 239.45; and 366.182; Laws 1975, Chapters 46, Section 11; 162, Section 28; and 342, Section 1; Laws 1976, Chapter 2, Section 152.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Anderson, I.	Berglin	Byrne	Clark
Adams, L.	Arlandson	Biersdorf	Carlson, A.	Clawson
Adams, S.	Beauchamp	Birnstihl	Carlson, L.	Corbid
Albrecht	Begich	Braun	Carlson, R.	Dahl
Anderson, G.	Berg	Brinkman	Casserly	Dean

DeGroat	Jacobs	Lindstrom	Peterson	Smith
Dieterich	Jaros	Luther	Petrafeso	Smogard
Doty	Jensen	Mangan	Philbrook	Spanish
Eckstein	Johnson, C.	Mann	Pleasant	Stanton
Eken	Johnson, D.	McCarron	Prahl	Suss
Enebo	Jopp	McCauley	Reding	Swanson
Erickson	Jude	McCollar	Rice	Tomlinson
Esau	Kahn	McEachern	St. Onge	Ulland
Evans	Kaley	Menning	Samuelson	Vento
Ewald	Kalis	Metzen	Sarna	Volk
Faricy	Kelly, R.	Moe	Savelkoul	Wenstrom
Fjoslien	Kelly, W.	Munger	Schreiber	Wenzel
Forsythe	Kempe, A.	Neisen	Schulz	White
Friedrich	Kempe, R.	Nelsen	Schumacher	Wieser
Fudro	Ketola	Nelson	Searle	Wigley
Fugina	Knickerbocker	Niehaus	Setzepfandt	Williamson
George	Kostohryz	Norton	Sherwood	Zubay
Graba	Kroening	Novak	Sieben, H.	Speaker Sabo
Hanson	Kvam	Osthoff	Sieben, M.	
Haugerud	Laidig	Parish	Sieloff	
Heinitz	Langseth	Patton	Simoneau	
Hokanson	Lemke	Pehler	Skoglund	

Those who voted in the negative were:

Knoll

The bill was passed and its title agreed to.

H. F. No. 2442, A bill for an act relating to Minnesota Statutes; restoring certain erroneously omitted language; amending Laws 1975, Chapter 347, Section 3.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 133, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Clark	Fugina	Kempe, R.	Moe
Adams, L.	Clawson	George	Ketola	Munger
Adams, S.	Corbid	Graba	Knickerbocker	Neisen
Albrecht	Dahl	Hanson	Knoll	Nelsen
Anderson, G.	Dean	Haugerud	Kostohryz	Nelson
Anderson, I.	DeGroat	Heinitz	Kroening	Niehaus
Arlandson	Dieterich	Hokanson	Kvam	Norton
Beauchamp	Doty	Jacobs	Laidig	Novak
Begich	Eckstein	Jaros	Langseth	Osthoff
Berg	Eken	Jensen	Lemke	Parish
Bergman	Enebo	Johnson, C.	Lindstrom	Patton
Biersdorf	Erickson	Johnson, D.	Luther	Pehler
Birnstihl	Esau	Jopp	Mangan	Peterson
Braun	Evans	Jude	Mann	Petrafeso
Brinkman	Ewald	Kahn	McCarron	Philbrook
Byrne	Faricy	Kaley	McCauley	Pleasant
Carlson, A.	Fjoslien	Kalis	McCollar	Prahl
Carlson, L.	Forsythe	Kelly, R.	McEachern	Reding
Carlson, R.	Friedrich	Kelly, W.	Menning	Rice
Cassery	Fudro	Kempe, A.	Metzen	St. Onge

Samuelson	Setzepfandt	Smith	Ulland	Wieser
Sarna	Sherwood	Smogard	Vanasek	Wigley
Savelkoul	Sieben, H.	Spanish	Vento	Williamson
Schreiber	Sieben, M.	Stanton	Volk	Zubay
Schulz	Sieloff	Suss	Wenstrom	Speaker Sabo
Schumacher	Simoneau	Swanson	Wenzel	
Searle	Skoglund	Tomlinson	White	

The bill was passed and its title agreed to.

H. F. No. 2463, A bill for an act relating to highway traffic regulations; defining terms; authorizing flashing lights on certain vehicles; authorizing certain vehicles to be equipped with a flashing amber lamp and to display the lighted lamp under certain conditions; amending Minnesota Statutes 1974, Sections 169.01, by adding a subdivision; and 169.64, Subdivision 3, and by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Neisen	Sieben, H.
Adams, L.	Eken	Kalis	Nelsen	Sieben, M.
Adams, S.	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Faricy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Swanson
Biersdorf	Friedrich	Kroening	Peterson	Tomlinson
Birnstill	Fudro	Kvam	Petrafaso	Ulland
Braun	Fugina	Laidig	Philbrook	Vanasek
Brinkman	George	Langseth	Pleasant	Vento
Byrne	Graba	Lemke	Prahl	Volk
Carlson, A.	Hanson	Lindstrom	Reding	Wenstrom
Carlson, L.	Haugerud	Luther	Rice	Wenzel
Carlson, R.	Heinitz	Mangan	St. Onge	White
Casserly	Hokanson	Mann	Samuelson	Wieser
Clark	Jacobs	McCarron	Sarna	Wigley
Clawson	Jarós	McCauley	Savelkoul	Williamson
Corbid	Jensen	McCollar	Schreiber	Zubay
Dahl	Johnson, C.	McEachern	Schulz	Speaker Sabo
Dean	Johnson, D.	Manning	Schumacher	
DeGroat	Jopp	Metzen	Searle	
Dieterich	Jude	Moe	Setzepfandt	
Doty	Kahn	Munger	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 2490, A bill for an act relating to highways; designating and establishing the route of the "Glacial Ridge Trail"; amending Minnesota Statutes 1974, Section 161.14, Subdivision 15.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 5, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kaley	Neisen	Sherwood
Adams, L.	Eckstein	Kalis	Nelsen	Sieben, H.
Adams, S.	Eken	Kelly, R.	Nelson	Sieben, M.
Albrecht	Enebo	Kelly, W.	Niehau	Sieloff
Anderson, G.	Erickson	Kempe, A.	Norton	Simoneau
Anderson, I.	Esau	Kempe, R.	Novak	Skoglund
Arlandson	Evans	Ketola	Osthoff	Smith
Beauchamp	Ewald	Knickerbocker	Parish	Smogard
Begich	Fjoslien	Knoll	Patton	Spanish
Berg	Forsythe	Kostohryz	Pehler	Stanton
Berglin	Friedrich	Kroening	Peterson	Suss
Biersdorf	Fudro	Kvam	Petrafero	Swanson
Birnstihl	Fugina	Laidig	Philbrook	Tomlinson
Braun	George	Langseth	Pleasant	Vanasek
Brinkman	Graba	Lemke	Prahl	Vento
Byrne	Hanson	Lindstrom	Reding	Wenstrom
Carlson, L.	Haugerud	Luther	Rice	Wenzel
Carlson, R.	Heintz	Mangan	St. Onge	White
Casserly	Hokanson	Mann	Samuelson	Wieser
Clark	Jacobs	McCarron	Sarna	Wigley
Clawson	Jaros	McCauley	Savelkoul	Williamson
Corbid	Jensen	McCollar	Schreiber	Zubay
Dahl	Johnson, C.	McEachern	Schulz	Speaker Sabo
Dean	Johnson, D.	Menning	Schumacher	
DeGroat	Jopp	Metzen	Searle	
Dieterich	Jude	<b>Moe</b>	Setzepfandt	

Those who voted in the negative were:

Carlson, A.	Faricy	Kahn	Ulland	Volk
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The bill was passed and its title agreed to.

## CALENDAR

H. F. No. 608, A bill for an act relating to labor; specifying a minimum wage rate for agricultural sugar beet workers; appropriating money; amending Minnesota Statutes 1974, Chapter 177, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill.

Pehler moved that those not voting be excused from voting. The motion prevailed.

The roll being called, there were yeas 73, and nays 58, as follows:

## Those who voted in the affirmative were:

Abeln	Dean	Kempe, R.	Novak	Sieben, M.
Adams, L.	Dieterich	Ketola	Osthoff	Simoneau
Anderson, I.	Enebo	Knoll	Parish	Skoglund
Arlandson	Faricy	Kostohryz	Patton	Spanish
Begich	Fudro	Kroening	Pehler	Stanton
Berg	Fugina	Luther	Petrafeso	Swanson
Berglin	George	Mangan	Philbrook	Tomlinson
Birnstihl	Hanson	McCarron	Pleasant	Ulland
Byrne	Hokanson	McCollar	Prahl	Vanasek
Carlson, A.	Jacobs	Metzen	Reding	Vento
Carlson, L.	Jaros	Moe	Rice	Volk
Casserly	Johnson, D.	Munger	St. Onge	White
Clark	Kahn	Neisen	Samuelson	Speaker Sabo
Clawson	Kelly, R.	Nelson	Sarna	
Dahl	Kempe, A.	Norton	Sieben, H.	

## Those who voted in the negative were:

Adams, S.	Eken	Johnson, C.	Mann	Setzepfandt
Albrecht	Erickson	Jopp	McCauley	Sherwood
Anderson, G.	Esau	Jude	McEachern	Smith
Beauchamp	Evans	Kaley	Menning	Smogard
Biersdorf	Ewald	Kalis	Neisen	Suss
Braun	Fjoslien	Kelly, W.	Niehaus	Wenstrom
Brinkman	Forsythe	Knickerbocker	Peterson	Wenzel
Carlson, R.	Friedrich	Kvam	Savelkoul	Wieser
Corbid	Graba	Laidig	Schreiber	Wigley
DeGroat	Haugerud	Langseth	Schulz	Zubay
Doty	Heinitz	Lemke	Schumacher	
Eckstein	Jensen	Lindstrom	Searle	

The bill was passed and its title agreed to.

H. F. No. 424, A bill for an act relating to tort liability of cities, counties, towns, public authorities, certain public corporations, school districts and political subdivisions of the state; amending Minnesota Statutes 1974, Section 466.05, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 13, as follows:

## Those who voted in the affirmative were:

Abeln	Brinkman	Doty	George	Kahn
Adams, L.	Byrne	Eckstein	Hanson	Kaley
Anderson, G.	Carlson, A.	Eken	Haugerud	Kelly, R.
Anderson, I.	Carlson, L.	Enebo	Hokanson	Kelly, W.
Arlandson	Carlson, R.	Evans	Jacobs	Kempe, A.
Beauchamp	Casserly	Ewald	Jaros	Kempe, R.
Begich	Clark	Faricy	Jensen	Ketola
Berg	Clawson	Forsythe	Johnson, C.	Knickerbocker
Berglin	Corbid	Friedrich	Johnson, D.	Knoll
Birnstihl	Dean	Fudro	Jopp	Kostohryz
Braun	Dieterich	Fugina	Jude	Kroening

Kvam	Metzen	Philbrook	Sherwood	Ulland
Laidig	Moe	Pleasant	Sieben, H.	Vanasek
Langseth	Munger	Prahl	Sieben, M.	Vento
Lemke	Nelson	Reding	Simoneau	Volk
Lindstrom	Norton	Rice	Skoglund	Wenstrom
Luther	Novak	St. Onge	Smith	Wenzel
Mangan	Osthoff	Samuelson	Smogard	White
Mann	Parish	Sarna	Spanish	Wieser
McCarron	Patton	Savelkoul	Stanton	Wigley
McCauley	Pehler	Schulz	Suss	Williamson
McEachern	Peterson	Schumacher	Swanson	Zubay
Menning	Petrafeso	Setzepfandt	Tomlinson	Speaker Sabo

Those who voted in the negative were:

Adams, S.	DeGroat	Graba	Neisen	Searle
Albrecht	Erickson	Heinitz	Niehaus	
Biersdorf	Esau	Kalis	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 2022, A bill for an act relating to real property; title registration; providing for the issuance of duplicate certificates of title to replace lost or destroyed duplicate certificates; prescribing fees of the registrar; amending Minnesota Statutes 1974, Sections 508.44 and 508.82.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jopp	Metzen	Schumacher
Adams, L.	Doty	Jude	Moe	Searle
Adams, S.	Eckstein	Kahn	Munger	Setzepfandt
Albrecht	Eken	Kaley	Neisen	Sherwood
Anderson, G.	Enebo	Kalis	Nelsen	Sieben, M.
Anderson, I.	Erickson	Kelly, R.	Nelson	Simoneau
Arlandson	Esau	Kelly, W.	Niehaus	Skoglund
Beauchamp	Evans	Kempe, A.	Norton	Smith
Begich	Ewald	Kempe, R.	Novak	Smogard
Berg	Faricy	Ketola	Osthoff	Spanish
Berglin	Fjoslien	Knickerbocker	Parish	Stanton
Biersdorf	Forsythe	Knoll	Patton	Suss
Birstihl	Friedrich	Kostohryz	Pehler	Swanson
Braun	Fudro	Kroening	Peterson	Tomlinson
Brinkman	Fugina	Kvam	Petrafeso	Ulland
Byrne	George	Laidig	Philbrook	Vanasek
Carlson, A.	Graba	Langseth	Pleasant	Vento
Carlson, L.	Hanson	Lemke	Prahl	Volk
Carlson, R.	Haugerud	Lindstrom	Reding	Wenstrom
Casserly	Heinitz	Luther	Rice	Wenzel
Clark	Hokanson	Mangan	St. Onge	Wieser
Clawson	Jacobs	Mann	Samuelson	Wigley
Corbid	Jaros	McCarron	Sarna	Williamson
Dahl	Jensen	McCauley	Savelkoul	Zubay
Dean	Johnson, C.	McEachern	Schreiber	Speaker Sabo
DeGroat	Johnson, D.	Menning	Schulz	

The bill was passed and its title agreed to.

H. F. No. 2344, A bill for an act relating to physicians; requiring continuing medical education; providing for reporting of credit hours, granting of extensions, and discipline; defining terms.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Jude	Munger	Setzepfandt
Adams, L.	Eckstein	Kahn	Neisen	Sherwood
Adams, S.	Eken	Kaley	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Faricy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Kvam	Petraieso	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Volk
Carlson, L.	Haugerud	Luther	Rice	Wenstrom
Carlson, R.	Heinitz	Mangan	St. Onge	Wenzel
Casserly	Hokanson	Mann	Samuelson	White
Clawson	Jacobs	McCarron	Sarna	Wieser
Corbid	Jaros	McCauley	Savelkoul	Wigley
Dahl	Jensen	McEachern	Schreiber	Williamson
Dean	Johnson, C.	Menning	Schulz	Zubay
DeGroat	Johnson, D.	Metzen	Schumacher	Speaker Sabo
Dieterich	Jopp	Moe	Searle	

The bill was passed and its title agreed to.

H. F. No. 1866, bill for an act relating to tort liability; raising the liability limits of political subdivisions; limiting the liability of individuals employed by political subdivisions; amending Minnesota Statutes 1974, Sections 466.04, Subdivision 1, and by adding subdivisions; and 466.05, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Jude	Munger	Sherwood
Adams, L.	Eckstein	Kahn	Neisen	Sieben, H.
Adams, S.	Eken	Kaley	Nelsen	Sieben, M.
Albrecht	Enebo	Kalis	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, R.	Niehaus	Simoneau
Anderson, I.	Esau	Kelly, W.	Norton	Skoglund
Arlandson	Evans	Kempe, A.	Novak	Smith
Beauchamp	Ewald	Kempe, R.	Osthoff	Smogard
Begich	Faricy	Ketola	Parish	Spanish
Berg	Fjoslien	Knickerbocker	Patton	Stantish
Berglin	Forsythe	Knoll	Pehler	Suss
Biersdorf	Friedrich	Kostohryz	Peterson	Swanson
Birnsthil	Fudro	Kroening	Philbrook	Tomlinson
Braun	Fugina	Kvam	Pleasant	Ulland
Brinkman	George	Laidig	Prahl	Vanasek
Byrne	Graba	Langseth	Reding	Vento
Carlson, A.	Hanson	Lemke	Rice	Volk
Carlson, L.	Haugerud	Lindstrom	St. Onge	Wenstrom
Carlson, R.	Heinitz	Luther	Samuelson	Wenzel
Casserly	Hokanson	Mangan	Sarna	White
Clark	Jacobs	McCarron	Savelkoul	Wieser
Clawson	Jaros	McCauley	Schreiber	Wigley
Corbid	Jensen	McEachern	Schulz	Williamson
Dean	Johnson, C.	Menning	Schumacher	Zubay
DeGroat	Johnson, D.	Metzen	Searle	Speaker Sabo
Dieterich	Jopp	Moe	Setzefandt	

The bill was passed and its title agreed to.

### SPECIAL ORDERS

H. F. No. 1056, A bill for an act relating to crimes; prohibiting occupying or entering buildings without a claim of right or the owner's consent except in the case of an emergency; amending Minnesota Statutes 1974, Section 609.605.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Byrne	Erickson	Jacobs	Ketola
Adams, L.	Carlson, A.	Esau	Jaros	Knickerbocker
Adams, S.	Carlson, L.	Ewald	Jensen	Knoll
Albrecht	Carlson, R.	Faricy	Johnson, C.	Kostohryz
Anderson, G.	Casserly	Fjoslien	Johnson, D.	Kroening
Anderson, I.	Clark	Forsythe	Jopp	Kvam
Arlandson	Clawson	Fudro	Jude	Laidig
Beauchamp	Corbid	Fugina	Kahn	Langseth
Begich	Dahl	George	Kaley	Lemke
Berg	Dean	Graba	Kalis	Lindstrom
Berglin	DeGroat	Hanson	Kelly, R.	Luther
Biersdorf	Eckstein	Haugerud	Kelly, W.	Mangan
Birnsthil	Eken	Heinitz	Kempe, A.	Mann
Braun	Enebo	Hokanson	Kempe, R.	McCarron

McCauley	Osthoff	Samuelson	Simoneau	Volk
McCollar	Parish	Sarna	Skoglund	Wenstrom
McEachern	Patton	Savelkoul	Smith	Wenzel
Menning	Pehler	Schreiber	Smogard	White
Metzen	Peterson	Schulz	Spanish	Wieser
Moe	Petrafeso	Schumacher	Stanton	Wigley
Munger	Philbrook	Searle	Suss	Williamson
Neisen	Pleasant	Setzepfandt	Swanson	Zubay
Nelsen	Prahl	Sherwood	Tomlinson	Speaker Sabo
Nelson	Reding	Sieben, H.	Ulland	
Niehaus	Rice	Sieben, M.	Vanasek	
Novak	St. Onge	Sieloff	Vento	

Those who voted in the negative were:

Dieterich

The bill was passed and its title agreed to.

H. F. No. 1699 was reported to the House.

Savelkoul moved to amend H. F. No. 1699, as follows:

Page 2, after line 19, add a section to read:

*"Sec. 3. The right of a customer created by this act shall be extended to the customer of any telephone company customer residing within 1/2 mile of any service area boundary on the same terms and conditions as set forth in Sec. 2."*

The motion did not prevail and the amendment was not adopted.

H. F. No. 1699, A bill for an act relating to public utilities furnishing at retail electric service; providing that a customer may elect to purchase electric service from either electric utility providing him with service when he has buildings on land constituting his homestead located within more than one assigned service area; amending Minnesota Statutes 1974, Section 216B.40; and Chapter 216B, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Arlandson	Birnstihl	Casserly	DeGroat
Adams, L.	Beauchamp	Braun	Clark	Dieterich
Adams, S.	Begich	Byrne	Clawson	Doty
Albrecht	Berg	Carlson, A.	Corbid	Eckstein
Anderson, G.	Berglin	Carlson, L.	Dahl	Eken
Anderson, I.	Biersdorf	Carlson, R.	Dean	Enebo

Erickson	Jopp	McCarron	Pleasant	Smith
Esau	Jude	McCauley	Prahl	Smogard
Ewald	Kahn	McCollar	Reding	Spanish
Faricy	Kaley	McEachern	Rice	Stanton
Fjoslien	Kalis	Menning	St. Onge	Suss
Forsythe	Kelly, R.	Metzen	Samuelson	Swanson
Friedrich	Kelly, W.	Moe	Sarna	Tomlinson
Fudro	Kempe, A.	Neisen	Saveikoul	Ulland
Fugina	Kempe, R.	Nelsen	Schreiber	Vanasek
George	Ketola	Nelson	Schulz	Vento
Graba	Knickerbocker	Niehaus	Schumacher	Volk
Hanson	Knoll	Norton	Searle	Wenstrom
Haugerud	Kostohryz	Novak	Setzepfandt	Wenzel
Heinitz	Kvam	Osthoff	Sherwood	White
Hokanson	Laidig	Parish	Sieben, H.	Wieser
Jacobs	Lemke	Patton	Sieben, M.	Wigley
Jensen	Luther	Pehler	Sieloff	Zubay
Johnson, C.	Mangan	Peterson	Simoneau	Speaker Sabo
Johnson, D.	Mann	Philbrook	Skoglund	

The bill was passed and its title agreed to.

McCauley was excused for the remainder of today's session.

H. F. No. 2066, A bill for an act relating to the city of Minneapolis; authorizing a commercial and industrial lease and revenue bond guarantee program; providing for the issuance of limited general obligation bonds, and limited revenue bonds or obligations.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 74, and nays 53, as follows:

Those who voted in the affirmative were:

Anderson, I.	Doty	Kelly, W.	Munger	Sieben, M.
Arlandson	Eken	Kempe, A.	Nelson	Simoneau
Beauchamp	Enebo	Ketola	Norton	Skoglund
Berg	Evans	Knoll	Osthoff	Smith
Berglin	Fudro	Kostohryz	Patton	Smogard
Birnstihl	Fugina	Kroening	Pehler	Spanish
Brinkman	George	Langseth	Petrafeso	Stanton
Byrne	Hanson	Lemke	Philbrook	Tomlinson
Carlson, L.	Jacobs	Lindstrom	Reding	Vanasek
Carlson, R.	Jaros	Mann	Rice	Vento
Casserly	Jensen	McCarron	St. Onge	Volk
Clark	Johnson, D.	McCollar	Samuelson	Wenzel
Corbid	Jude	McEachern	Sarna	White
Dahl	Kahn	Metzen	Schreiber	Speaker Sabo
Dieterich	Kelly, R.	Moe	Sieben, H.	

Those who voted in the negative were:

Abeln	Anderson, G.	Biersdorf	Dean	Erickson
Adams, L.	Albrecht	Braun	DeGroat	Esau
Adams, S.	Begich	Carlson, A.	Eckstein	Ewald

Faricy	Johnson, C.	Mangan	Pleasant	Suss
Fjoslien	Jopp	Menning	Prahl	Swanson
Forsythe	Kaley	Neisen	Savelkoul	Ulland
Friedrich	Kempe, R.	Nelsen	Schulz	Wieser
Graba	Knickerbocker	Niehaus	Schumacher	Wigley
Haugerud	Kvam	Novak	Searle	Zubay
Heinitz	Laidig	Parish	Setzepfandt	
Hokanson	Luther	Peterson	Sieloff	

The bill was passed and its title agreed to.

H. F. No. 2286, A bill for an act relating to driver licenses; permitting limited licenses for violators of no-fault law; amending Minnesota Statutes 1974, Section 171.30, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 37, and nays 80, as follows:

Those who voted in the affirmative were:

Anderson, I.	Eckstein	Mangan	Parish	Vanasek
Beauchamp	Enebo	McEachern	Patton	Vento
Berglin	Jacobs	Menning	Pehler	Voik
Birnstihl	Johnson, D.	Metzen	Reding	Wenzel
Brinkman	Kahn	Moe	St. Onge	Speaker Sabo
Casserly	Kalis	Neisen	Setzepfandt	
Clark	Knoll	Nelsen	Sieben, M.	
Dahl	Lemke	Nelson	Simoneau	

Those who voted in the negative were:

Abeln	DeGroat	Jaros	Luther	Schumacher
Adams, L.	Doty	Jensen	Mann	Sherwood
Adams, S.	Eken	Johnson, C.	McCarron	Sieloff
Albrecht	Erickson	Jopp	McCollar	Skoglund
Anderson, G.	Esau	Jude	Munger	Smogard
Arlandson	Evans	Kaley	Niehaus	Spanish
Begich	Ewald	Kelly, R.	Norton	Stanton
Berg	Faricy	Kelly, W.	Novak	Swanson
Braun	Fjoslien	Kempe, A.	Peterson	Tomlinson
Byrne	Forsythe	Kempe, R.	Petrafaso	Ulland
Carlson, A.	Friedrich	Ketola	Philbrook	Wenstrom
Carlson, L.	Graba	Knickerbocker	Pleasant	White
Carlson, R.	Hanson	Kostohryz	Prahl	Wieser
Clawson	Haugerud	Kvam	Savelkoul	Wigley
Corbid	Heinitz	Laidig	Schreiber	Williamson
Dean	Hokanson	Langseth	Schulz	Zubay

The bill was not passed.

H. F. No. 1801 was reported to the House.

Clawson moved to amend H. F. No. 1801, as follows:

Page 2, line 28, after "payee" insert "or".

The motion prevailed and the amendment was adopted.

Luther moved to amend H. F. No. 1801, as amended, as follows:

Page 2, line 31, after "with" insert "subdivisions 2 or 3 of".

Page 2, after line 31, insert a new subdivision to read as follows:

*"Subd. 5. A financial institution shall, at the time of closing a checking account, notify the customer of the same by personally serving a notice on the customer or by sending a notice to the customer by certified mail, return receipt requested."*

The motion prevailed and the amendment was adopted.

Luther moved to amend H. F. No. 1801, as amended, as follows:

Page 2, line 12, after "opened" and before the period insert "*and the financial institution shall not open a checking account until satisfied that all such returned checks have been honored or paid*".

The motion did not prevail and the amendment was not adopted.

There being no objection, H. F. No. 1801, as amended, was continued on Special Orders for one day.

George was excused for the remainder of today's session.

H. F. No. 1883, A bill for an act relating to telephone companies; requiring telephone companies engaged in certain operations to receive a permit from the public service commission; requiring the companies to notify the public service commission before terminating or suspending operation; providing for a hearing; permitting the public service commission to issue orders and rules.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 111, and nays 14, as follows:

Those who voted in the affirmative were:

Abeln	Dean	Kahn	Metzen	Simoneau
Adams, L.	DeGroat	Kaley	Munger	Skoglund
Adams, S.	Dieterich	Kelly, R.	Neisen	Smith
Anderson, G.	Doty	Kelly, W.	Norton	Smogard
Anderson, I.	Eckstein	Kempe, A.	Novak	Spanish
Arlandson	Eken	Kempe, R.	Osthoff	Stanton
Beauchamp	Enebo	Ketola	Parish	Suss
Begich	Evans	Knickerbocker	Patton	Swanson
Berg	Ewald	Knoll	Pehler	Ulland
Berglin	Friedrich	Kostohryz	Philbrook	Vanasek
Biersdorf	Fudro	Kroening	Pleasant	Vento
Birnstihl	Fugina	Kvam	Prahl	Volk
Braun	Graba	Laidig	Reding	Wenstrom
Brinkman	Hanson	Langseth	St. Onge	Wenzel
Byrne	Haugerud	Lemke	Samuelson	White
Carlson, A.	Hokanson	Lindstrom	Sarna	Wieser
Carlson, L.	Jacobs	Luther	Schreiber	Wigley
Carlson, R.	Jaros	Mangan	Schulz	Williamson
Cassery	Jensen	Mann	Schumacher	Speaker Sabo
Clark	Johnson, C.	McCarron	Setzepfandt	
Clawson	Johnson, D.	McCollar	Sherwood	
Corbid	Jopp	McEachern	Sieben, H.	
Dahl	Jude	Menning	Sieben, M.	

Those who voted in the negative were:

Albrecht	Farcy	Moe	Peterson	Sieloff
Erickson	Forsythe	Nelsen	Savelkoul	Zubay
Esau	Heinitz	Niehaus	Searle	

The bill was passed and its title agreed to.

H. F. No. 2107, A bill for an act relating to public employees; providing for payment of attorney's fees necessary to obtain benefits for survivors of peace officers killed in line of duty; amending Minnesota Statutes 1974, Chapter 352E, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Birnstihl	Dean	Forsythe	Johnson, C.
Adams, L.	Braun	DeGroat	Friedrich	Johnson, D.
Adams, S.	Brinkman	Dieterich	Fudro	Jopp
Albrecht	Byrne	Doty	Fugina	Jude
Anderson, G.	Carlson, A.	Eckstein	Graba	Kahn
Anderson, I.	Carlson, L.	Eken	Hanson	Kaley
Arlandson	Carlson, R.	Enebo	Haugerud	Kalis
Beauchamp	Cassery	Erickson	Heinitz	Kelly, R.
Begich	Clark	Esau	Hokanson	Kelly, W.
Berg	Clawson	Evans	Jacobs	Kempe, A.
Berglin	Corbid	Farcy	Jaros	Kempe, R.
Biersdorf	Dahl	Fjostien	Jensen	Ketola

Knickerbocker	McEachern	Pehler	Searle	Ulland
Knoll	Menning	Peterson	Setzepfandt	Vanasek
Kostohryz	Metzen	Petrafeso	Sherwood	Vento
Kroening	Moe	Philbrook	Sieben, H.	Volk
Kvam	Munger	Pleasant	Sieben, M.	Wenstrom
Laidig	Neisen	Prahl	Sieloff	Wenzel
Langseth	Nelsen	Reding	Simoneau	White
Lemke	Nelson	St. Onge	Skoglund	Wieser
Lindstrom	Niehaus	Samuelson	Smith	Wigley
Luther	Norton	Sarna	Smogard	Williamson
Mangan	Novak	Savelkoul	Spanish	Zubay
Mann	Osthoff	Schreiber	Stanton	Speaker Sabo
McCarron	Parish	Schulz	Suss	
McCollar	Patton	Schumacher	Swanson	

The bill was passed and its title agreed to.

H. F. No. 2239 was reported to the House.

Osthoff moved to amend H. F. No. 2239, as follows:

Page 2, line 25, delete "Section 265.98" and insert "Section 256.98".

The motion prevailed and the amendment was adopted.

H. F. No. 2239, A bill for an act relating to unemployment compensation; providing for the use of certain information in fraud investigations; amending Minnesota Statutes 1974, Section 268.12, Subdivision 12.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Clark	Hanson	Knoll	Nelson
Adams, L.	Clawson	Haugerud	Kostohryz	Niehaus
Adams, S.	Corbid	Heinitz	Kroening	Norton
Albrecht	Dahl	Hokanson	Kvam	Novak
Anderson, G.	Dean	Jacobs	Laidig	Osthoff
Anderson, I.	DeGroat	Jaros	Langseth	Parish
Arlandson	Dieterich	Jensen	Lemke	Patton
Beauchamp	Doty	Johnson, C.	Lindstrom	Pehler
Begich	Eckstein	Johnson, D.	Luther	Peterson
Berg	Eken	Jopp	Mangan	Petrafeso
Berglin	Enebo	Jude	Mann	Philbrook
Biersdorf	Erickson	Kahn	McCarron	Pleasant
Birnstihl	Evans	Kaley	McCollar	Prahl
Braun	Faricy	Kalis	McEachern	Reding
Brinkman	Fjoslien	Kelly, R.	Menning	Rice
Byrne	Forsythe	Kelly, W.	Metzen	St. Onge
Carlson, A.	Friedrich	Kempe, A.	Moe	Samuelson
Carlson, L.	Fudro	Kempe, R.	Munger	Sarna
Carlson, R.	Fugina	Ketola	Neisen	Savelkoul
Casserly	Graba	Knickerbocker	Nelsen	Schreiber

Schulz	Sieloff	Stanton	Wenstrom	Zubay
Schumacher	Simoneau	Swanson	Wenzel	Speaker Sabo
Searle	Skoglund	Ulland	White	
Setzepfandt	Smith	Vanasek	Wieser	
Sherwood	Smogard	Vento	Wigley	
Sieben, M.	Spanish	Volk	Williamson	

The bill was passed, as amended, and its title agreed to.

Friedrich and Wigley were excused for the remainder of today's session.

H. F. No. 1993 was reported to the House.

Birnstihl moved to amend H. F. No. 1993, as follows:

Page 2, line 24, before "*subdivisions*" insert "*and within the limitations of*".

Page 2, line 27, strike "*Pursuant to*".

Page 2, line 28, strike "*rules promulgated under subdivision 3,*".

Page 3, line 25, strike "*Pursuant to*".

Page 3, line 26, strike "*rules promulgated under subdivision 3,*".

Page 4, line 18, after "*provision*" insert "*or addition*".

Page 4, line 22, strike "*, or before a*" and insert "*; or (1) its designee, (2) a person mutually agreed to by the school board and the parent or guardian, or (3) a person appointed by the commissioner. A decision pursuant to (1), (2), or (3) shall be subject to review by the school board at its option.*".

Page 4, strike lines 23 and 24.

Page 4, line 25, strike "*of disagreement.*".

Page 4, line 27, strike "*The cost of all*".

Page 4, line 28, strike "*hearings shall be paid by the school district.*".

Page 4, line 29, after "*hearing*" insert "*or review*".

Page 4, line 30, after "*hearing*" insert "*or review*".

Page 5, line 23, strike "*school*".

Page 5, line 24, strike "boards".

Page 5, line 24, after "decisions" insert "by school boards or their designees".

Page 5, line 27, after "on" insert "a review of".

Page 5, line 27, strike "transcript" and insert "entire record".

Page 5, line 29, strike "school boards".

Page 5, line 30, after "decisions" insert "by school boards or their designees".

Page 5, line 32, strike "before an" and insert "conducted pursuant to the provisions of chapter 15".

Page 6, line 1, strike "impartial hearing officer appointed by the commissioner".

Page 6, line 3, strike "officer" and insert "examiner".

Page 6, line 3, strike "The cost of all such appeals and hearings".

Page 6, strike line 4.

The motion prevailed and the amendment was adopted.

H. F. No. 1993, A bill for an act relating to education; providing standards for the education of handicapped children; requiring a hearing and appeals process; limiting expenditures to meet federal requirements; amending Minnesota Statutes 1974, Section 120.17, Subdivisions 3 and 4, and by adding subdivisions; and Minnesota Statutes, 1975 Supplement, Section 120.17, Subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 3, as follows:

Those who voted in the affirmative were:

Abeln	Begich	Carlson, A.	Dean	Erickson
Adams, L.	Berg	Carlson, L.	DeGroat	Evans
Adams, S.	Berglin	Carlson, R.	Dieterich	Ewald
Anderson, G.	Biersdorf	Casserly	Doty	Fariy
Anderson, I.	Birnstihl	Clark	Eckstein	Fjoslien
Arlandson	Braun	Clawson	Eken	Forsythe
Beauchamp	Byrne	Dahl	Enebo	Fudro

Fugina	Kempe, A.	Menning	Reding	Spanish
Graba	Kempe, R.	Metzen	Rice	Stanton
Hanson	Ketola	Moe	St. Onge	Suss
Haugerud	Knickerbocker	Munger	Samuelson	Swanson
Heinitz	Knoll	Neisen	Sarna	Tomlinson
Hokanson	Kostohryz	Nelsen	Savelkoul	Ulland
Jacobs	Kroening	Nelson	Schreiber	Vanasek
Jaros	Kvam	Norton	Schulz	Vento
Jensen	Laidig	Novak	Schumacher	Volk
Johnson, C.	Langseth	Osthoff	Searle	Wenstrom
Johnson, D.	Lemke	Parish	Setzepfandt	Wenzel
Jopp	Lindstrom	Patton	Sherwood	White
Jude	Luther	Pehler	Sieben, H.	Wieser
Kahn	Mangan	Peterson	Sieben, M.	Williamson
Kaley	Mann	Petrafeso	Sieloff	Zubay
Kalis	McCarron	Philbrook	Simoneau	Speaker Sabo
Kelly, R.	McCollar	Pleasant	Skoglund	
Kelly, W.	McEachern	Prahl	Smogard	

Those who voted in the negative were:

Albrecht      Corbid      Niehaus

The bill was passed, as amended, and its title agreed to.

H. F. No. 2172, A bill for an act relating to municipalities within Dakota county; providing for financing of the Dakota County League of Municipalities; amending Laws 1967, Chapter 112, Section 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Johnson, C.	Mann	Rice
Adams, L.	Dieterich	Johnson, D.	McCollar	St. Onge
Adams, S.	Doty	Jopp	McEachern	Samuelson
Albrecht	Eckstein	Jude	Menning	Sarna
Anderson, G.	Eken	Kahn	Metzen	Savelkoul
Anderson, I.	Enebo	Kaley	Moe	Schreiber
Arlandson	Erickson	Kalis	Munger	Schulz
Beauchamp	Esau	Kelly, R.	Neisen	Schumacher
Begich	Evans	Kelly, W.	Nelsen	Searle
Berg	Ewald	Kempe, A.	Nelson	Setzepfandt
Berglin	Faricy	Kempe, R.	Niehaus	Sherwood
Biersdorf	Fjoslien	Ketola	Norton	Sieben, H.
Birnstihl	Forsythe	Knickerbocker	Novak	Sieben, M.
Braun	Fudro	Knoll	Osthoff	Sieloff
Byrne	Fugina	Kostohryz	Parish	Simoneau
Carlson, A.	Graba	Kroening	Patton	Skoglund
Carlson, L.	Hanson	Kvam	Pehler	Smith
Carlson, R.	Haugerud	Laidig	Peterson	Smogard
Clark	Heinitz	Langseth	Petrafeso	Spanish
Clawson	Hokanson	Lemke	Philbrook	Stanton
Corbid	Jacobs	Lindstrom	Pleasant	Suss
Dahl	Jaros	Luther	Prahl	Swanson
Dean	Jensen	Mangan	Reding	Tomlinson

Ulland  
Vanasek  
Vento

Volk  
Wenstrom  
Wenzel

White  
Wieser  
Williamson

Zubay

Speaker Sabo

The bill was passed and its title agreed to.

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders for Thursday, March 11, 1976, immediately following the Calendar. The motion prevailed.

There being no objection the order of business reverted to Reports of Standing Committees.

### REPORTS OF STANDING COMMITTEES

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1143, A bill for an act relating to public health; providing that chiropractic colleges shall be entitled to receive cadavers for the purpose of anatomical study; amending Minnesota Statutes 1974, Section 145.14.

Reported the same back with the following amendments:

Page 1, line 17, after the period insert "*The maximum number of cadavers allotted to a chiropractic college shall be 16 per year.*".

Page 1, line 23, after the period insert the following:

"Sec. 2. Minnesota Statutes 1974, Section 525.923, is amended to read:

525.923 [PERSONS WHO MAY BECOME DONEES; PURPOSES FOR WHICH ANATOMICAL GIFTS MAY BE MADE.] The following persons may become donees of gifts of bodies or parts thereof for the purposes stated:

(1) any hospital, surgeon, or physician, for medical or dental education, research, advancement of medical or dental science, therapy, or transplantation; or

(2) any accredited medical or dental school, college or university for education, research, advancement of medical or dental science, therapy, or transplantation; or

(3) any bank or storage facility, for medical or dental education, research, advancement of medical or dental science, therapy, or transplantation; or

(4) any specified individual for therapy or transplantation needed by him; or

(5) *any approved chiropractic college for education, research or advancement of chiropractic science.*"

Further amend the title as follows:

Line 5, delete "Section" and insert "Sections" and after "145.14" insert "and 525.923".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2274, A bill for an act relating to public welfare; establishing pilot programs for community mental health treatment; naming a nonprofit corporation to administer programs; appropriating money; amending Minnesota Statutes 1974, Chapter 245, by adding a section.

Reported the same back with the following amendments:

Page 1, line 11, delete "Subdivision 1."

Page 1, line 15, after "ill" delete "or mentally deficient".

Page 1, line 16, after "persons" insert "currently".

Page 1, delete lines 22 and 23.

Page 2, delete lines 1 to 12.

Page 2, line 14, delete "department" and insert "commissioner".

Further amend the title as follows:

Page 1, delete line 4.

Page 1, line 5, delete "programs;".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. No. 1143 was read for the second time.

## GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued until Thursday, March 11, 1976.

## MOTIONS AND RESOLUTIONS

Samuelson moved that the name of Spanish be added as an author on H. F. No. 2510. The motion prevailed.

Wenstrom moved that the name of Langseth be stricken and the name of Stanton be added as an author on H. F. No. 2233. The motion prevailed.

Skoglund moved that the name of Dean be stricken as an author on H. F. No. 2558. The motion prevailed.

Pehler moved that the name of Stanton be added as an author on H. F. No. 608. The motion prevailed.

Berglin moved that H. F. No. 2469 be recalled from the Committee on Crime Prevention and Corrections and be re-referred to the Committee on Judiciary. The motion prevailed.

Parish moved that S. F. No. 1967 be recalled from the Committee on Judiciary and together with H. F. No. 2307, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

Vanasek moved that H. F. No. 2414, now on General Orders, be re-referred to the Committee on Taxes. The motion prevailed.

## ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Thursday, March 11, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## EIGHTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 11, 1976

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kahn	Munger	Setzepfandt
Adams, L.	Eckstein	Kaley	Neisen	Sherwood
Adams, S.	Eken	Kalis	Nelsen	Sieben, H.
Albrecht	Enebo	Kelly, R.	Nelson	Sieben, M.
Anderson, G.	Erickson	Kelly, W.	Niehaus	Sieloff
Anderson, I.	Esau	Kempe, A.	Norton	Simoneau
Arlandson	Evans	Kempe, R.	Novak	Skoglund
Beauchamp	Ewald	Ketola	Osthoff	Smith
Begich	Faricy	Knickerbocker	Parish	Smogard
Berg	Fjoslien	Knoll	Patton	Spanish
Berglin	Forsythe	Kostohryz	Pehler	Stanton
Birnstihl	Friedrich	Kroening	Peterson	Suss
Braun	Fudro	Kvam	Petrafeso	Swanson
Brinkman	Fugina	Laidig	Philbrook	Tomlinson
Byrne	George	Langseth	Pleasant	Ulland
Carlson, A.	Graba	Lemke	Prahl	Vanasek
Carlson, L.	Hanson	Lindstrom	Reding	Vento
Carlson, R.	Haugerud	Luther	Rice	Volk
Casserly	Heinitz	Mangan	St. Onge	Wenstrom
Clark	Hokanson	Mann	Samuelson	Wenzel
Clawson	Jacobs	McCarron	Sarna	White
Corbid	Jaros	McCollar	Savelkoul	Wieser
Dahl	Jensen	McEachern	Schreiber	Wigley
Dean	Johnson, C.	Menning	Schulz	Williamson
DeGroat	Jopp	Metzen	Schumacher	Zubay
Dieterich	Jude	Moe	Searle	Speaker Sabo

A quorum was present.

McCauley and Voss were excused. Biersdorf was excused until 2:40 p.m. Johnson, D., was excused until 3:45 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Kalis the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1202, 2037, 2063, 2305, 2307, 2413, 2315, 2461, 2560, 2600, 1615, 1938, 1970, 2019, 2214, 2233, 2277, 2472, 2477, 2489, 2504, 1865, 2026, 2139, 2263, 2350, 2370, 1267, 1801, 1944, 2068, 2440, 2374, 2443, 2485, 1143, 1993, 2084 and 2239 have been placed in the members' files.

S. F. No. 1967 and H. F. No. 2307, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Wenzel moved that S. F. No. 1967 be substituted for H. F. No. 2307 and that the House File be indefinitely postponed. The motion prevailed.

## PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
ST. PAUL 55155

March 11, 1976

The Honorable Martin Sabo  
Speaker of the House

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following House Files:

H. F. No. 749, An act relating to controlled substances; providing medical and educational intervention, evaluation, and treatment of persons in possession of small amounts of marijuana; providing penalties for possession of small amounts of marijuana and prohibiting municipalities from enacting ordinances imposing greater civil or criminal penalties than provided by state law for the possession, sale or distribution of small amounts of marijuana.

H. F. No. 945, An act relating to employment services, unemployment compensation; excluding and exempting family farm corporation officers from certain provisions.

Sincerely,

WENDELL R. ANDERSON  
Governor

## REPORTS OF STANDING COMMITTEES

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1579, A bill for an act relating to commerce; providing for the licensing and regulation of building contractors; prescribing penalties.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [DEFINITIONS.] Subdivision 1. As used in sections 2 to 8, the following terms shall have the meanings given them.

Subd. 2. "Class A builder" means a person who, in the pursuit of an independent business, undertakes or offers to undertake, or submits a bid, to construct, alter, repair, improve, move, or demolish a structure. This subdivision shall apply only to builders whose business operations require the use of three or more building trades or crafts during the normal course of business activity.

Subd. 3. "Class B builder" means a person not eligible for class A who:

(a) Is authorized to perform work in a trade or craft; and

(b) Is independently responsible for any work on a structure. Construction activities covered in class B shall include, but not be limited to, the installation, construction, replacement, or improvement of concrete and blacktop driveways, swimming pools, porches, garages, fall out shelters, central heating or air conditioning, storm windows, awnings, fire and burglar alarms, and other improvements to structures.

Subd. 4. "Commissioner" means the commissioner of administration.

Subd. 5. "Person" includes an individual, firm, partnership, association, and nonprofit and business corporations.

Sec. 2. [LICENSES.] Subdivision 1. A person shall not do work or submit a bid to do work as a class A or B builder in a political subdivision which has adopted or is enforcing the state building code, unless he has first obtained a license issued by the commissioner.

Subd. 2. No political subdivision of the state shall issue a building permit to anyone required to be licensed under this section who does not have such license.

Subd. 3. No political subdivision of the state shall require any licensee to be registered, licensed or pay any license or registration fee or post license bond under any ordinance, law, rule or regulation of the political subdivision. This subdivision only prohibits local imposition of an occupational licensing or registration scheme and does not prohibit charging for building permits or other charges not directly related to occupational licensing or registration.

Subd. 4. It is prima facie evidence of doing business as a class A or B builder if within any one 12 month period a person offers for sale two or more structures on which he or his employee has performed work if the retail value of the structures exceeds the prior calendar year's assessed valuation by \$5,000.

Subd. 5. It is prima facie evidence that the licensee conducts a separate independent business if he is licensed pursuant to sections 2 to 8.

Subd. 6. A class A or B builder may not bring or maintain an action for compensation for the performance of any work described in section 1 unless said builder was licensed pursuant to sections 2 to 8 at the time of bidding or entering into a contract for the performance of the work.

Sec. 3. [APPLICATION FOR LICENSE.] A person who wishes to be licensed as a class A or B builder shall submit an application to the commissioner, under oath, on a form prescribed by the commissioner. The application shall include the following information regarding the applicant:

- (1) Employer's social security account number;
- (2) Workers' compensation insurance account number;
- (3) Unemployment insurance account number;
- (4) State withholding tax account number;
- (5) Federal withholding tax account number;
- (6) Whether the person is a class A builder or a class B builder, and, if the latter, the type of specialty engaged in;
- (7) The name and address of:

- (a) Each partner or venturer, if the applicant is a partnership or a joint venture;
- (b) The owner, if the applicant is an individual proprietorship;
- (c) The corporate officers, if the applicant is a corporation.

Sec. 4. [LICENSING.] Subdivision 1. The commissioner may promulgate rules in accordance with Minnesota Statutes, Chapter 15, governing the issuance of a license. The rules may prescribe the form of license application and classes or exemptions authorized pursuant to sections 2 to 8.

Subd. 2. Application and renewal fees shall be as follows:

- (a) \$75 for original licensing and renewal of a class A builder's license; and
- (b) \$45 for original licensing and renewal of a class B builder's license.

Fees collected shall be distributed two-thirds to the municipality or town in which the licensee's principal place of business is located, or if not located in a municipality or town to the county in which the licensee's principal place of business is located, and one-third shall be deposited with the state treasurer and credited to the general fund.

Subd. 3. A class A builder or a class B builder who is applying for a license shall file with the commissioner a license bond in the amount of \$2,500 annual aggregate with the state of Minnesota as obligee, conditioned that the builder will comply with the provisions of sections 2 to 8. In lieu of the license bond required by this subdivision, the builder may file with the commissioner, under the same terms and conditions as stated above, a deposit in cash or negotiable securities acceptable to the commissioner.

Subd. 4. At the time of licensing the applicant shall furnish the commissioner satisfactory evidence that he has in effect public liability and property damage insurance covering his work subject to sections 2 to 8 in the sum of not less than:

- (a) \$50,000 for property damage;
- (b) \$100,000 for injury or damage, including death, to any one person; and
- (c) \$300,000 for injury or damage, including death, arising out of any one accident.

The insurer shall notify the commissioner of the cancellation of any insurance required by this section not later than ten days before the effective date of such cancellation.

Subd. 5. A license is valid for one year from the date of issuance. It may be renewed by the same procedure as for an original license upon application and the furnishing of such additional information as the commissioner may require.

Sec. 5. [ISSUANCE MANDATORY; GROUNDS FOR DENIAL, REVOCATION OR SUSPENSION.] The commissioner shall issue a license to any person who qualifies under sections 2 to 8 and under rules of the commissioner. The commissioner shall not issue a license to any person, or may suspend, revoke, or refuse to renew the license of any person when he finds:

(a) That the licensee or applicant has submitted false information in his application for licensing or renewal;

(b) That the insurance required by section 4, subdivision 4, is not in effect;

(c) That the bond or security required by section 4, subdivision 3, is not in effect;

(d) That the licensee or applicant has engaged in conduct as a builder that is dishonest or fraudulent;

(e) That the licensee or applicant has violated sections 2 to 8 or an order of the commissioner;

(f) That the licensee has not performed quality workmanship.

Sec. 6. [HEARINGS.] Any person aggrieved by a determination of the commissioner in refusing to grant a license or a renewal thereof or by a determination of the commissioner in revoking or suspending a license is entitled to a hearing thereon as in a contested case under Minnesota Statutes, Chapter 15.

Sec. 7. [INVESTIGATIONS; POWERS.] Subdivision 1. The commissioner may investigate the activities of any person engaged in the building industry to determine compliance with sections 2 to 8.

Subd. 2. The commissioner shall make an investigation within 20 days after receipt of a complaint made by any political subdivision of the state alleging a violation of sections 2 to 8. Within 45 days after receipt of the complaint, the commissioner shall notify the complainant as to whether he will propose any remedial action, and the reasons therefor.

Subd. 3. The commissioner has the power to administer oaths, issue notices and subpoenas in the name of the commissioner, compel the attendance of witnesses and the production of evidence, hold hearings, and perform such other acts as are reasonably necessary to carry out his duties under sections 2 to 8.

Sec. 8. [EXEMPTIONS AND EXCLUSIONS; POWER TO CREATE EXEMPTIONS AND EXCLUSIONS.] Subdivision 1. The mandatory licensing requirements of section 2 shall not apply to:

(a) Construction, alteration, improvement, or repair by the federal government, the state of Minnesota, or any political subdivision of the state;

(b) A person who solely furnishes materials, supplies, equipment, or finished products, to a builder;

(c) An owner who contracts for work to be performed by a person required to be licensed under the provisions of sections 2 to 8;

(d) A person who is licensed under any state agency to do work for which a license is otherwise required by sections 2 to 8;

(e) A person performing work on property owned and occupied by him, unless subject to section 2, subdivision 4;

(f) A person who performs work subject to sections 2 to 8, for compensation as an employee of a builder;

(g) Construction, alteration, improvement, or repair of a farm building or structure not for human habitation.

Subd. 2. The commissioner may by rule provide for exemptions or exclusions in addition to those prescribed in this section when he deems that the public interest does not require licensing.

Sec. 9. [EFFECTIVE DATE.] This act is effective January 1, 1977."

Further, strike the title and insert:

"A bill for an act relating to commerce; requiring the licensing of builders; requiring bonds and insurance."

With the recommendation that when so amended the bill do 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:

S. F. No. 1411, A bill for an act relating to education; agreements when school district has insufficient funds to pay orders; increasing the maximum permissible interest rate to eight percent per year; amending Minnesota Statutes 1974, Section 124.06.

Reported the same back with the following amendments:

Page 1, line 15, delete "*eight*" and insert "*seven*".

Page 1, line 23, delete "*eight*" and insert "*seven*".

Amend the title in line 5 by deleting "*eight*" and inserting "*seven*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1592, A bill for an act relating to retirement; police pensions in cities of the fourth class; amending Minnesota Statutes 1974, Sections 423.55; 423.56; and 423.58.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [SURVIVOR BENEFITS.] Subdivision 1. Notwithstanding Minnesota Statutes, Section 423.58, when a service pensioner, disability pensioner, deferred pensioner, or an active member of the Crookston police relief association or the Thief River Falls police relief association dies, leaving a surviving spouse, one or more surviving children, or both, such surviving spouse and said child or children shall be entitled to a pension or pensions as follows:

(1) To such surviving spouse a pension in an amount equal to 30 percent of the member's average monthly salary earned as a police officer over the last six months of allowable service preceding death, payable monthly for the surviving spouse's natural life; provided, however, that if the surviving spouse shall remarry, then such pension shall cease and terminate as of the date of remarriage.

(2) To such child or children, until the child reaches the age of 18 years, or age of 21 years if dependent and a full time student, a monthly benefit equal to ten percent of the member's average monthly salary earned as a police officer over the last full six months of allowable service preceding death. Payments for the benefit of any qualified dependent child under the age of 18 years shall be made to the surviving parent or if there be none, to the legal guardian of such child. The maximum monthly benefit for any one family shall not exceed \$450, and the minimum benefit per family shall not be less than \$150. If the member shall die under circumstances which entitle his surviving spouse and dependent children to receive benefits under the workers' compensation law, the amounts so received by them shall not be deducted from the benefits payable under this section.

Subd. 2. (a) "Surviving spouse" means a person who became the member's legally married spouse while or prior to the time he was on the payroll of any such police department as a police officer, and remained such continuously after their marriage until his death, without having applied for any divorce or legal separation, and who, in case the deceased member was a service or deferred pensioner, was legally married to such member before his retirement from said police department; and who, in any case, was residing with him at the time of his death. No temporary absence for purposes of business, health or pleasure, shall constitute a change of residence for the purposes of this section.

(b) "Surviving child" means any child born the issue of the lawful wedlock of a service, disability or deferred pensioner, or of a deceased active member.

Sec. 2. This act with respect to the Crookston police relief association is effective upon approval by the governing body of the city of Crookston and upon compliance with Minnesota Statutes, Section 645.021, and this act with respect to the Thief River Falls police relief association is effective upon approval by the governing body of the city of Thief River Falls and upon compliance with Minnesota Statutes, Section 645.021."

Further, amend the title as follows:

Page 1, delete line 3.

Page 1, delete line 4 and insert "of Crookston and Thief River Falls."

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1651, A bill for an act relating to workmen's compensation insurance; subjecting approvals of rate increases to the administrative procedures act; permitting the commissioner of insurance to employ an actuary; requiring the commissioner to consider certain matters in considering rate increases; permitting the commissioner to charge a fee; amending Minnesota Statutes 1974, Chapter 79, by adding sections; and Section 79.20.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 79.01, Subdivision 1, is amended to read:

79.01 [DEFINITIONS.] Subdivision 1. [TERMS.] Unless the language or context clearly indicates that a different meaning is intended, the following terms, for the purposes of sections 79.01 to (79.23) 79.32, shall have the meanings ascribed to them.

Sec. 2. Minnesota Statutes 1974, Section 79.01, is amended by adding a subdivision to read:

*Subd. 6. "Rate" means the rate applicable to a classification of employers.*

Sec. 3. Minnesota Statutes 1974, Section 79.01, is amended by adding a subdivision to read:

*Subd. 7. "Individual rate" means the rate as modified to be applicable to an individual employer.*

Sec. 4. Minnesota Statutes 1974, Section 79.07, is amended to read:

79.07 [INSURANCE RATES.] *Subdivision 1.* To provide for the solvency of insurers writing (WORKMAN'S) workers' compensation insurance in this state and to secure reasonable rates, the commissioner shall approve a minimum, adequate, fair, and reasonable rate, including the expense of a reasonable charge which the commissioner may approve for the services of an agent of record whether or not an employee or agent of the insurer, for the service of rejected risks as set forth in sections 79.24 to 79.27, for each classification under which such business is written.

*Subd. 2. Every insurer, or the bureau in behalf of its insurer members, writing workers' compensation insurance in this state shall, except as otherwise ordered by the commissioner, file with*

*the commissioner its rates for this insurance and all additions thereto or changes therein. All rates so filed shall comply with the requirements of law and shall not be effective or used until approved as to such compliance by the commissioner after a hearing under section 6. A rate which is filed and approved shall not be changed until the substituted rate has been filed for at least 15 days and has been approved by the commissioner after a hearing under section 6.*

*Subd. 3. (IN) Before approving (THESE RATES) or disapproving rate or classification modifications that will result in a rate change for a class of insureds, the commissioner shall hold a hearing under section 6 and make findings in support thereof and make use of the experience which from time to time may be available and of such other helpful information as may be obtainable. An applicant for a rate change shall submit to the commissioner such information as the commissioner determines is necessary to fully consider the effect of the rate.*

*Subd. 4. For the purpose of uniformity and equality (,) the commissioner, after consultation with insurers and insured persons, shall approve a system of merit and experience rating for use in writing such business in this state. Any modification of a rate or job classification that would result in a rate change for any class of insureds shall only be effective after hearing thereon as provided in section 6. No other system of merit or experience rating shall be used in this state. Every insurer referred to in (SECTION 79.20) subdivision 2 who issues participating policies shall file with the commissioner a true copy or summary as the commissioner shall direct of its participating dividend rates as to policy holders. The commissioner shall study such rates and make recommendations to the legislature concerning possible basis for discrimination. Such filing shall be made at the same time as the filing required in (SECTION 79.20) subdivision 2.*

*Subd. 5. Upon petition of an insured to the commissioner for an individual rate modification or change in classification, the commissioner shall issue an order either approving, modifying, or rejecting the challenged individual rate or classification; whereupon either an insured or insurer aggrieved by the order shall have the right to request and be granted a contested case hearing under and pursuant to the administrative procedures act, Minnesota Statutes, Chapter 15.*

*Subd. 6. The commissioner's order approving rates shall include a declaration that the insurer's earnings from workers' compensation insurance premiums have been duly considered in the establishment of the said rate.*

*Subd. 7. The commissioner shall promulgate rules for the implementation and administration of this section. Such rules shall include requirements for systems of accounts and such*

*other records as are required by the commissioner to ascertain and fix adequate and reasonable rates and job classifications. Such rules shall be promulgated within 90 days of the effective date of this act.*

Sec. 5. Minnesota Statutes 1974, Section 79.09, is amended to read:

**79.09 [CLASSIFICATION OF WORKERS' COMPENSATION INSURANCE.]** *Subdivision 1. The commissioner shall assign each compensation risk and subdivision thereof to its proper classification. No classification for compensation insurance purposes shall be effective until approved as correct by the commissioner. No rule or regulation with reference to compensation risks filed by any insurer (, OR BY THE BUREAU HEREIN PROVIDED), shall be effective until approved by the commissioner. No kind of insurance covering any part of the liability of an employer exempted from insuring his liability for compensation, as provided in section 176.181, shall be effective in this state unless approved by the commissioner. If it appears at any time that reasonable doubt on the part of the commissioner as to the proper classification or rate for any risk exists, such risk may be bound for insurance subject to rate and classification to be established therefor.*

*Subd. 2. No change in standards for determining classifications is effective until approved by the commissioner after a hearing under section 6.*

Sec. 6. Minnesota Statutes 1974, Chapter 79, is amended by adding a section to read:

**[79.091] [HEARING PROCEDURE.]** *Subdivision 1. Before approving a rate change or a modification of standards for classifications, the commissioner shall hold a rule making hearing under and pursuant to the administrative procedure act, Minnesota Statutes, Chapter 15.*

*Subd. 2. Notice shall be given 30 days before a hearing pursuant to the administrative procedure act, Minnesota Statutes, Chapter 15. The notice shall include the amount of the proposed rate increase or the amount of rate increase resulting from a classification modification.*

*Subd. 3. At the public hearing, the insurer shall be required to present accurate, complete and pertinent information, including, but not limited to, all the insurer's earnings from workers' compensation insurance premiums. Other interested parties may present testimony or offer exhibits at the hearing.*

*Subd. 4. The commissioner may require the insurer to produce at the hearing any books, papers, or records of the insurer relating to its business or affairs within the state that are perti-*

*ment to the subject matter of the hearing and kept by the insurer in any office or place within or without this state, or at his option, verified or photostatic copies in lieu thereof, so that an examination thereof may be made by the commissioner or under his direction.*

Sec. 7. Minnesota Statutes 1974, Chapter 79, is amended by adding a section to read:

[79.095] [APPOINTMENT OF ACTUARY.] *The commissioner shall employ a workers' compensation insurance actuary who shall be a member of the classified service of the state civil service. Upon request of any insured, the actuary shall consult, advise and represent at the hearing an insured party with a direct interest in a rate increase or a classification modification resulting in a rate increase. The actuary shall testify at a hearing held under this chapter if he is so requested by an insured party. Notwithstanding any provision of the state civil service law, the salary of the actuary may be fixed by the commissioner of personnel in an annual amount not to exceed \$45,000. The actuary's duties shall include but not be limited to investigation of complaints by insured parties relative to rates, rate classifications or discriminatory practices of an insurer. The actuary shall not engage in any activities at any time for any compensation other than provided for in this section, and shall not advise, consult or represent any insurer.*

Sec. 8. Minnesota Statutes 1974, Section 79.10, is amended to read:

79.10 [REVIEW OF ACTS OF INSURERS; CERTIORARI.] *The commissioner upon its own motion or upon the written complaint of any person having a direct interest, may review the acts of any insurer, bureau, or agent subject to the provisions of sections 79.01 to (79.23) 79.32, and make findings and orders requiring compliance with the provisions thereof. Not less than (TEN) 30 days notice of this review before the commissioner shall be given to the parties interested in its findings or orders shall be made after a hearing before it and is subject to a review by a writ of certiorari brought in the supreme court. The operation of the commissioner's order is suspended during such review, but in the event of final determination against an insurer any overcharge made during the pendency of the proceedings shall be refunded to the person entitled thereto. All written complaints under this section shall be verified and may be upon information and belief of the person complaining. A copy of the complaint shall be served upon the insurer, bureau, or person against whom the complaint is directed and each party in interest is entitled to (AT LEAST TEN) 30 days notice of any hearing thereon.*

Sec. 9. Minnesota Statutes 1974, Section 79.12, is amended to read:

79.12 [ORGANIZATION OF BUREAU.] The bureau shall (ADOPT ARTICLES OF ASSOCIATION AND BYLAWS FOR ITS GOVERNMENT AND FOR THE GOVERNMENT OF ITS MEMBERS. THESE ARTICLES AND BYLAWS AND ALL AMENDMENTS THERETO SHALL BE FILED WITH AND APPROVED BY THE COMMISSIONER AND SHALL NOT BE EFFECTIVE UNTIL SO FILED AND APPROVED) *be a part of the insurance division of the department of commerce, and all employees of the bureau shall be in the classified state civil service and shall be responsible to the commissioner. The bureau shall admit to membership any insurer authorized to transact workmen's compensation insurance in this state. (THE CHARGES AND SERVICE OF THE BUREAU SHALL BE FIXED IN THE ARTICLES OR BYLAWS AND SHALL BE EQUITABLE AND NON-DISCRIMINATORY AS BETWEEN MEMBERS.) The commissioner shall adopt rules specifying: (1) the procedure whereby bureau members may formulate recommendations and advice for the consideration of the commissioner; and (2) the procedure whereby bureau members shall supply information and statistics regarding the writing of workers' compensation insurance to the commissioner.*

Sec. 10. Minnesota Statutes 1974, Section 79.17, is amended to read:

79.17 [BUREAU SHALL MAKE CLASSIFICATION.] The bureau shall, on behalf of its members, assign each compensation risk and subdivision thereof in this state to its proper classification. The determination as to the proper classification by the bureau shall be subject to the approval of the commissioner as herein provided. The bureau shall, on behalf of all members thereof, inspect and make a written survey of each risk to which the system of merit rating approved for use in this state is applicable. It shall, on behalf of all the members thereof, file with the commissioner its classification of risks and keep on file at the office of the bureau the written surveys of all risks inspected by it, which survey shall show the location and description of all items producing charges and credits, if any, and such other facts as are material in the writing of insurance thereon. It shall file any subsequent proposed classification or later survey and all rules and regulations which do or may affect the writing of these risks. The bureau classification shall be binding upon all insurers *upon approval of the commissioner as provided in this chapter.* The commissioner and the bureau and its representatives shall give all information as to classifications, rates, surveys, and other facts collected and intended for the common use of insurers subject to sections 79.01 to (79.23) *79.32* to all these insurers at the same time. A copy of the complete survey, with the approved classification and rates based thereon and the effective date thereof, shall be furnished to the insurer of record as soon as approved. The approved classification and rates upon a specific risk shall be furnished upon request to any other insurer upon the payment of a reasonable charge for the service. Every insurer shall promptly file with the bureau a copy of each pay-roll

audit, which shall be checked by the bureau for correctness of classification and rate. The commissioner may require the bureau to file with it any such copy and may verify any pay-roll audit by a reaudit of the books of the employer or in such other manner as may to it appear most expedient. Upon written complaint stating facts sufficient to warrant action by it, the commissioner shall verify any pay-roll audit reported to it.

Sec. 11. Minnesota Statutes 1974, Section 79.21, is amended to read:

79.21 [RATES TO BE UNIFORM; EXCEPTIONS.] No insurer shall write insurance at a rate other than that (MADE AND PUT INTO FORCE BY THE BUREAU AND) approved as adequate and reasonable by the commissioner. The bureau may (REDUCE OR INCREASE) *modify* a rate by (THE APPLICATION) *applying* to individual risks (OF THE) a system of merit or experience rating which has been approved by the commissioner *provided, if an insured has petitioned for a hearing under section 79.07, subdivision 5, that no modification that will result in an individual rate change shall be put into effect until approved by the commissioner in the manner provided in section 79.07, subdivision 5.* (THIS REDUCTION OR INCREASE) *Any such modification shall be set forth in the policy or by indorsement thereon.*

Sec. 12. Minnesota Statutes 1974, Chapter 79, is amended by adding a section to read:

[79.225] [FEE.] *Subdivision 1. The commissioner may annually charge each insured a fee of up to three tenths of one percent of the premiums received by the insurer for the year from workers' compensation insurance, which charges shall be forwarded quarterly to the commissioner by each insurer. The fees received under this section shall be used to administer the provisions of this chapter.*

*Subd. 2. The commissioner may establish rules for the implementation and administration of this section.*

*Subd. 3. Fees due under subdivision 1 shall be paid into a special account in the state treasury. Fees deposited in that account are hereby annually appropriated to the commissioner.*

Sec. 13. Minnesota Statutes 1974, Sections 79.13; 79.14; and 79.15 are hereby repealed.

Sec. 14. [EFFECTIVE DATE.] *This act is effective July 1, 1976, but all rates approved by the commissioner prior to the date of final enactment shall remain valid until October 1, 1976, unless earlier modified by the commissioner."*

Further amend the title by striking it in its entirety and inserting:

“A bill for an act relating to workers’ compensation insurance; providing for the approval of rates and classifications by the commissioner of insurance after a hearing; providing for a hearing procedure; requiring the commissioner to employ an actuary; permitting the commissioner to assess a fee to workers’ compensation insureds; appropriating money; amending Minnesota Statutes 1974, Sections 79.01, Subdivision 1, and by adding subdivisions; 79.07; 79.09; 79.10; 79.12; 79.17; 79.21; and Chapter 79, by adding sections; repealing Minnesota Statutes 1974, Sections 79.13; 79.14 and 79.15.”

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1933, A bill for an act relating to corrections; providing for payment of hospitalization insurance for employees retiring before age 65; amending Minnesota Statutes 1974, Section 241.01, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 12, before “The” insert” *“One-half of”*.

Further amend the title:

Line 2, after “for” insert “partial”.

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2012, A bill for an act relating to retirement; volunteer firemen’s lump sum benefits; amending Minnesota Statutes 1974, Section 69.06.

Reported the same back with the following amendments:

Page 1, line 12, strike “\$40” and insert “\$100”.

Page 2, line 6, strike "\$2" and insert "\$4".

Page 2, line 10, strike "\$60" and insert "\$120".

Page 2, line 14, delete "\$1,000" and insert "\$750".

Page 2, after line 28, insert a section to read:

*"Sec. 2. Notwithstanding any special law enacted and approved in accordance with section 645.021 to the contrary, any municipal volunteer firemen's relief association, when its bylaws or articles of incorporation so provide, may pay service pensions in accordance with the maximums as set forth in section 1 of this act. Provided, however, that nothing in this act shall be construed to exempt any municipal volunteer firemen's relief association from the requirements of sections 69.771 to 69.776."*

Further amend the title:

Page 1, line 3, after "sum" insert "and monthly".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2113, A bill for an act relating to human rights; changing duties of commissioner; increasing penalties; amending Minnesota Statutes 1974, Sections 363.05, Subdivision 1; 363.06, Subdivision 5; 363.071, Subdivision 2; and 363.14, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 23, strike "Indians" and delete the new language and insert "persons".

Page 4, line 16, delete "Indians, Chicanos, Blacks and women" and insert "persons".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2115, A bill for an act relating to retirement; service credit for teachers on parental or maternity leave; amending Minnesota Statutes 1974, Section 354.42, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 7, delete "Section 354.42" and insert "Chapter 354".

Page 1, line 8, delete "subdivision" and insert "section".

Page 1, line 9, delete "Subd. 8." and insert "[354.093] [MATERNITY LEAVE.]".

Page 1, line 11, after "credit" insert "not to exceed one year".

Page 1, line 12, delete "within 90 days of his or her return to".

Page 1, delete lines 13 and 14, and insert: "*by the end of the fiscal year following the fiscal year in which the leave of absence terminated. The amount of such payment shall include the required employee, employer and amortization contributions for the period of leave prescribed in section 354.42. Such payment shall be based on the member's average monthly salary upon return to teaching service, and shall be without interest.*"

Page 1, after line 17, insert sections to read:

"Sec. 2. Minnesota Statutes, 1975 Supplement, Section 354.44, Subdivision 1a, is amended to read:

Subd. 1a. [MANDATORY RETIREMENT.] Notwithstanding the provisions of sections 43.30 or 197.45 to 197.48, a member shall terminate employment on August 31, 1976, or at the end of the academic year in which he reaches the age of 65, whichever is later. For purposes of this subdivision, an academic year shall be deemed to end August 31. A member who terminates employment at any time during the academic year at the end of which such person is required to terminate employment pursuant to this subdivision shall, for the purpose of determining eligibility for a proportionate retirement annuity, be considered to have been required to terminate employment at age 65 or earlier pursuant to this subdivision. *Nothing contained in this subdivision shall preclude a district from employing a retired teacher as a substitute teacher; provided, no teacher required to terminate employment by this subdivision shall resume membership in the retirement association by virtue of employment as a substitute teacher.*

Sec. 3. Minnesota Statutes, 1975 Supplement, Section 354A.21, is amended to read:

354A.21 [MANDATORY RETIREMENT; PROPORTIONATE ANNUITY.] Notwithstanding the provisions of sections 197.45 to 197.48 or 354A.05, a teacher subject to the provisions of this chapter shall terminate employment on August 31, 1976, or at the end of the academic year in which such teacher reaches the age of 65, whichever is later. For purposes of this section, an academic year shall be deemed to end August 31. A teacher who terminates employment at any time during the academic year at the end of which such person is required to terminate employment pursuant to this section and who has less than the minimum required number of years of service to otherwise qualify for a retirement annuity shall be entitled upon application to a proportionate retirement annuity based on service prior to termination. *Nothing contained in this subdivision shall preclude a district from employing a retired teacher as a substitute teacher; provided, no teacher required to terminate employment by this subdivision shall resume membership in the retirement association by virtue of employment as a substitute teacher.*

Sec. 4. *Notwithstanding any law to the contrary a person who retired as a member of any fund enumerated in Minnesota Statutes, 1975 Supplement, Section 356.30, Subdivision 3, between May 1, 1975 and January 1, 1976 and who failed to elect to receive a combined service annuity authorized by section 356.30, subdivision 1, may make such election and repay any refund until January 1, 1977. Benefits shall be adjusted and paid on the basis of the election from and after the date of election.*

Sec. 5. *This act is effective upon final enactment.*

Further, amend the title as follows:

Page 1, line 3, after "leave;" insert "authorizing the employment of retired teachers as substitutes; elections to receive a combined service annuity;"

Page 1, line 4, delete "Section 354.42" and insert "Chapter 354".

Page 1, line 5, delete "subdivision" and insert "section; and Minnesota Statutes, 1975 Supplement, Sections 354.44, Subdivision 1a; and 354A.21".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2157, A bill for an act relating to public welfare; providing for administrative and judicial review of certain ac-

tions and decisions of local welfare agencies; repealing Minnesota Statutes 1974, Sections 256.77; 256B.10; 256B.11; 256D.12; and 256D.40.

Reported the same back with the following amendments:

Page 2, line 3, delete "or" and delete "who".

Page 2, delete all of line 4.

Page 2, line 5, delete "of a type specified by rule of the commissioner" and insert "or a program of social services whose application for assistance is denied, or not acted upon with reasonable promptness, or whose assistance is suspended, reduced, or terminated by a local agency".

Page 2, line 7, delete "filing a notice of appeal with" and insert "submitting a written request for a hearing to".

Page 2, line 8, delete "notification" and insert "written notice".

Page 2, line 8, after "decision" insert ", or within 90 days of such written notice if the applicant or recipient shows good cause why the request was not submitted within the 30 day time limit".

Page 2, delete all of line 19.

Page 2, line 20, delete "agency of a type specified by rule of the commissioner" and insert "whose application for assistance is denied, not acted upon with reasonable promptness, or whose assistance is suspended, reduced, or terminated by a local agency".

Page 2, line 22, delete "filing a notice of appeal with" and insert "submitting a written request for a hearing to".

Page 2, line 23, delete "notification" and insert "written notice".

Page 2, line 23, after "decision" insert ", or within 90 days of such written notice if the applicant or recipient shows good cause why the request was not submitted within the 30 day time limit".

Page 3, delete all of line 18.

Page 3, line 19, delete "agency prior to" and insert "have the opportunity to examine the contents of his case file and all documents and records to be used by the local agency at the hearing at a reasonable time before the date of the hearing".

Page 3, line 19, delete "Technical rules of".

Page 3, line 20, delete "evidence shall not apply to hearings under this section" and insert "All evidence, except that privileged by law, commonly accepted by reasonable men in the conduct of their affairs as having probative value with respect to the issues shall be submitted at the hearing".

Page 3, line 21, delete "hearings" and insert "hearing".

Page 3, line 21, delete "contested cases" and insert "a contested case".

Page 3, line 30, after "fact" insert "and shall state his reasons therefor".

Page 4, line 25, after "court." insert a sentence to read: "Service may be made personally or by mail; service by mail is complete upon mailing; no filing fee shall be required by the clerk of court in appeals taken pursuant to this subdivision."

Page 5, delete lines 9 to 17.

Renumber the remaining subdivisions accordingly.

Page 5, line 23, after "supreme court" insert "nor shall any filing fee or bond be required of any party".

Page 5, line 25, after "welfare" insert ", local welfare referee, or district court".

Page 5, line 25, after "aid" insert "or services".

Page 5, line 26, after the first "paid" insert "or provided".

Page 5, line 26, after the second "paid" insert "or provided".

Page 5, line 27, after "appeal to the " insert "commissioner of welfare,".

Pages 5 and 6, delete all of Section 3.

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2230, A bill for an act relating to retirement; approval of benefits and contributions of teachers' retirement associations in cities of the first class; benefits and contributions

in the city of Minneapolis; amending Minnesota Statutes, 1975 Supplement, Section 354A.12.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 354A.12, is amended to read:

354A.12 [STATE PAYMENTS TO RETIREMENT FUND ASSOCIATIONS IN CITIES OF THE FIRST CLASS.] Notwithstanding any law to the contrary, for taxes levied in 1975 payable in 1976 and thereafter, levies for teachers retirement fund associations in cities of the first class, including levies for any employer social security taxes for teachers covered by a fully coordinated teachers retirement social security fund, are disallowed and the state shall assume the total employer obligation. Effective July 1, 1975 the state shall pay to said retirement fund association an employer contribution equal to the amount, expressed as a percentage of payroll, that the state of Minnesota is required to pay for all contributing members of the state teachers retirement association including social security taxes, in accordance with the provisions of Minnesota Statutes 1974, Section 354A.07, Subdivisions 3, 3a and 4, except that:

(1) employer contributions which are paid to the retirement fund associations pursuant to this section shall be appropriated and remitted directly to said retirement fund associations each month in accordance with the procedures described in section 354.43, subdivisions 1, 2, and 5; and

(2) with respect to any city of the first class having a fully or partially coordinated teachers retirement fund association, employer social security taxes on salaries paid after June 30, 1975 shall be paid by the state in accordance with the provisions of section 355.46, subdivision 3, clause (b), and employer contributions to said retirement fund association shall be reduced by the amount of such taxes. Effective March 1, 1976, the contribution required to be paid by each coordinated member of a teachers retirement fund association in a city of the first class which does have a fully or partially coordinated teachers retirement social security fund shall not be less than four percent of total salary, and the contribution required to be paid by each basic member of a teachers retirement fund association in a city of the first class which does not have a fully coordinated teachers retirement social security fund shall not be less than eight percent of total salary. (PROVIDED; HOWEVER, THAT THE CHANGES IN THE EMPLOYEE CONTRIBUTION TO THE TEACHERS RETIREMENT FUND ARE CONTINGENT UPON A DETERMINATION OF BENEFIT ADJUSTMENT BY THE LEGISLATURE BEFORE MARCH 1, 1976, AS PROVIDED IN THIS SECTION. AFTER APRIL 1, 1975, NO

TEACHERS RETIREMENT FUND ASSOCIATION IN A CITY OF THE FIRST CLASS SHALL ENACT ANY AMENDMENT TO THE BYLAWS OR ARTICLES OF INCORPORATION; PROVIDED, HOWEVER, THAT BENEFITS FOR A TEACHERS RETIREMENT FUND ASSOCIATION IN A CITY OF THE FIRST CLASS MAY BE INCREASED BY SPECIAL LAW OR GENERAL STATUTE) *No change in by-laws or articles of incorporation affecting benefits, contributions or actuarial assumptions shall be made without approval by the legislature. Notwithstanding any provision of the articles or by-laws, amendments may be made at the annual meeting called for such purpose, without further local approval.*

Sec. 2. Minnesota Statutes 1974, Chapter 355, is amended by adding a section to read:

[355.28] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 10 of this act the terms defined in this section shall have the meanings ascribed to them.*

*Subd. 2. "Enabling act" means the act of this state entitled, "An act to provide for the coverage of certain officers and employees of the state and local governments under the old age and survivors insurance provisions of Title II of the Federal Social Security Act, as amended, and appropriating money therefor" which is codified in Minnesota Statutes, Sections 355.01 to 355.07.*

*Subd. 3. The terms "social security act", "state agency", "employment", "wages", "contribution fund", "Federal Insurance Contributions Act", and "political subdivision" mean as defined in the enabling act.*

*Subd. 4. "Teacher" means all employees of political subdivisions who hold positions covered by the Minneapolis teachers retirement fund association established under the provisions of Minnesota Statutes, Chapter 354A.*

Sec. 3. Minnesota Statutes 1974, Chapter 355, is amended by adding a section to read:

[355.281] [REFERENDUM.] *Pursuant to the provisions of the enabling act the governor shall designate an agency or an individual to supervise a referendum to be held after May 1, 1977, in accordance with the provisions of section 218 (d) (6) (C) of the social security act, for teachers.*

Sec. 4. Minnesota Statutes 1974, Chapter 355, is amended by adding a section to read:

[355.282] [NOTICE OF REFERENDUM.] *The notice of referendum required by section 218 (d) of the social security*

*act which is to be given to the teachers shall contain a statement in such form as the agency or individual designated to supervise the referendum shall deem necessary and sufficient to inform the teachers of the rights which accrue to them under the social security act. The statement shall also inform the teachers of the effect that coverage under the social security act will have on their public retirement program.*

Sec. 5. Minnesota Statutes 1974, Chapter 355, is amended by adding a section to read:

[355.283] [DIVISION OF MINNEAPOLIS TEACHERS RETIREMENT FUND ASSOCIATION.] *In accordance with section 218 (d) (6) (C) of the social security act, the state agency shall divide into two divisions or parts the Minneapolis teachers retirement fund association established under the provisions of Minnesota Statutes, Chapter 354A. One division or part of the retirement fund association shall be composed of positions of teachers who desire coverage under an agreement under section 218 (d) of the social security act. The other division or part of the retirement fund association shall be composed of positions of teachers who do not desire coverage under such an agreement. Each division or part shall be deemed to be a separate retirement system for the purposes of section 218 (d) of the social security act. There shall be included in the division or part composed of members desiring such coverage the positions of teachers who become members of the Minneapolis teachers retirement fund association after such coverage is extended; provided, a teacher whose service in a position covered by the retirement fund association commences after the date on which such social security coverage is extended shall be deemed to become a member of the retirement fund association upon the commencement of such service for purposes of this section, notwithstanding the date of any employment contract.*

Sec. 6. Minnesota Statutes 1974, Chapter 355, is amended by adding a section to read:

[355.284] [TRANSFER OF MEMBERS.] *In accordance with section 218 (d) (6) (F) of the social security act, and when the Minneapolis teachers retirement fund association is divided into two divisions or parts, the position of any member of the division or part composed of positions of teachers who do not desire coverage under an agreement under section 218 (d) of the social security act may be transferred to the separate retirement system composed of teachers who desire such coverage; and a modification of agreement between the state and the secretary of health, education, and welfare may so provide, but only if prior to such modification the individual occupying such position files with the state agency a written request for such transfer.*

Sec. 7. Minnesota Statutes 1974, Chapter 355, is amended by adding a section to read:

[355.285] [CERTIFICATION BY GOVERNOR.] *If the governor receives satisfactory evidence that the conditions specified in section 218 (d) (7) of the social security act have been met with respect to the Minneapolis teachers retirement fund association, he shall so certify to the secretary of health, education, and welfare.*

Sec. 8. Minnesota Statutes 1974, Chapter 355, is amended by adding a section to read:

[355.286] [AGREEMENTS WITH FEDERAL AGENCY.] *Upon the governor's certification pursuant to section 7 of this act, the state agency, with the approval of the governor, shall be authorized after June 30, 1977, to enter into an agreement with the secretary of health, education, and welfare, or modify any such agreement previously made with respect to teachers. The agreement or modification shall contain such terms and provisions authorized by the social security act and the enabling act as the state agency finds proper.*

Sec. 9. Minnesota Statutes 1974, Chapter 355, is amended by adding a section to read:

[355.287] [EMPLOYER CONTRIBUTIONS.] *Contributions required under the agreement or modification entered into pursuant to section 8 of this act to be made by political subdivisions employing teachers, and payments required by Minnesota Statutes, Section 355.49, which shall apply to political subdivisions employing teachers, shall be paid by the state.*

Sec. 10. Minnesota Statutes 1974, Chapter 355, is amended by adding a section to read:

[355.288] [EMPLOYEE CONTRIBUTIONS; DEDUCTION FROM WAGES.] *After the date the agreement or modification is entered into pursuant to section 8 of this act, there shall be paid as a deduction from wages an employee contribution in an amount equal to the tax that would be imposed by the Federal Insurance Contribution Act if such service constituted employment within the meaning of that act. Contributions so made shall be paid into the contribution fund in partial discharge of the liability of the state and each political subdivision in respect thereto. Failure to deduct such contribution shall not relieve the employee or the state or the political subdivision of liability therefor.*

Sec. 11. *All teachers retirement fund associations in cities of the first class shall be governed by the provisions of Minnesota Statutes, Chapter 317, except that no association shall be required to amend its articles or bylaws to conform with section 317.08, subdivision 2, clause (3), and the definition contained in*

section 317.02, subdivision 5, shall have no application thereto. All corporate action of any such association heretofore taken shall be deemed valid if in conformity with either chapter 317, or Revised Laws 1905, Chapter 58, as amended, or both.

Sec. 12. [MINNEAPOLIS TEACHERS RETIREMENT FUND ASSOCIATION; COORDINATED PROGRAM.] *Subdivision 1.* There shall be established effective July 1, 1977, a coordinated retirement program within the Minneapolis teachers retirement fund association for teachers eligible for membership in such association who are covered by any agreement or modification made between the state and the secretary of health, education and welfare, making the provisions of the federal old age, survivors and disability insurance act applicable to such teachers. The coordinated retirement program shall provide for employee contributions, retirement annuities, disability benefits, optional survivor annuities, refunds of employee contributions and repayment thereof, age and service requirements, and purchase of credit for military service and sabbatical leave identical in effect to the corresponding provisions applicable to coordinated members of the statewide teachers retirement association contained in Minnesota Statutes, Sections 354.092; 354.35; 354.42, Subdivision 2; 354.44, Subdivisions 1, 4, 5, and 6; 354.45; 354.46, Subdivisions 2 and 3; 354.47, Subdivisions 1, Clause (2), and 2; 354.48; 354.49, Subdivisions 1, 2, 3, and 5; 354.50, Subdivisions 1 and 2; 354.53; and 354.60. Provisions in the articles of incorporation of the Minneapolis teachers retirement fund association pertaining to annual automatic annuity increases, eligibility for membership in the association, and administration of the association, including but not limited to investment of assets, shall apply to coordinated as well as basic members.

*Subd. 2.* The articles of incorporation of the Minneapolis teachers retirement fund association shall be amended as necessary to effect the changes described in subdivision 1, effective July 1, 1977. The adoption of such amendments is hereby approved in accordance with Minnesota Statutes, 1975 Supplement, Section 354A.12.

Sec. 13. [MINNEAPOLIS TEACHERS' RETIREMENT FUND ASSOCIATION.] *Subdivision 1.* The following amendments to the articles of incorporation of the Minneapolis Teachers' Retirement Fund Association are hereby approved in accordance with Minnesota Statutes, 1975 Supplement, Section 354A.12.

*Subd. 2.* Subsection (15) of Article IX providing for stock appreciation funded annuity increases may be repealed.

*Subd. 3.* Subsection (11) of Article IX may be amended by providing as an optional alternative to the 1953 Formula Annuity contained in paragraph (b) for all members who have retired or

*shall retire after May 1, 1974 and who are qualified under paragraph (a), a 1975 Revised Formula Annuity computed as in paragraph (b) except that the percentage used in the computation shall be two and one fourth percent multiplied by not to exceed 30 years of service.*

*Subd. 4. Paragraph (D) of subsection (14) of Article IX may be amended to provide for annual automatic annuity increases of one and one half percent for retired members 65 years of age or older who have been receiving an annuity for not less than 24 months, with the first of such increases to commence on July 1 of the year next following the year in which the retired member attains the age of 65 and 24 months as an annuitant.*

*Subd. 5. Subsection (10) of Article VII may be amended to delete the definition of "required deposit" and to substitute therefor a reference to subsection (3) of Article VIII.*

*Subd. 6. Subsection (3) of Article VIII shall be amended to increase the required deposit by teachers from six and one half percent to eight and one half percent effective July 1, 1976.*

*Subd. 7. Paragraph (c) of subsection (12) of Article IX may be amended to delete reference to the former six and one half percent required deposit.*

*Subd. 8. Subsection (14) of Article IX may be amended by adding a new paragraph (E) providing monthly across the board annuity increases of ten percent of the annual annuity received as of July 1, 1974 to members who were retired and receiving an annuity prior to May 1, 1974 and the beneficiaries of deceased members who were thus qualified other than beneficiaries receiving benefits under paragraph C of subsection (4) of Article IX; paying annuities to certain retired members for 12 months per year instead of ten months; and redesignating the remaining paragraphs accordingly.*

*Subd. 9. The foregoing amendments may be adopted to be effective July 1, 1976.*

*Sec. 14. This act is effective the day following final enactment."*

Further, amend the title as follows:

Page 1, line 5, after "Minneapolis," insert "extending social security coverage to and establishing a coordinated retirement program for teachers covered by the Minneapolis teachers retirement fund association;"

Page 1, line 5, after "amending" insert "Minnesota Statutes 1974, Chapter 355, by adding sections; and".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2526, A bill for an act relating to human rights; creating an advisory task force on statutory sex discrimination; requiring a report to the legislature; repealing Minnesota Statutes 1974, Section 363.04, Subdivision 8.

Reported the same back with the following amendments:

Page 2, delete lines 30 and 31.

Renumber the remaining section.

Further amend the title:

Line 4, delete “; repealing”.

Delete all of line 5.

Line 6, delete “Subdivision 8”.

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2204, A bill for an act relating to collection and dissemination of data; providing definitions; requiring a public document on data collection; authorizing audits of data collection practices and policies; providing for emergency classification in certain situations; amending Minnesota Statutes 1974, Chapter 15, by adding a section; and Minnesota Statutes, 1975 Supplement, Sections 15.162, Subdivisions 2a, 4, 5, 5a and 8; 15.163, Subdivisions 1 and 2, and by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 16, after “made” insert “by statute or federal law applicable to the data”.

Page 1, line 18, strike “that” and insert “the”.

Page 1, line 26, delete the new language and insert "*For purposes of sections 15.162 to 15.165, data shall only be classified "confidential" when it meets the requirements of this section*".

Page 2, line 4, strike "a" and insert "*any*".

Page 2, line 6, reinstate "18" and delete "*14 or*" and insert "*, or in the case of a natural person who is*".

Page 2, line 7, delete "*the person and*" and insert "*either the data subject or*".

Page 2, lines 9 to 12, delete the new language.

Page 2, lines 13 to 26, delete all of section 3.

Page 2, line 30, after "*made*" insert "*by statute or federal law applicable to the data:*".

Page 2, line 30, after "*; and*" insert a comma and after "*(b)*" strike "*is*".

Page 2, line 31, strike "*that*" and insert "*the*".

Page 2, lines 31 and 32, delete the new language.

Pages 4 and 5, delete all of section 8.

Page 5, delete all of section 9 and insert a section to read:

"Sec. 7. Minnesota Statutes 1974, Section 15.17, Subdivision 4, is amended to read:

Subd. 4. [ACCESSIBLE TO PUBLIC.] Every custodian of public records shall keep them in such arrangement and condition as to make them easily accessible for convenient use. Photographic, photostatic, microphotographic, or microfilmed records shall be considered as accessible for convenient use regardless of the size of such records. Except as otherwise expressly provided by law, he shall permit all public records in his custody to be inspected, examined, abstracted, or copied at reasonable times and under his supervision and regulation by any person; and he shall, upon the demand of any person, furnish certified copies thereof on payment in advance of fees not to exceed the fees prescribed by law. Full convenience and comprehensive accessibility shall be allowed to researchers including historians, genealogists and other scholars to carry out extensive research and complete copying of all public records except as otherwise expressly provided by law. *A public record includes but is not limited to arrest information and jail records. Arrest information shall include (a) name, age and address of any ar-*

*rested person; (b) substance of the charge; and (c) identity of the arresting agency."*

Renumber the sections in sequence.

Further amend the title as follows:

Page 1, line 7, delete "Chapter 15, by".

Page 1, line 8, delete "adding a section" and insert "Section 15.17, Subdivision 4".

Page 1, line 10, delete "5,".

Page 1, line 10, delete ", and by".

Page 1, line 11, delete "adding a subdivision".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 491, A resolution congratulating Seth G. Huntington on his success in the United States coin design competition and on his other artistic achievements.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 2024, A bill for an act relating to the tax court; establishing the tax court as a full time court; creating a small claims division; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 15A.083, Subdivision 4; 271.01, Subdivisions 1 and 4a, and by adding a subdivision; 271.02; 271.03; 271.04; 271.06, Subdivisions 1, 2, 3, 4, 6, and by adding a subdivision; 271.07; 271.08; 271.09, Subdivisions 1, 2, and 3; 271.10, Subdivisions 1 and 2; 271.12; 271.13; 271.14; 271.15; 271.17; 271.18; 271.20; and 490.121, Subdivision 2; and Chapter 271, by adding sections; and Minnesota Statutes, 1975 Supplement, Section 124.212, Subdivision 11; repealing Minnesota Statutes 1974, Sections 271.001; 271.01, Subdivisions 2 and 3; 271.06, Subdivision 5; 271.11; and 271.16.

Reported the same back with the following amendments:

Page 2, line 9, reinstate the stricken language.

Page 2, reinstate lines 10 to 12.

Page 2, line 13, reinstate the stricken "organization."

Page 3, line 32, after the period insert "*The tax court shall have no jurisdiction in any case involving an order of the state board of equalization unless a taxpayer contests the valuation of his property.*"

Page 4, line 1, after "*taxes*" insert "*, aids and related matters*".

Page 4, line 1, after "*Chapters*" insert "*60A,*".

Page 6, line 9, delete "*taxes*" and insert "*tax laws*".

Page 6, line 24, delete "*tax*" and insert "*matter concerning the tax laws*".

Page 9, line 29, after the period insert "*The tax court shall be exempt from the provisions of Minnesota Statutes, Chapter 15.*"

Page 16, line 23, after "of" insert "*an order of the tax court or*".

Page 16, line 24, strike "such".

Page 16, line 28, after "the" and before "subpoena" insert "*order or*".

Page 16, line 29, after "the" and before "subpoena" insert "*order was made or the*".

Page 17, strike line 2.

Page 17, line 3, strike "commissioner or".

Page 17, delete lines 7 to 16.

Renumber the remaining sections accordingly.

Page 17, line 21, strike "secretary of the department, the".

Page 18, line 2, strike "secretary" and insert "*commissioner*".

Page 18, line 6, strike "secretary" and insert "*commissioner*".

Page 18, line 10, strike "The".

Page 18, line 11, strike "commissioner of revenue, his deputy, and".

Page 20, line 11, delete "of tax".

Page 20, line 12, delete "*liability in controversy or amount of refund*".

Page 24, line 25, after "271.11;" insert "271.14;".

Further, amend the title as follows:

Line 12, delete "271.14;".

Line 18, after "271.11;" insert "271.14;".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1592, 2012, 2113, 2115, 2157, 2230 and 2204 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 1967, 1411 and 491 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Kvam, Setzepfandt, Lemke, Eckstein and Wigley introduced:

H. F. No. 2640, A bill for an act relating to the legislature; providing an agriculture orientation course for metropolitan members; appropriating money.

The bill was read for the first time and referred to the Committee on Agriculture.

Vento introduced:

H. F. No. 2641, A bill for an act relating to commerce; regulating open contract sales; providing that the contract of sale involved in an open contract sale and a statement of its charges and payment be returned to the purchaser upon payment of the obligation.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Johnson, D.; George and Doty introduced:

H. F. No. 2642, A bill for an act relating to commerce; prohibiting wholesale distributors of gasoline or special fuels from selling gasoline and special fuels at retail.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Esau and Setzepfandt introduced:

H. F. No. 2643, A bill for an act relating to highway traffic regulations; driving under the influence of drugs or alcoholic beverages; chemical tests for intoxication under the implied consent law; defining the term peace officer in relation thereto; amending Minnesota Statutes 1974, Section 169.123, Subdivision 1.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Heinitz introduced:

H. F. No. 2644, A bill for an act relating to education; school aids; creating a legislative school finance study commission; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Wenzel introduced:

H. F. No. 2645, A bill for an act relating to game and fish; firearms permissible for taking wild animals; amending Minnesota Statutes 1974, Section 100.29, Subdivision 9.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Munger; Sieben, H.; Kahn; Carlson, A.; and Skoglund introduced:

H. F. No. 2646, A bill for an act relating to solid waste control; providing for removal and disposal of certain dilapidated buildings under the county solid waste management act; directing the pollution control agency to expend certain funds previously appropriated to it; amending Minnesota Statutes 1974, Section 400.03, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Heinitz introduced:

H. F. No. 2647, A bill for an act relating to meetings of state agencies and of governing bodies open to the public; requiring the state ethics commission to hear alleged violations of open meeting law requirements and to refer any charged violation for which it finds probable cause to the appropriate county attorney for possible criminal prosecution; prescribing penalties; amending Minnesota Statutes 1974, Section 471.705, Subdivision 2, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wenzel, Osthoff, Lemke and Sarna introduced:

H. F. No. 2648, A bill for an act relating to public employees; providing that no salary may exceed the governor's salary.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Vento, Faricy, Osthoff, Byrne and Hanson introduced:

H. F. No. 2649, A bill for an act relating to retirement; authorizing minimum pensions and annual adjustments for retired members of the St. Paul Teachers Retirement Fund Association; appropriating funds.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Evans, Johnson, C., and Wigley introduced:

H. F. No. 2650, A bill for an act relating to state lands; authorizing conveyance by the state of an easement for utility purposes over certain state lands in Blue Earth county.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Esau, Sherwood, Searle, Knickerbocker and Mann introduced:

H. F. No. 2651, A bill for an act relating to occupational safety and health; providing that no penalty be assessed if a violation is corrected within ten days of receipt of notice of the violation; amending Minnesota Statutes, 1975 Supplement, Section 182.661, Subdivision 1.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Adams, S., introduced:

H. F. No. 2652, A bill for an act relating to taxation; providing for collection by special assessment of unpaid fire call bills; amending Minnesota Statutes 1974, Section 429.101, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Fudro, Metzen, Lemke, Sieben, H., and Biersdorf introduced:

H. F. No. 2653, A bill for an act relating to local improvements; requiring the payment of interest by municipalities on money due under public improvement contracts and not paid in accordance with such contracts; amending Minnesota Statutes 1974, Chapter 429, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Byrne, Faricy, Knoll, Kelly, R., and Vento introduced:

H. F. No. 2654, A bill for an act relating to cities; requiring cities of the first class to establish special entertainment districts.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kelly, W., introduced:

H. F. No. 2655, A bill for an act relating to taxation; changing the means of calculation and adjustment of levy limits in certain counties; amending Minnesota Statutes, 1975 Supplement, Section 275.51, Subdivision 3c.

The bill was read for the first time and referred to the Committee on Taxes.

Esau, Menning, Langseth, Erickson and Setzepfandt introduced:

H. F. No. 2656, A bill for an act relating to taxation; furnishing of certificates relative to rent paid for income tax credits; amending Minnesota Statutes, 1975 Supplement, Section 290A.19.

The bill was read for the first time and referred to the Committee on Taxes.

Kahn, Patton, Ulland, Sabo and Vento introduced:

H. F. No. 2657, A bill for an act relating to game and fish; increasing certain license fees; amending Minnesota Statutes 1974, Sections 98.46, Subdivisions 2, 4, 5, 7, 8, 9, 14, 15, 16, 17 and 19; and 101.44; repealing Minnesota Statutes 1974, Section 84.14, Subdivisions 1, 2, 3, 4 and 6.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

#### 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. 1099, A bill for an act relating to Hennepin county; hospital and medical care for poor persons funding; amending Laws 1963, Chapter 738, Section 3, Subdivision 3; repealing Laws 1963, Chapter 738, Section 7.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 354, 2108 and 2344.

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. 634.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 354, A bill for an act relating to drivers' licenses; providing a new category of alcohol-related offenses; aggravated violations for driving after cancellation, suspension or revocation; providing a penalty; amending Minnesota Statutes 1974, Chapter 171, by adding a section.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 2108, A bill for an act relating to commerce; interest rates on money; exempting agricultural credit corporations from interest rate limitations; amending Minnesota Statutes 1974, Section 334.06.

The bill was read for the first time.

Biersdorf moved that S. F. No. 2108 and H. F. No. 2496, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2344, A bill for an act relating to motor vehicles; authorizing the issuance of temporary vehicle permits for certain specified purposes; amending Minnesota Statutes 1974, Sections 168.091, Subdivision 1; and 168.092, Subdivision 1.

The bill was read for the first time.

Evans moved that S. F. No. 2344 and H. F. No. 2461, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 634, A bill for an act relating to corrections; sentencing and post conviction disposition of criminal offenders; transferring the powers and duties of the Minnesota corrections authority to the commissioner of corrections; abolishing the Minnesota corrections authority; providing for determinate sentencing; providing for a mutual agreement program; amending Minnesota Statutes 1974, Sections 152.15; 609.03; 609.10; 609.135, Subdivision 1; 609.145, Subdivision 1; 609.165, Subdivision 2; 609.17, Subdivision 4; 609.175, Subdivision 2; 609.19; 609.195; 609.20; 609.205; 609.21; 609.215; 609.225; 609.235; 609.24; 609.245; 609.25, Subdivision 2; 609.255; 609.26; 609.27, Subdivision 2; 609.293, Subdivisions 2, 3 and 4; 609.31; 609.32; 609.355, Subdivision 2; 609.365; 609.375, Subdivision 2; 609.39; 609.395; 609.405, Subdivision 2; 609.42, Subdivision 1; 609.425; 609.445; 609.455; 609.465; 609.48, Subdivisions 1 and 4; 609.485,

Subdivision 4; 609.495, Subdivision 1; 609.52, Subdivision 3; 609.525, Subdivision 1; 609.53, Subdivisions 1 and 3; 609.54; 609.55, Subdivision 2; 609.56; 609.565; 609.58, Subdivision 2; 609.59; 609.595, Subdivision 1; 609.60; 609.61; 609.615; 609.62, Subdivision 2; 609.625; 609.63; 609.635; 609.64; 609.645; 609.65; 609.67, Subdivision 2; 609.71; 609.713; 609.785; 609.82; 609.825, Subdivision 2; 609.83; Minnesota Statutes, 1975 Supplement, Sections 609.185; 609.342; 609.343; 609.344; 609.345; 609.52, Subdivision 2; 609.521; and 609.551, Subdivision 1; repealing Minnesota Statutes 1974, Sections 241.045, as amended; 242.24; 246.43; 609.11, as amended; 609.13, Subdivision 1; 609.155; and 609.16.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

#### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, McCarron reported on the progress of H. F. No. 943, now in Conference Committee.

Pursuant to Joint Rule 13, Esau reported on the progress of H. F. No. 1057, now in Conference Committee.

Pursuant to Joint Rule 13, Clawson reported on the progress of H. F. No. 1199, now in Conference Committee.

Pursuant to Joint Rule 13, Patton reported on the progress of S. F. No. 919, now in Conference Committee.

Pursuant to Joint Rule 13, Sherwood reported on the progress of S. F. No. 1308, now in Conference Committee.

#### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pursuant to Rule 1.9, Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as a Special Order for Thursday, March 11, 1976, to be placed at the top of the Special Orders for Thursday, March 11, 1976 and to be acted upon immediately following the Calendar for the day:

H. F. Nos. 2492, 2600, 1143, 930, 1826 and 81.

#### CONSENT CALENDAR

S. F. No. 2057, A bill for an act relating to the city of Duluth; liquor license for the arena-auditorium complex; amending Laws 1967, Chapter 406, Section 1, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 4, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kalis	Nelsen	Sieben, H.
Adams, L.	Eken	Kelly, R.	Nelson	Sieben, M.
Adams, S.	Enebo	Kempe, A.	Niehaus	Sieloff
Albrecht	Erickson	Kempe, R.	Norton	Simoneau
Anderson, G.	Evans	Ketola	Novak	Skoglund
Anderson, I.	Faricy	Kuickerbocker	Osthoff	Smith
Arlandson	Fjoslien	Knoll	Parish	Smogard
Beauchamp	Forsythe	Kostohryz	Patton	Spanish
Begich	Friedrich	Kroening	Pehler	Stanton
Berg	Fudro	Kvam	Peterson	Suss
Berglin	Fugina	Laidig	Petraleso	Swanson
Birnstihl	George	Langseth	Philbrook	Ulland
Braun	Graba	Lemke	Pleasant	Vanasek
Brinkman	Hanson	Lindstrom	Prahl	Vento
Byrne	Haugerud	Luther	Reding	Volk
Carlson, A.	Heinitz	Mangan	Rice	Wenstrom
Carlson, L.	Hokanson	Mann	St. Onge	Wenzel
Carlson, R.	Jacobs	McCarron	Samuelson	White
Casserly	Jaros	McCollar	Sarna	Wieser
Clark	Jensen	McEachern	Savelkoul	Wigley
Clawson	Johnson, C.	Menning	Schreiber	Williamson
Corbid	Jopp	Metzen	Schulz	Zubay
Dahl	Jude	Moe	Schumacher	Speaker Sabo
Dean	Kahn	Munger	Searle	
Dieterich	Kaley	Neisen	Setzepfandt	

Those who voted in the negative were:

Doty	Esau	Ewald	Sherwood
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The bill was passed and its title agreed to.

S. F. No. 2068, A bill for an act authorizing the conveyance by the state of a certain easement over certain lands in the county of Washington.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Arlandson	Braun	Casserly	Dieterich
Adams, L.	Beauchamp	Brinkman	Clark	Doty
Adams, S.	Begich	Byrne	Clawson	Eckstein
Albrecht	Berg	Carlson, A.	Corbid	Eken
Anderson, G.	Berglin	Carlson, L.	Dahl	Enebo
Anderson, I.	Birnstihl	Carlson, R.	Dean	Erickson

Esau	Jude	Mann	Philbrook	Smith
Evans	Kahn	McCarron	Pleasant	Smogard
Ewald	Kaley	McCollar	Prahl	Spanish
Faricy	Kalis	McEachern	Reding	Stanton
Fjoslien	Kelly, R.	Menning	Rice	Suss
Forsythe	Kelly, W.	Metzen	St. Onge	Swanson
Friedrich	Kempe, A.	Moe	Samuelson	Ulland
Fudro	Kempe, R.	Munger	Sarna	Vanasek
Fugina	Ketola	Neisen	Savelkoul	Vento
George	Knickerbocker	Nelsen	Schreiber	Volk
Graba	Knoll	Nelson	Schulz	Wenstrom
Hanson	Kostohryz	Niehaus	Schumacher	Wenzel
Haugerud	Kroening	Norton	Searle	White
Heinitz	Kvam	Novak	Setzepfandt	Wieser
Hokanson	Laidig	Osthoff	Sherwood	Wigley
Jacobs	Langseth	Parish	Sieben, H.	Williamson
Jaros	Lemke	Patton	Sieben, M.	Zubay
Jensen	Lindstrom	Pehler	Sieloff	Speaker Sabo
Johnson, C.	Luther	Peterson	Simoneau	
Jopp	Mangan	Petrafeso	Skoglund	

The bill was passed and its title agreed to.

S. F. No. 2168, A bill for an act authorizing the conveyance of lands and structures comprising Count Beltrami state monument to the town of Turtle Lake in Beltrami county; specifying the terms and conditions of such conveyance.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kalis	Nelsen	Sieben, H.
Adams, L.	Eken	Kelly, R.	Nelson	Sieben, M.
Adams, S.	Enebo	Kelly, W.	Niehaus	Sieloff
Albrecht	Erickson	Kempe, A.	Norton	Simoneau
Anderson, G.	Esau	Kempe, R.	Novak	Skoglund
Anderson, I.	Evans	Ketola	Osthoff	Smith
Arlandson	Ewald	Knickerbocker	Parish	Smogard
Beauchamp	Faricy	Knoll	Patton	Spanish
Begich	Fjoslien	Kostohryz	Pehler	Stanton
Berg	Forsythe	Kroening	Peterson	Suss
Berglin	Friedrich	Kvam	Petrafeso	Swanson
Birnstihl	Fudro	Laidig	Philbrook	Ulland
Braun	Fugina	Langseth	Pleasant	Vanasek
Brinkman	George	Lemke	Prahl	Vento
Byrne	Graba	Lindstrom	Reding	Volk
Carlson, A.	Hanson	Luther	Rice	Wenstrom
Carlson, L.	Haugerud	Mangan	St. Onge	Wenzel
Carlson, R.	Heinitz	Mann	Samuelson	White
Clark	Hokanson	McCarron	Sarna	Wieser
Clawson	Jacobs	McCollar	Savelkoul	Wigley
Corbid	Jaros	McEachern	Schreiber	Williamson
Dahl	Jensen	Menning	Schulz	Zubay
Dean	Johnson, C.	Metzen	Schumacher	Speaker Sabo
DeGroat	Jopp	Moe	Searle	
Dieterich	Jude	Munger	Setzepfandt	
Doty	Kaley	Neisen	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 2520, A bill for an act relating to education; requiring school districts to provide instructional materials for certain nonpublic school children.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Eken	Kelly, R.	Nelson	Sieloff
Adams, L.	Enebo	Kelly, W.	Niehaus	Simoneau
Adams, S.	Erickson	Kempe, A.	Norton	Skoglund
Albrecht	Esau	Kempe, R.	Novak	Smith
Anderson, G.	Evans	Ketola	Osthoff	Smogard
Anderson, I.	Ewald	Knickerbocker	Parish	Spanish
Arlandson	Faricy	Knoll	Patton	Stanton
Beauchamp	Fjoslien	Kostohryz	Pehler	Suss
Begich	Forsythe	Kroening	Peterson	Swanson
Berg	Friedrich	Kvam	Petrafaso	Tomlinson
Berglin	Fudro	Laidig	Philbrook	Ulland
Birnstihl	Fugina	Langseth	Pleasant	Vanasek
Braun	Graba	Lemke	Prahl	Vento
Brinkman	Hanson	Lindstrom	Reding	Volk
Byrne	Haugerud	Luther	Rice	Wenstrom
Carlson, A.	Heinitz	Mangan	St. Onge	Wenzel
Carlson, L.	Hokanson	Mann	Samuelson	White
Carlson, R.	Jacobs	McCarron	Sarna	Wieser
Casserly	Jaros	McCollar	Savelkoul	Wigley
Clark	Jensen	McEachern	Schreiber	Williamson
Clawson	Johnson, C.	Menning	Schumacher	Zubay
Corbid	Jopp	Metzen	Searle	Speaker Sabo
DeGroat	Jude	Moe	Setzepfandt	
Dieterich	Kahn	Munger	Sherwood	
Doty	Kaley	Neisen	Sieben, H.	
Eckstein	Kalis	Nelsen	Sieben, M.	

Those who voted in the negative were:

Schulz

The bill was passed and its title agreed to.

H. F. No. 1440, A bill for an act relating to private cemeteries; recovery of abandoned lots; amending Minnesota Statutes 1974, Chapter 307, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Setzepfandt
Adams, L.	Eckstein	Kaley	Neisen	Sherwood
Adams, S.	Eken	Kalis	Neisen	Sieben, H.
Albrecht	Enebo	Kelly, R.	Nelson	Sieben, M.
Anderson, G.	Erickson	Kelly, W.	Niehaus	Sieloff
Anderson, I.	Esau	Kempe, A.	Norton	Simoneau
Arlandson	Evans	Kempe, R.	Novak	Skoglund
Beauchamp	Ewald	Ketola	Osthoff	Smith
Begich	Faricy	Knickerbocker	Parish	Smogard
Berg	Fjoslien	Knoll	Patton	Spanish
Berglin	Forsythe	Kostohryz	Pehler	Stanton
Birnstihl	Friedrich	Kroening	Peterson	Suss
Braun	Fudro	Kvam	Petrafero	Swanson
Brinkman	Fugina	Laidig	Philbrook	Tomlinson
Byrne	George	Langseth	Pleasant	Ulland
Carlson, A.	Graba	Lemke	Prahl	Vanasek
Carlson, L.	Hanson	Lindstrom	Reding	Vento
Carlson, R.	Haugerud	Luther	Rice	Volk
Casserly	Heintz	Mangan	St. Onge	Wenstrom
Clark	Hokanson	Mann	Samuelson	Wenzel
Clawson	Jacobs	McCarron	Sarna	White
Corbid	Jaros	McCollar	Savelkoul	Wieser
Dahl	Jensen	McEachern	Schreiber	Wigley
Dean	Johnson, C.	Menning	Schulz	Williamson
DeGroat	Jopp	Metzen	Schumacher	Zubay
Dieterich	Jude	Moe	Searle	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 2217, A bill for an act relating to veterinary medicine; proscribing certain practices by unlicensed persons; authorizing practice by students in certain circumstances; changing the licensing fee; setting licensing standards; defining terms; amending Minnesota Statutes 1974, Sections 156.001, by adding a subdivision; 156.02, Subdivisions 1 and 2; 156.03; 156.04; 156.07; 156.072, Subdivision 1, and by adding subdivisions; and 156.12.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Braun	DeGroat	Forsythe	Jensen
Adams, L.	Brinkman	Dieterich	Friedrich	Johnson, C.
Adams, S.	Byrne	Doty	Fudro	Jopp
Albrecht	Carlson, A.	Eckstein	Fugina	Jude
Anderson, G.	Carlson, L.	Eken	George	Kahn
Anderson, I.	Carlson, R.	Enebo	Graba	Kaley
Arlandson	Casserly	Erickson	Hanson	Kalis
Beauchamp	Clark	Esau	Haugerud	Kelly, R.
Begich	Clawson	Evans	Heintz	Kelly, W.
Berg	Corbid	Ewald	Hokanson	Kempe, A.
Berglin	Dahl	Faricy	Jacobs	Kempe, R.
Birnstihl	Dean	Fjoslien	Jaros	Ketola

Knickerbocker	McEachern	Pehler	Schumacher	Swanson
Knoll	Menning	Peterson	Searle	Tomlinson
Kostohryz	Metzen	Petrafeso	Setzepfandt	Ulland
Kroening	Moe	Philbrook	Sherwood	Vanasek
Kvam	Munger	Pleasant	Sieben, H.	Vento
Laidig	Neisen	Prahl	Sieben, M.	Voik
Langseth	Nelsen	Reding	Sieloff	Wenstrom
Lemke	Nelson	Rice	Simoneau	Wenzel
Lindstrom	Niehaus	St. Onge	Skoglund	White
Luther	Norton	Samuelson	Smith	Wieser
Mangan	Novak	Sarna	Smogard	Wigley
Mann	Osthoff	Savelkoul	Spanish	Williamson
McCarron	Parish	Schreiber	Stanton	Zubay
McCollar	Patton	Schulz	Suss	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 2298, A bill for an act relating to eminent domain; time of title and possession; providing that certain payments deposited with the court shall draw interest; amending Minnesota Statutes, 1975 Supplement, Section 117.042.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Setzepfandt
Adams, L.	Eckstein	Kaley	Neisen	Sherwood
Adams, S.	Eken	Kalis	Nelsen	Sieben, H.
Albrecht	Enebo	Kelly, R.	Nelson	Sieben, M.
Anderson, G.	Erickson	Kelly, W.	Niehaus	Sieloff
Anderson, I.	Esau	Kempe, A.	Norton	Simoneau
Arlandson	Evans	Kempe, R.	Novak	Skoglund
Beauchamp	Ewald	Ketola	Osthoff	Smith
Begich	Faricy	Knickerbocker	Parish	Smogard
Berg	Fjoslien	Knoll	Patton	Spanish
Berglin	Forsythe	Kostohryz	Pehler	Stanton
Birnstihl	Friedrich	Kroening	Peterson	Suss
Braun	Fudro	Kvam	Petrafeso	Swanson
Brinkman	Fugina	Laidig	Philbrook	Tomlinson
Byrne	George	Langseth	Pleasant	Ulland
Carlson, A.	Graba	Lemke	Prahl	Vanasek
Carlson, L.	Hanson	Lindstrom	Reding	Vento
Carlson, R.	Haugerud	Luther	Rice	Voik
Casserly	Heinitz	Mangan	St. Onge	Wenstrom
Clark	Hokanson	Mann	Samuelson	Wenzel
Clawson	Jacobs	McCarron	Sarna	White
Corbid	Jaros	McCollar	Savelkoul	Wieser
Dahl	Jensen	McEachern	Schreiber	Wigley
Dean	Johnson, C.	Menning	Schulz	Williamson
DeGroat	Jopp	Metzen	Schumacher	Zubay
Dieterich	Jude	Moe	Searle	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 2396 was reported to the House.

There being no objection, H. F. No. 2396 was continued on the Consent Calendar for one day.

S. F. No. 2237, A bill for an act directing the sale of a certain parcel of tax forfeited land in St. Louis county.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Sherwood
Adams, L.	Eckstein	Kaley	Neisen	Sieben, H.
Adams, S.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Farcy	Knickerbocker	Patton	Spanish
Berg	Fjoslien	Knoll	Pehler	Stanton
Berglin	Forsythe	Kostohryz	Peterson	Suss
Birnstihl	Friedrich	Kroening	Petrafeso	Swanson
Braun	Fudro	Kvam	Philbrook	Tomlinson
Brinkman	Fugina	Laidig	Pleasant	Ulland
Byrne	George	Langseth	Prahl	Vanasek
Carlson, A.	Graba	Lemke	Reding	Vento
Carlson, L.	Hanson	Lindstrom	Eice	Volk
Carlson, R.	Haugerud	Luther	St. Onge	Wenstrom
Casserly	Heinitz	Mangan	Samuelson	Wenzel
Clark	Hokanson	Mann	Sarna	White
Clawson	Jacobs	McCarron	Savelkoul	Wieser
Corbid	Jaros	McCollar	Schreiber	Wigley
Dahl	Jensen	McEachern	Schulz	Williamson
Dean	Johnson, C.	Menning	Schumacher	Zubay
DeGroat	Jopp	Metzen	Searle	Speaker Sabo
Dieterich	Jude	Moe	Setzepfandt	

The bill was passed and its title agreed to.

H. F. No. 2534, A bill for an act relating to Chisago, Isanti, and Pine counties; providing retirement benefits for certain judges.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Adams, S.	Anderson, I.	Beauchamp	Berg
Adams, L.	Anderson, G.	Arlandson	Begich	Berglin

Birnstihl	Fjoslien	Ketola	Norton	Sieloff
Braun	Forsythe	Knickerbocker	Novak	Simoneau
Brinkman	Friedrich	Knoll	Osthoff	Skoglund
Byrne	Fudro	Kostohryz	Patton	Smogard
Carlson, A.	Fugina	Kroening	Pehler	Spanish
Carlson, L.	George	Kvam	Peterson	Stanton
Carlson, R.	Graba	Laidig	Petrafaso	Suss
Cassery	Hanson	Langseth	Philbrook	Swanson
Clark	Haugerud	Lemke	Pleasant	Tomlinson
Clawson	Heintz	Lindstrom	Prahl	Ulland
Corbid	Hokanson	Luther	Reding	Vanasek
Dahl	Jacobs	Mangan	Rice	Vento
Dean	Jaros	Mann	St. Onge	Volk
DeGroat	Jensen	McCarron	Samuelson	Wenstrom
Dieterich	Johnson, C.	McCollar	Sarna	Wenzel
Doty	Jopp	McEachern	Savekoul	White
Eckstein	Jude	Menning	Schreiber	Wieser
Eken	Kahn	Metzen	Schulz	Wigley
Enebo	Kaley	Moe	Schumacher	Williamson
Erickson	Kalis	Munger	Searle	Zubay
Esau	Kelly, R.	Neisen	Setzpfandt	Speaker Sabo
Evans	Kelly, W.	Nelsen	Sherwood	
Ewald	Kempe, A.	Nelson	Sieben, H.	
Faricy	Kempe, R.	Niehaus	Sieben, M.	

Those who voted in the negative were:

Albrecht

The bill was passed and its title agreed to.

S. F. No. 53, A bill for an act relating to peace officer training courses; eligibility; amending Minnesota Statutes 1974, Section 626.851, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, R.	Fjoslien	Kaley	Mann
Adams, L.	Cassery	Forsythe	Kalis	McCarron
Adams, S.	Clark	Friedrich	Kelly, R.	McCollar
Albrecht	Clawson	Fudro	Kelly, W.	McEachern
Anderson, G.	Corbid	Fugina	Kempe, A.	Menning
Anderson, I.	Dahl	George	Kempe, R.	Metzen
Arlandson	Dean	Graba	Ketola	Moe
Beauchamp	DeGroat	Hanson	Knickerbocker	Munger
Begich	Dieterich	Haugerud	Knoll	Neisen
Berg	Doty	Heintz	Kostohryz	Nelsen
Berglin	Eckstein	Hokanson	Kroening	Nelson
Biersdorf	Eken	Jacobs	Kvam	Niehaus
Birnstihl	Enebo	Jaros	Laidig	Norton
Braun	Erickson	Jensen	Langseth	Novak
Brinkman	Esau	Johnson, C.	Lemke	Osthoff
Byrne	Evans	Jopp	Lindstrom	Patton
Carlson, A.	Ewald	Jude	Luther	Pehler
Carlson, L.	Faricy	Kahn	Mangan	Peterson

Petrafeso	Sarna	Sieben, H.	Stanton	Wenstrom
Philbrook	Savelkoul	Sieben, M.	Suss	Wenzel
Pleasant	Schreiber	Sieloff	Swanson	White
Prahl	Schulz	Simoneau	Tomlinson	Wieser
Reding	Schumacher	Skoglund	Ulland	Wigley
Rice	Searle	Smith	Vanasek	Williamson
St. Onge	Setzepfandt	Smogard	Vento	Zubay
Samuelson	Sherwood	Spanish	Volk	Speaker Sabo

The bill was passed and its title agreed to.

### CALENDAR

S. F. No. 2076 was reported to the House.

### UNANIMOUS CONSENT

Jaros requested unanimous consent to offer an amendment. The request was granted.

Jaros moved to amend S. F. No. 2076 as follows:

Page 1, line 20, delete "*pay them wages at least equal to minimum*".

Page 1, line 21, delete "*wages established by state law*".

Page 2, line 7, delete "*a violation of Minnesota Statutes, Sections 609.185*".

Page 2, delete line 8.

Page 2, line 9, delete "*or 609.344*" and insert "*an offense involving death, great bodily harm, criminal sexual conduct in the first, second or third degree, or who had a firearm in his possession at the time of the offense*".

Further amend the title in line 2 by deleting "*permitting the*" and delete lines 3 to 6.

The motion prevailed and the amendment was adopted.

S. F. No. 2076, A bill for an act relating to corrections; amending Minnesota Statutes 1974, Section 241.01, by adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 72, and nays 49, as follows:

Those who voted in the affirmative were:

Abeln	Enebo	Kaley	Nelsen	Spanish
Adams, L.	Evans	Kelly, W.	Nelson	Stanton
Adams, S.	Faricy	Knoll	Norton	Suss
Beauchamp	Fjoslien	Kostohryz	Novak	Swanson
Berg	Forsythe	Kroening	Parish	Tomlinson
Berglin	Fugina	Laidig	Pehler	Ulland
Byrne	George	Langseth	Petrafeso	Vanasek
Carlson, A.	Graba	Luther	Philbrook	Vento
Carlson, L.	Hanson	Mangan	Reding	Wenstrom
Casserly	Hokanson	Mann	Samuelson	White
Clark	Jacobs	McCarron	Schulz	Williamson
Corbid	Jaros	Metzen	Sieben, H.	Speaker Sabo
Dahl	Johnson, C.	Moe	Sieben, M.	
Dean	Jude	Munger	Sieloff	
Dieterich	Kahn	Neisen	Skoglund	

Those who voted in the negative were:

Anderson, G.	Eken	Kempe, R.	Osthoff	Setzepfandt
Anderson, I.	Erickson	Ketola	Patton	Sherwood
Begich	Ewald	Knickerbocker	Peterson	Simoneau
Biersdorf	Friedrich	Kvam	Prahl	Smith
Birnstihl	Fudro	Lemke	St. Onge	Smogard
Braun	Heinitz	Lindstrom	Sarna	Volk
Brinkman	Jensen	McCollar	Savelkoul	Wenzel
Carlson, R.	Kalis	McEachern	Schreiber	Wieser
Doty	Kelly, R.	Menning	Schumacher	Zubay
Eckstein	Kempe, A.	Niehaus	Searle	

The bill was passed, as amended, and its title agreed to.

### SPECIAL ORDERS

H. F. No. 2492 was reported to the House.

Munger moved to amend H. F. No. 2492 as follows:

Page 2, line 11, after "product" insert "or class of PCB products".

Page 2, line 15, after "any" insert "new".

Page 2, line 16, after "such" insert "new".

The motion prevailed and the amendment was adopted.

H. F. No. 2492, A bill for an act relating to environmental protection; limiting the sale and use of organic compounds known as polychlorinated biphenyls; permitting exemptions; requiring labels; defining terms; providing penalties.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Neisen	Sherwood
Adams, L.	Eckstein	Kaley	Nelsen	Sieben, H.
Adams, S.	Eken	Kalis	Nelson	Sieben, M.
Albrecht	Enebo	Kelly, R.	Niehaus	Sieloff
Anderson, G.	Erickson	Kelly, W.	Norton	Simoneau
Anderson, I.	Esau	Kempe, A.	Novak	Skoglund
Arlandson	Evans	Kempe, R.	Osthoff	Smith
Beauchamp	Ewald	Ketola	Parish	Smogard
Begich	Faricy	Knickerbocker	Patton	Stanton
Berg	Fjoslien	Knoll	Pehler	Suss
Berglin	Forsythe	Kostohryz	Peterson	Swanson
Biersdorf	Friedrich	Kroening	Petrafeso	Tomlinson
Birnstihl	Fudro	Kvam	Philbrook	Ulland
Braun	Fugina	Laidig	Pleasant	Vanasek
Byrne	George	Langseth	Prahl	Vento
Carlson, A.	Graba	Lemke	Reding	Volk
Carlson, L.	Hanson	Luther	Rice	Wenstrom
Carlson, R.	Haugerud	Mangan	St. Onge	Wenzel
Casserly	Heinitz	Mann	Samuelson	White
Clark	Hokanson	McCarron	Sarna	Wieser
Clawson	Jacobs	McCollar	Savelkoul	Wigley
Corbid	Jaros	McEachern	Schreiber	Williamson
Dahl	Jensen	Menning	Schulz	Zubay
Dean	Johnson, C.	Metzen	Schumacher	Speaker Sabo
DeGroat	Jopp	Moe	Searle	
Dieterich	Jude	Munger	Setzepfandt	

The bill was passed, as amended, and its title agreed to.

H. F. No. 2600, A bill for an act relating to highway traffic regulations; license requirements for operating motorcycles; requiring enrollment in two-wheeled vehicle safety course prior to issuance of instruction permit; amending Minnesota Statutes, 1975 Supplement, Section 169.974, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 6, as follows:

Those who voted in the affirmative were:

Abeln	Braun	Dieterich	George	Kelly, W.
Adams, L.	Byrne	Doty	Graba	Kempe, A.
Adams, S.	Carlson, A.	Eken	Hanson	Kempe, R.
Albrecht	Carlson, L.	Enebo	Hokanson	Ketola
Anderson, G.	Carlson, R.	Erickson	Jacobs	Knickerbocker
Anderson, I.	Casserly	Evans	Jaros	Knoll
Beauchamp	Clark	Faricy	Jensen	Kostohryz
Begich	Clawson	Fjoslien	Jopp	Kroening
Berg	Corbid	Forsythe	Jude	Kvam
Berglin	Dahl	Friedrich	Kahn	Laidig
Biersdorf	Dean	Fudro	Kaley	Langseth
Birnstihl	DeGroat	Fugina	Kelly, R.	Lemke

Luther	Nelson	Pleasant	Sieben, H.	Tomlinson
Mangan	Niehaus	Reding	Sieben, M.	Ulland
Mann	Norton	St. Onge	Sieloff	Vanasek
McCarron	Novak	Samuelson	Simoneau	Vento
McCollar	Osthoff	Sarna	Skoglund	Volk
McEachern	Parish	Savelkoul	Smith	Wenstrom
Metzen	Patton	Schreiber	Smogard	Wenzel
Moe	Pehler	Schulz	Spanish	White
Munger	Peterson	Schumacher	Stanton	Wigley
Neisen	Petrafaso	Setzepfandt	Suss	Zubay
Nelsen	Philbrook	Sherwood	Swanson	Speaker Sabo

Those who voted in the negative were:

Eckstein	Kalis	Menning	Searle	Wieser
Johnson, C.				

The bill was passed and its title agreed to.

H. F. No. 1143, A bill for an act relating to public health; providing that chiropractic colleges shall be entitled to receive cadavers for the purpose of anatomical study; amending Minnesota Statutes 1974, Sections 145.14 and 525.923.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 98, and nays 20, as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Johnson, C.	Metzen	Sieben, M.
Adams, L.	Dieterich	Jude	Moe	Sieloff
Adams, S.	Doty	Kelly, W.	Munger	Simoneau
Anderson, G.	Eckstein	Kempe, A.	Neisen	Skoglund
Anderson, I.	Eken	Kempe, R.	Nelsen	Smogard
Arlandson	Enebo	Ketola	Nelson	Spanish
Beauchamp	Esau	Knickerbocker	Novak	Stanton
Begich	Evans	Knoll	Parish	Suss
Berg	Ewald	Kostohryz	Patton	Swanson
Berglin	Faricy	Kroening	Pehler	Tomlinson
Biersdorf	Fudro	Laidig	Peterson	Vanasek
Birnstihl	Fugina	Langseth	Petrafaso	Vento
Braun	George	Lemke	Philbrook	Volk
Brinkman	Graba	Lindstrom	Prahl	Wenstrom
Byrne	Hanson	Luther	Reding	Wenzel
Carlson, L.	Haugerud	Mangan	St. Onge	White
Carlson, R.	Heinitz	Mann	Samuelson	Wieser
Casserly	Hokanson	McCarron	Schumacher	Speaker Sabo
Clark	Jacobs	McCollar	Sherwood	
Corbid	Jaros	McEachern	Sieben, H.	

Those who voted in the negative were:

Albrecht	Erickson	Kalis	Norton	Setzepfandt
Carlson, A.	Jopp	Kvam	Osthoff	Ulland
Dean	Kahn	Menning	Pleasant	Wigley
DeGroat	Kaley	Niehaus	Searle	Zubay

The bill was passed and its title agreed to.

Savelkoul was excused for the remainder of today's session.

H. F. No. 930, A bill for an acting relating to insurance; regulating the use of credit life and credit health and accident insurance; amending Minnesota Statutes 1974, Sections 62B.01; 62B.04, Subdivision 1; 62B.05; 62B.06, by adding subdivisions; 62B.07, Subdivision 2, and by adding a subdivision; 62B.08, Subdivision 2, and by adding subdivisions; 62B.11; and 61A.12, by adding subdivisions.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kaley	Munger	Sieben, H.
Adams, L.	Doty	Kalis	Neisen	Sieben, M.
Adams, S.	Eckstein	Kelly, R.	Nelson	Sieloff
Albrecht	Eken	Kelly, W.	Nelson	Simoneau
Anderson, G.	Enebo	Kempe, A.	Niehaus	Skoglund
Anderson, I.	Erickson	Kempe, R.	Norton	Smith
Arlandson	Esau	Ketola	Novak	Smogard
Beauchamp	Evans	Knickerbocker	Osthoff	Spanish
Begich	Ewald	Knoll	Parish	Suss
Berg	Faricy	Kostohryz	Patton	Swanson
Berglin	Fjoslien	Kroening	Pehler	Tomlinson
Biersdorf	Fugina	Kvam	Peterson	Ulland
Birnstihl	George	Laidig	Petrafeso	Vanasek
Brinkman	Graba	Langseth	Philbrook	Vento
Byrne	Hanson	Lemke	Pleasant	Volk
Carlson, A.	Haugerud	Lindstrom	Prahl	Wenstrom
Carlson, L.	Heinitz	Luther	Reding	Wenzel
Carlson, R.	Hokanson	Mangan	St. Onge	White
Cassery	Jacobs	Mann	Samuelson	Wieser
Clark	Jaros	McCarron	Schreiber	Wigley
Clawson	Jensen	McCollar	Schulz	Williamson
Corbid	Johnson, C.	McEachern	Schumacher	Zubay
Dahl	Jopp	Menning	Searle	Speaker Sabo
Dean	Jude	Metzen	Setzpfandt	
DeGroat	Kahn	Moe	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 1826 was reported to the House.

Sieloff moved to amend H. F. No. 1826 as follows:

Page 4, line 9, strike all of "(15)" through line 27 and insert the following:

*"(15) A credit union, upon approval of the commissioner of banks of an application in the prescribed form filed with him*

together with a filing fee of \$100, shall have the power to act as trustee or custodian within the contemplation of the federal self-employed individuals tax retirement act of 1962, as amended and shall have the power to act as trustee or custodian within the contemplation of the federal employee retirement income security act of 1974, as amended, to establish an individual retirement account. The funds shall be invested only in savings, or time deposits, except that this restriction shall not prevent a credit union from accepting and retaining as a deposit property or investments derived from any qualified plan from which the applicant desires to transfer such property.

Funds held in the fiduciary capacity may be comingled for purposes of investment or for other purposes approved by the commissioner of banks, but individual records shall be maintained by the fiduciary for each participant and show in detail all transactions engaged in under authority of this section. In passing upon applications the commissioner shall take into consideration all pertinent facts that relate to a credit union's financial responsibility and may grant or refuse the application accordingly."

The motion prevailed and the amendment was adopted.

H. F. No. 1826, A bill for an act relating to credit unions; allowing credit unions to act as trustees or custodians of employee pensions benefit plan accounts; amending Minnesota Statutes, 1975 Supplement, Section 52.04.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Casserly	Fugina	Kempe, R.	Moe
Adams, L.	Clark	George	Ketola	Munger
Adams, S.	Clawson	Graba	Knickerbocker	Neisen
Albrecht	Corbid	Hanson	Knoll	Nelsen
Anderson, G.	Dahl	Haugerud	Kostohryz	Nelson
Anderson, I.	Dean	Heinitz	Kroening	Niehaus
Arlandson	DeGroat	Hokanson	Kvam	Norton
Beauchamp	Dieterich	Jacobs	Laidig	Novak
Begich	Doty	Jaros	Langseth	Osthoff
Berg	Eckstein	Jensen	Lemke	Parish
Berglin	Eken	Johnson, C.	Lindstrom	Patton
Biersdorf	Enebo	Jopp	Luther	Pehler
Birnsthil	Erickson	Jude	Mangan	Peterson
Braun	Esau	Kahn	Mann	Petrafeso
Brinkman	Evans	Kaley	McCarron	Philbrook
Byrne	Ewald	Kalis	McCollar	Pleasant
Carlson, A.	Faricy	Kelly, R.	McEachern	Prahl
Carlson, L.	Fjoslien	Kelly, W.	Menning	Reding
Carlson, R.	Forsythe	Kempe, A.	Metzen	St. Onge

Samuelson	Sherwood	Smith	Tomlinson	Wenzel
Schreiber	Sieben, H.	Smogard	Ulland	White
Schulz	Sieben, M.	Spanish	Vanasek	Wieser
Schumacher	Sieloff	Stanton	Vento	Wigley
Searle	Simoneau	Suss	Volk	Williamson
Setzpfandt	Skoglund	Swanson	Wenstrom	Zubay
				Speaker Sabo

The bill was passed, as amended, and its title agreed to.

H. F. No. 81 was reported to the House.

Lindstrom moved to amend H. F. No. 81, as follows:

Page 1, line 19, delete "*plus accrued*" and insert "*, exclusive of*".

Page 1, line 22, delete "*plus accrued*" and insert "*, exclusive of*".

Page 2, line 1, delete "*plus accrued*" and insert "*, exclusive of*".

The motion prevailed and the amendment was adopted.

H. F. No. 81, A bill for an act relating to real property; termination of contract for sale; providing differing times of notice in accordance with percentage of purchase price paid; amending Minnesota Statutes 1974, Section 559.21.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Abel	Casserly	Friedrich	Kelly, W.	Metzen
Adams, L.	Clark	Fudro	Kempe, A.	Moe
Adams, S.	Clawson	Fugina	Kempe, R.	Munger
Albrecht	Corbid	George	Ketola	Neisen
Anderson, G.	Dahl	Graba	Knickerbocker	Nelsen
Anderson, I.	Dean	Hanson	Knoll	Nelson
Arlandson	DeGroat	Haugerud	Kostohryz	Niehaus
Beauchamp	Dieterich	Heinitz	Kvam	Norton
Begich	Doty	Hokanson	Laidig	Novak
Berg	Eckstein	Jacobs	Langseth	Osthoff
Berglin	Eken	Jaros	Lemke	Parish
Biersdorf	Enebo	Jensen	Lindstrom	Patton
Birnstihl	Erickson	Johnson, C.	Luther	Pehler
Braun	Esau	Jopp	Mangan	Peterson
Brinkman	Evans	Jude	Mann	Petraleso
Byrne	Ewald	Kahn	McCarron	Philbrook
Carlson, A.	Faricy	Kaley	McCollar	Pleasant
Carlson, L.	Fjoslien	Kalis	McEachern	Prahl
Carlson, R.	Forsythe	Kelly, R.	Menning	Reding

St. Onge	Sherwood	Smogard	Vanasek	Wigley
Samuelson	Sieben, H.	Spanish	Vento	Williamson
Sarna	Sieben, M.	Stanton	Volk	Zubay
Schreiber	Sieloff	Suss	Wenstrom	Speaker Sabo
Schulz	Simoneau	Swanson	Wenzel	
Schumacher	Skoglund	Tomlinson	White	
Setzpfandt	Smith	Ulland	Wieser	

The bill was passed, as amended, and its title agreed to.

Eken, Forsythe and Haugerud were excused for the remainder of today's session.

H. F. No. 1801 was reported to the House.

Clawson moved to amend H. F. No. 1801, as follows:

Page 3, line 31, restore stricken language.

Page 3, line 32, delete "*shall constitute prima facie*".

Page 3, line 32, restore stricken language.

Page 4, line 1, restore stricken language.

Page 7, line 3, strike Section 9 and renumber subsequent sections.

The motion prevailed and the amendment was adopted.

McCarron moved to amend H. F. No. 1801, as amended, as follows:

Page 6, line 32, strike the words "*or ground for dismissal of*" and insert the word "*against*".

The motion prevailed and the amendment was adopted.

H. F. No. 1801, A bill for an act relating to commerce; providing for the opening of checking accounts; imposing a duty on financial institutions; providing remedies for worthless checks; providing penalties; amending Minnesota Statutes 1974, Section 609.535, Subdivisions 1, 2 and 3, and by adding subdivisions; and Chapter 549, by adding a section.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 93, and nays 25, as follows:

Those who voted in the affirmative were:

Abeln	Enebo	Kelly, W.	Neisen	Sieloff
Adams, L.	Erickson	Kempe, A.	Nelsen	Simoneau
Adams, S.	Evans	Kempe, R.	Niehaus	Smith
Anderson, I.	Ewald	Ketola	Novak	Suss
Arlandson	Fjoslien	Knickerbocker	Osthoff	Swanson
Beauchamp	Fudro	Knoll	Parish	Tomlinson
Begich	George	Kroening	Patton	Ulland
Biersdorf	Graba	Laidig	Pehler	Vanasek
Birnstihl	Hanson	Langseth	Philbrook	Volk
Braun	Heinitz	Lemke	Prahl	Wenstrom
Brinkman	Hokanson	Lindstrom	St. Onge	Wenzel
Byrne	Jacobs	Luther	Sarna	White
Carlson, L.	Jensen	Mangan	Schreiber	Wieser
Carlson, R.	Johnson, C.	Mann	Schuiz	Wigley
Clawson	Jopp	McCarron	Searle	Williamson
Corbid	Jude	McCollar	Setzepfandt	Zubay
Dean	Kaley	McEachern	Sherwood	Speaker Sabo
Doty	Kalis	Menning	Sieben, H.	
Eckstein	Kelly, R.	Munger	Sieben, M.	

Those who voted in the negative were:

Albrecht	Casserly	Jaros	Nelson	Schumacher
Anderson, G.	Clark	Kahn	Norton	Skoglund
Berg	Dieterich	Kostohryz	Peterson	Smogard
Berglin	Esau	Kvam	Petrafeso	Stanton
Carlson, A.	Faricy	Moe	Samuelson	Vento

The bill was passed, as amended, and its title agreed to.

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders for Monday, March 15, 1976, immediately following the Consent Calendar. The motion prevailed.

#### CONSIDERATION UNDER RULE 1.10

Pursuant to Rule 1.10, Kelly, W., requested immediate consideration of H. F. No. 1471.

H. F. No. 1471, A bill for an act relating to public improvements; allowing certain fees to discharge cancelled special assessments.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Adams, S.	Anderson, G.	Arlandson	Begich
Adams, L.	Albrecht	Anderson, I.	Beauchamp	Berglin

Biersdorf	Faricy	Knoll	Novak	Simoneau
Birnstihl	Fjoslien	Kostohryz	Osthoff	Skoglund
Braun	Friedrich	Kroening	Parish	Smith
Brinkman	Fudro	Kvam	Patton	Smogard
Byrne	George	Laidig	Pehler	Spanish
Carlson, A.	Graba	Langseth	Peterson	Stanton
Carlson, L.	Hanson	Lemke	Petrafeso	Suss
Carlson, R.	Heinitz	Lindstrom	Philbrook	Swanson
Casserly	Jacobs	Luther	Pleasant	Tomlinson
Clark	Jaros	Mangan	Prahl	Ulland
Clawson	Jensen	Mann	Reding	Vanasek
Corbid	Johnson, C.	McCarron	St. Onge	Vento
Dahl	Johnson, D.	McCollar	Samuelson	Volk
Dean	Jopp	McEachern	Sarna	Wenstrom
DeGroat	Jude	Menning	Schreiber	Wenzel
Dieterich	Kahn	Metzen	Schulz	White
Doty	Kaley	Moe	Schumacher	Wieser
Eckstein	Kalis	Munger	Searle	Wigley
Enebo	Kelly, R.	Neisen	Setzpfandt	Williamson
Erickson	Kempe, A.	Nelsen	Sherwood	Zubay
Esau	Kempe, R.	Nelson	Sieben, H.	Speaker Sabo
Evans	Ketola	Niehaus	Sieben, M.	
Ewald	Knickerbocker	Norton	Sieloff	

The bill was passed and its title agreed to.

#### ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 15, 1976. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Monday, March 15, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1976

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EIGHTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MARCH 12, 1976

The Senate met on Friday, March 12, 1976, which was the Eighty-eighth Legislative Day of the Sixty-Ninth Session of the Minnesota State Legislature. The House of Representatives did not meet on this date.



STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1976

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EIGHTY-NINTH DAY

SAINT PAUL, MINNESOTA, SATURDAY, MARCH 13, 1976

The Senate met on Saturday, March 13, 1976, which was the Eighty-ninth Legislative Day of the Sixty-Ninth Session of the Minnesota State Legislature. The House of Representatives did not meet on this date.



## STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1976

## NINETIETH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 15, 1976

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kalis	Nelsen	Sieben, M.
Adams, L.	Eckstein	Kelly, R.	Nelson	Sieloff
Adams, S.	Eken	Kelly, W.	Niehaus	Simoneau
Albrecht	Enebo	Kempe, A.	Norton	Skoglund
Anderson, G.	Erickson	Kempe, R.	Novak	Smith
Anderson, I.	Esau	Ketola	Osthoff	Smogard
Arlandson	Evans	Knickerbocker	Parish	Spanish
Beauchamp	Ewald	Knoll	Patton	Stanton
Begich	Faricy	Kostohryz	Pehler	Suss
Berg	Fjoslien	Kroening	Peterson	Swanson
Berglin	Forsythe	Kvam	Petrafeso	Tomlinson
Biersdorf	Friedrich	Laidig	Philbrook	Ulland
Birnstihl	Fudro	Langseth	Pleasant	Vanasek
Braun	George	Lemke	Prahl	Vento
Brinkman	Hanson	Lindstrom	Reding	Volk
Byrne	Haugerud	Luther	Rice	Voss
Carlson, A.	Heinitz	Mangan	St. Onge	Wenstrom
Carlson, L.	Hokanson	Mann	Samuelson	Wenzel
Carlson, R.	Jacobs	McCarron	Sarna	White
Casserly	Jaros	McCauley	Savelkoul	Wieser
Clark	Jensen	McCollar	Schreiber	Williamson
Clawson	Johnson, C.	McEachern	Schulz	Zubay
Corbid	Johnson, D.	Menning	Schumacher	Speaker Sabo
Dahl	Jopp	Metzen	Searle	
Dean	Jude	Moe	Setzpfandt	
DeGroat	Kahn	Munger	Sherwood	
Dieterich	Kaley	Neisen	Sieben, H.	

A quorum was present.

Fugina, Graba and Wigley were excused.

The Chief Clerk proceeded to read the Journals of the preceding days. On the motion of Erickson the further readings were dispensed with and the Journals were approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 81, 1592, 2115, 2157, 2492, 1801, 2012, 2113, 2230, 1826 and 2204 and S. F. Nos. 354, 2108, 2344 and 634 have been placed in the members' files.

S. F. No. 2108 and H. F. No. 2496, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Biersdorf moved that S. F. No. 2108 be substituted for H. F. No. 2496 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2344 and H. F. No. 2461, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Evans moved that S. F. No. 2344 be substituted for H. F. No. 2461 and that the House File be indefinitely postponed. The motion prevailed.

## PETITIONS AND COMMUNICATIONS

The following communications were received:

> STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

March 12, 1976

The Honorable Martin O. Sabo  
Speaker of the House of Representatives  
The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1976 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1976</i>	<i>Date Filed 1976</i>
	749	42	March 11	March 11
	945	43	March 11	March 11

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

March 12, 1976

The Honorable Martin O. Sabo  
Speaker of the House of Representatives  
The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1976 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1976</i>	<i>Date Filed 1976</i>
375		44	March 12	March 12
830		45	March 12	March 12
43		46	March 12	March 12

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

#### REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 1130, A bill for an act relating to the organization, operation and financing of state government; establishing an indirect cost billing system; requiring revolving fund billing rates to be determined by the commissioner of finance; transferring certain powers and duties relating to finance and recordation from and to the department of finance; appropriating money; amending Minnesota Statutes 1974, Sections 3.30, Subdivision 2; 10.16; 15.191, Subdivision 2; 16.141, Subdivisions 2 and 3a; 16.18; 16A.055; 16A.129; 16A.15, Subdivision 3; 16A.17; 16A.28; 84A.04; 93.12; 124.28, Subdivision 2; 276.09; 276.10; 293.10; 348.04; 354A.07; 379.05; 379.07; 379.09; 385.21; and 473F.07, Subdivisions 1 and 2; and Chapters 16, by adding a section; and 16A, by adding sections; repealing Minnesota Statutes 1974, Sections 3.30, Subdivision 2a; 16.19; 16A.09; 16A.125, Subdivisions 1, 2, 3, 7, 8, 9, and 10; and 136.06.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1974, Section 3.30, Subdivision 2, is amended to read:

Subd. 2. [MEMBERS; DUTIES.] The chairman of the senate committee on taxes and tax laws, the chairman of the senate committee on finance, the chairman of the house committee on taxes and tax laws, and the chairman of the house committee on appropriations shall constitute (A COMMITTEE TO BE KNOWN AS) the legislative advisory committee. The governor shall preside over the meetings of the committee but shall not be a member thereof. If any of the legislative members elect not to serve on the committee, the house of which they are members, if in session, shall select some other member for such vacancy. If the legislature is not in session, vacancies in the legislative membership of the committee shall be filled by the last speaker of the house or, if he be not available, by the last chairman of the house rules committee, in case of a house vacancy, and by the last senate committee on committees or other appointing authority designated by the senate rules in case of a senate vacancy. The commissioner of finance shall act as secretary of the committee and shall keep a permanent record and minutes of its proceedings, which shall be (MADE AVAILABLE FOR EXAMINATION UPON REQUEST OF ANY INTERESTED CITIZEN) *public records*. The commissioner of finance shall transmit, *under the provisions of section 3.195*, a report to the next legislature of all actions of said committee. The members of the committee shall receive travelling and subsistence expenses in attending meetings of the committee. (FROM THE APPROPRIATION MADE FOR THE COMMITTEE THERE SHALL BE PAID THE TRAVELLING AND SUBSISTENCE EXPENSES OF MEMBERS OF THE COMMITTEE IN ATTENDING MEETINGS THEREOF AND FOR THE PAYMENT OF STENOGRAPHIC SERVICES WHICH IF PERFORMED BY A PERSON IN THE CLASSIFIED SERVICE OF THE STATE SHALL BE IN ADDITION TO HIS REGULAR SALARY.) The committee shall meet from time to time upon the call of the governor or upon the call of the secretary at the request of three or more of its members.

Sec. 2. Minnesota Statutes 1974, Section 15.191, Subdivision 2, is amended to read:

Subd. 2. [APPROVAL.] Before an imprest cash fund is established an application showing the need therefor shall be presented to the (STATE AUDITOR) *commissioner of finance* who shall fix the amount of the fund for the department or agency. Upon the approval of the application by the commissioner of (ADMINISTRATION) *finance*, the imprest cash fund is established and the commissioner of *finance* shall notify the applicant.

Sec. 3. Minnesota Statutes 1974, Section 16A.055, is amended to read:

16A.055 [DUTIES OF COMMISSIONER.] The commissioner of finance shall exercise the rights, powers, and duties vested in and imposed upon his office. He shall have charge of the administration of the financial affairs of the state. He shall keep the general books of account of the state. The general books of account shall be on a double entry control basis, with such revenue, expenditure, asset and liability accounts as will give complete control over all financial and expenditure operations of the state and over all officials, departments, and agencies of the state government. Accounts shall be set both as to expenditures and revenue according to generally accepted practice in governmental accounting. The commissioner of finance shall formulate and prescribe for all departments and other state agencies a system of uniform records, accounts, statements, estimates, revenue receipt forms, vouchers, bills, and demands with suitable instructions governing the installation and use thereof. The accounting system and form so prescribed shall be adopted and employed by all officials, departments, and agencies of the state government. The commissioner of finance shall exercise constant supervision and control thereof. All accounting and financial records shall be kept on the fiscal year basis of 12 months ending at midnight between June 30 and July 1. The commissioner of finance and his designated agents shall at all times have free access to the books, records, accounts, and papers of the several departments and agencies.

*To accomplish the above duties, the commissioner may assign a designee to any department or agency of the state to monitor the fiscal activities therein, insure compliance with statutes and administrative requirements promulgated by the commissioner and provide any additional assistance he deems appropriate. Development of a budget consistent with a department or agency's goals, responsibilities and priorities and supervision of a department or agency's personnel shall be the responsibility of the department or agency head.*

Sec. 4. Minnesota Statutes 1974, Chapter 16A, is amended by adding a section to read:

[16A.095] [PROGRAM BUDGETING.] *Subdivision 1. [LEGISLATIVE POLICY.] The legislature finds that in the present era of increasing cost and complexity of state governmental operations with the attendant increase in sums requested and appropriated at each legislative session to enable state departments and agencies to perform their functions of service to the public, it is highly desirable that budgets considered by the legislature be stated in terms of services to the people in order to present fiscal policies in the context of services to be accomplished. The legislature therefore finds it desirable that future budgets and appropriations be stated in terms of programs and*

*anticipated accomplishment rather than in terms of objects of expenditure. Program budgeting, herein defined as the arrangement of budgetary information into program categories in such a way as to emphasize the purposes for which state moneys are to be spent, will be of invaluable assistance to the legislature in its consideration of budgets and appropriations requests. It is believed that it will also assist departments and agencies in clearly stating and properly emphasizing their budgetary needs.*

*Subd. 2. [ESTABLISHMENT OF PROGRAM.] The commissioner of finance shall develop the budget process to accomplish the policy as stated in subdivision 1 for state departments and agencies, provided, that such process need not comply with other provisions of law relating to the setting forth of expenditures by organizational units, character and objects of expenditure. The commissioner of finance shall promulgate regulations and instructions applicable to budget preparation governing the classification of expenditures and the content, and submission of budget requests and appropriation measures. The commissioner of finance shall select agencies and departments to implement the budget system. The commissioner of finance shall make recommendations to the legislature on the subject of any legislation or special appropriations which may be required for implementation of the budgeting system for all state departments and agencies. Such budget system shall, to the greatest extent practicable, emphasize alternative approaches in the program development and criteria for performance evaluation and measurement. All state departments and agencies shall cooperate with the commissioner of finance to assure implementation of budgets which meet the requirements of the commissioner of finance and which give due regard to the requirements of the various departments and agencies involved. No state agency shall begin or install any system of program or programmatic budgeting until they have first secured the explicit permission of the commissioner of finance.*

*Subd. 3. [WAIVER OF REQUIREMENT OF SUBMITTING BUDGET.] Notwithstanding any other law to the contrary, the commissioner of finance after consulting the committee on appropriations of the house of representatives and the committee on finance of the senate may waive the requirements for submitting a budget by object of expenditure for agencies and departments which are, at his direction, requesting programmatic appropriations.*

Sec. 5. Minnesota Statutes 1974, Chapter 16A, is amended by adding a section to read:

[16A.126] [COMMISSIONER TO APPROVE BILLING RATES FOR REVOLVING FUNDS.] *The commissioner of finance shall approve the rates at which services are billed state departments or agencies by any revolving fund.*

Sec. 6. Minnesota Statutes 1974, Chapter 16A, is amended by adding a section to read:

[16A.127] [INDIRECT COSTS.] *Subdivision 1. [DEFINITIONS.] As used in this section the following terms shall have the meanings given them:*

(a) "State agency" means a state department, board, council, committee, authority, commission or other entity in the executive branch of state government;

(b) "Nongeneral fund moneys" means any moneys any state agency is authorized to receive and expend from a source other than the general fund;

(c) "Statewide indirect costs" means all operating costs incurred by the state treasurer and the departments of administration, finance and personnel which are attributable to the provision of services to any state agency;

(d) "Commissioner" means the commissioner of finance.

*Subd. 2. [STATEWIDE INDIRECT COST PLAN.] Each year the commissioner shall prepare a statewide indirect cost plan showing the category and amount of statewide indirect costs attributable to each state agency for the current fiscal year. The commissioner shall submit copies of the plan to the governor and to the legislature pursuant to section 3.195.*

*Subd. 3. [TRANSFER OF FUNDS.] Pursuant to the statewide indirect cost plan the commissioner shall transfer to the general fund that portion of the statewide indirect costs applicable to nongeneral funds moneys received by any state agency for the previous fiscal year. Upon making such a transfer, the commissioner is authorized and directed to make appropriate entries in the records of the funds involved in the transfer. Notwithstanding the foregoing, the commissioner may determine, for reasons of sound fiscal management, to waive the transfer to the general fund of the indirect costs for certain nongeneral fund moneys. The commissioner shall report any waivers under this subdivision to the governor and the legislature at the time of his submission of the statewide indirect cost plan for the following fiscal year.*

*Subd. 4. [FEDERAL INDIRECT COST PROPOSALS.] Whenever a state agency applies or submits a budget for or receives federal moneys, the state agency shall prepare and submit to the appropriate federal agency an indirect cost proposal and make such further submissions necessary to obtain both statewide and state agency indirect cost moneys. Any indirect cost proposals and related documents must be submitted to and approved by the commissioner prior to the time they are submitted*

*to the appropriate federal agency. A state agency need not prepare and submit an indirect cost proposal if it establishes to the commissioner's satisfaction that such submission is not economically feasible.*

*Subd. 5. [TRANSFER OF FUNDS; FEDERAL INDIRECT COST PROPOSAL.] If the appropriate federal agency approves a state agency's indirect cost proposal, the commissioner shall transfer to the general fund that portion of the federal moneys received by the state agency attributable to statewide indirect costs. If the federal agency approves only a portion of the state agency's indirect cost proposal, the commissioner shall transfer to the general fund all or such part, if any, of that portion of the federal moneys received by the state agency attributable to statewide indirect costs that the commissioner deems appropriate. If the federal agency fails to approve any portion of the state agency's indirect cost proposal, the state agency shall submit documentation of the failure to approve and a statement of the reasons therefor to the commissioner.*

*Subd. 6. [REPORTS.] The commissioner shall require such information and reports from each state agency as he deems necessary to carry out the duties of this section.*

*Subd. 7. [LEGISLATIVE AUDITOR.] Unless otherwise specified by law, a state agency whose financial affairs are audited by the legislative auditor shall transfer to the general fund that portion of the cost of the audit applicable to the moneys received by the agency from sources other than the general fund. The collection by the legislative auditor of the cost of an audit may be waived in whole or in part by the legislative audit commission upon recommendation by the legislative auditor.*

Sec. 7. Minnesota Statutes 1974, Section 16A.129, is amended to read:

**16A.129 [COMMISSIONER TO MAKE RULES.]** The commissioner of finance shall have the following powers: to approve or reject the compensation schedules submitted by the commissioner of personnel (BOARD) for the various classes, grades, and titles of the *classified and unclassified* employees of the various officials, departments, and agencies of the state government and institutions under their control; to require a complete record of the officers, assistants, and employees appointed thereby or employed therein, and to require the salaries of the same to be in conformity with the scale of compensation established pursuant to law; to prepare and prescribe classes of expenditures and revenue for the purpose of budget-making and accounting (**; TO PROCURE BY LEASE, WITH THE APPROVAL OF THE GOVERNOR, OFFICE SPACE AND BUILDINGS FOR THE USE OF THE STATE GOVERNMENT OR ANY DEPARTMENT, OFFICE, OR INSTITUTION THEREOF, TO PURCHASE, EXCEPT AS OTHERWISE PROVIDED IN**

LAWS 1925, CHAPTER 426, AS AMENDED, ALL SUPPLIES AND EQUIPMENT FOR ALL STATE OFFICIALS, DEPARTMENTS, AND AGENCIES OF THE STATE GOVERNMENT, INCLUDING TOOLS, MACHINERY, AND MATERIALS TO BE USED BY THE STATE IN THE CONSTRUCTION AND MAINTENANCE OF STATE HIGHWAYS, BUT THE COMMISSIONER, IN HIS DISCRETION, MAY DESIGNATE AN OFFICER OR EMPLOYEE OF ANY SUCH DEPARTMENT TO MAKE, UNDER THE GENERAL SUPERVISION AND DIRECTION OF THE COMMISSIONER, SUCH PURCHASES FOR THE DEPARTMENT IN WHICH SUCH DESIGNATION IS SO MADE AS HE MAY SPECIFY).

(THE AUTHORITY OF THE COMMISSIONER TO APPROVE OR REJECT A SCALE OF COMPENSATION THEREFOR SHALL NOT APPLY TO THE UNCLASSIFIED SERVICE AS PRESCRIBED BY THE STATE CIVIL SERVICE LAW.)

Sec. 8. Minnesota Statutes 1974, Chapter 16A, is amended by adding a section to read:

[16A.14] [ALLOTMENT AND ENCUMBRANCE.] *Subdivision 1. [ALLOTMENT PERIOD.] For the purposes of operation of the allotment system, each fiscal year shall be one fiscal year of 12 months which shall end at midnight between each June 30 and July 1, provided, that the commissioner of finance may prescribe a different period suited to the circumstances, not exceeding 12 months nor extending beyond the end of the fiscal year. This provision does not apply to allotments made with respect to appropriations made for constructions or permanent improvement.*

*Subd. 2. [FUNDS TO WHICH SYSTEM APPLIES.] Except as otherwise expressly provided therein, the provisions of Laws 1939, Chapter 431, relating to the allotment system and to the encumbering of funds shall apply to appropriations and funds of all kinds, including standing or annual appropriations and dedicated funds from which expenditures are to be made, from time to time, by or under the authority of any agency, but shall not apply to appropriations for the courts or the legislature, nor to payment of unemployment compensation benefits nor to the funds deposited in the state treasury for disbursement by the commissioner of highways when acting as the agent of a political subdivision pursuant to law. In the case of construction contracts and transactions for the acquisition of real estate for public purposes, where periodical allotments are impracticable, the commissioner may dispense therewith and prescribe such regulations as will insure proper application and encumbering of funds. Contingent funds appropriated for the governor or the attorney general shall not be subject to the provisions thereof relating to allotment, but shall be subject to the other provisions thereof relating to expenditure and encumbering of funds.*

*Subd. 3. [APPROPRIATIONS AVAILABLE FOR ALLOTMENT; SPENDING PLANS.] No appropriation to any agency shall become available for expenditure thereby during any allotment period until such agency shall have submitted to the commissioner of finance a spending plan in advance, in such form as the commissioner shall prescribe, for such allotment period next ensuing, of the amount required for each activity to be carried on and each purpose for which money is to be expended during that period, and until such spending plan shall have been approved, increased, or decreased by the commissioner of finance and funds allotted therefor.*

*Subd. 4. [SPENDING PLANS WITHIN APPROPRIATION; APPROVAL; PROCEDURE.] If the spending plan is within the terms of the appropriation as to amount and purposes, having due regard for the probable further needs of the agency for the remainder of the fiscal year or other term for which the appropriation was made, and if there is a need for such appropriation for the next ensuing allotment period, the commissioner of finance shall approve the estimated amount for expenditure. Otherwise the commissioner of finance shall modify the spending plan so as to conform with the terms of the appropriation and the prospective needs of the agency and shall reduce the amount allotted accordingly. The commissioner of finance shall act promptly upon all spending plans, and shall notify every agency of its allotments at least five days before the beginning of each allotment period. The total amount allotted to any agency for the fiscal year or other terms for which the appropriation was made shall not exceed the amount appropriated for such year or term.*

*Subd. 5. [MODIFICATION.] The commissioner of finance shall also have authority at any time to modify or amend any spending plan previously approved by him, upon application of or upon notice to the agency concerned, and upon a showing of emergency or other cause; provided, no deficit or undue reduction of funds to meet future needs of such agency will result therefrom.*

**Sec. 9.** Minnesota Statutes 1974, Chapter 16, is amended by adding a section to read:

**[16.243] [COMMISSIONER; ADDITIONAL POWERS.]** *The commissioner of administration shall have the following powers: to procure by lease, with the approval of the governor, office space and buildings for the use of the state government or any department, office, or institution thereof; to purchase, except as otherwise provided in chapter 16, all supplies and equipment for all state officials, departments, and agencies of the state government, including tools, machinery, and materials to be used by the state in the construction and maintenance of state highways; but the commissioner, in his discretion, may*

*designate an officer or employee of any such department to make, under the general supervision and direction of the commissioner, such purchases for the department in which such designation is so made as he may specify.*

Sec. 10. Minnesota Statutes 1974, Section 16A.15, Subdivision 3, is amended to read:

Subd. 3. [PAYMENT WITHIN ALLOTMENT AND ENCUMBRANCE; EXCEPTIONS.] No payment shall be made (AND) *without prior obligation*. No obligation shall be incurred against any fund, allotment, or appropriation unless the commissioner of finance shall first certify that there is a sufficient unencumbered balance in such fund, allotment, or appropriation to meet the same. Every expenditure or obligation authorized or incurred in violation of the provisions of Laws 1939, Chapter 431, shall be presumed invalid and shall be ineligible for payment until its validity is established as hereinafter provided. Every payment made in violation of the provisions of Laws 1939, Chapter 431, shall be deemed illegal, and every official authorizing or making such payment, or taking part therein, and every person receiving such payment, or any part thereof, shall be jointly and severally liable to the state for the full amount so paid or received. If any appointive officer or employee of the the state shall knowingly incur any obligation or shall authorize or make any expenditure in violation of the provisions of Laws 1939, Chapter 431, or take part therein, it shall be grounds for his removal by the officer appointing him, and, if the appointing officer be other than the governor and shall fail to remove such officer or employee, the governor may exercise such power of removal, after giving notice of the charges and opportunity for hearing thereon to the accused officer or employee and to the officer appointing him. Claims presented against existing appropriations without prior allotment or encumbrance may, upon investigation, review, and approval by the commissioner of finance be determined valid where the services, materials, and supplies for which payment is claimed have been actually rendered or furnished to the state in good faith without collusion and without intent to defraud. Thereafter the commissioner of finance may draw his warrant in payment of such claims in the same manner in which other claims, properly allotted and encumbered prior to inception thereof, are paid.

*Subject to approval by the commissioner of finance and pursuant to increases authorized by Minnesota Statutes, Section 16.07, Subdivision 1, the payment amount for materials and supplies may exceed the obligation amount.*

Sec. 11. Minnesota Statutes 1974, Chapter 16A, is amended by adding a section to read:

[16A.155] [BUDGET AND ALLOTMENT SYSTEM, RE-FUNDS.] *Notwithstanding the provisions of section 8 of this*

*act and section 16A.15, or any other law to the contrary, the payment of a refund for any purpose authorized by law shall be chargeable against the fund, appropriation, allotment or encumbrance for the period in which the refund is paid.*

Sec. 12. Minnesota Statutes 1974, Section 16A.17, Subdivision 1, is amended to read:

16A.17 [PREPARATION OF STATE PAYROLL.] Subdivision 1. [COMMISSIONER TO DETERMINE PAY PERIOD.] The commissioner of finance, with the approval of the governor, shall fix the time for payment of salaries due elective and appointive officers and employees of the state government. (AS HEREIN DETERMINED SAID) Salaries shall be paid either monthly, semi-monthly or for each two week period; provided, however, that no employee whose salary is less than (\$500 A MONTH) *the amount prescribed by Title 29, Code of Federal Regulations, Part 541, as amended through December 31, 1974,* shall be paid on a monthly or longer basis.

Sec. 13. Minnesota Statutes 1974, Section 16A.17, Subdivision 4, is amended to read:

Subd. 4. [EQUAL SALARY PAYMENTS; ALLOCATION.] If the commissioner provides for equal payments of salaries throughout the year, the payroll shall be allocated as provided in this subdivision.

(1) If the payroll period extends beyond one quarter of the year and into another quarter of the year, the amount of the payroll for such payroll period shall be chargeable to the respective allotments and encumbrances according to procedures to be established by the commissioner of finance.

(2) This subdivision is applicable to salaries of state officers and employees payable in equal payments throughout the year notwithstanding any *other* provision in Minnesota Statutes (1957, CHAPTER 16, AND ANY ACT AMENDATORY THEREOF RELATING TO THE BUDGET, ALLOTMENT, AND ENCUMBRANCE SYSTEM). No provision of any subsequent law relating to the budget, allotment, and encumbrance system or to appropriations for the payment of salaries of state officers and employees shall be construed as inconsistent with this subdivision unless and except only so far as expressly provided in such subsequent act that the provisions of this subdivision shall not be applicable or shall be superseded, modified, amended, or repealed.

Sec. 14. Minnesota Statutes 1974, Section 16A.17, Subdivision 5, is amended to read:

Subd. 5. [PAYROLL DEDUCTIONS MADE BY FINANCE.] Whenever in any law the duty is imposed upon the head of a state department or agency to make deductions from,

or employer contributions on, the salaries and wages of state officers and employees for such purposes as are authorized or directed by law and to prepare or issue vouchers in connection therewith and the payroll for such officers and employees is prepared by the (CENTRAL PAYROLL SECTION OF THE) department of finance, such duties (AS HEREINBEFORE REFERRED TO) shall devolve upon the commissioner of finance. Notwithstanding any other law to the contrary, where a state officer or employee directs, in writing, that a voluntary deduction shall be made from his salary or wages, the officer or employee shall file an original and one copy of his written instruction with the credit union, organization, association, agency, or carrier to which the deduction is to be paid and the intended recipient of such deduction shall forward the original of the instruction, signed by the employee, together with such other information as the commissioner of finance may prescribe concerning the amount of the deduction or change therein to the head of the state department or agency who prepares the payroll involved.

Sec. 15. Minnesota Statutes 1974, Section 16A.17, Subdivision 6, is amended to read:

Subd. 6. [PAYROLL PREPARATION.] All payrolls for the compensation of work performed, by elective and appointive state officers and employees, (WITH THE EXCEPTION OF THE LEGISLATIVE AND JUDICIAL BRANCHES,) *in the executive branch* shall be prepared by the (CENTRAL PAYROLL SECTION OF THE) department of finance. *Upon request of the rules committee of the senate or the rules committee of the house of representatives or legislative commissions or the supreme court, as appropriate, the commissioner shall also prepare payrolls for the legislative and judicial branches by using pay procedures similar to those used in the executive branch.*

Sec. 16. Minnesota Statutes 1974, Section 16A.17, Subdivision 7, is amended to read:

Subd. 7. [REPORTING OF HOURS WORKED.] (1) (TO FACILITATE THE LOWERING OF THE PAYROLL PREPARATION COST,) The commissioner of finance may authorize certification by authorized officials as to hours worked for payroll purposes in anticipation of the hours actually worked. The commissioner shall prescribe such procedures as may be necessary to assure that no payment shall be made for hours not worked unless covered by leave in accordance with (CIVIL SERVICE) rules and regulations *of the department of personnel* or as provided in clause (2).

(2) Upon certification by the commissioner of finance, any agency of the state government shall release part or all of any fund held for an employee to correct an overpayment to any officer or employee described in subdivision 6 who has been erroneously paid.

Provided, however, that employee contributions in a retirement fund shall not be released until such time as the former state employee or person otherwise entitled thereto would be eligible to apply for a refundment and has been given proper notice. Amounts paid under the provisions of this section shall be considered the equivalent of a refundment. If an employee or survivor is entitled to an immediate or deferred annuity or survivor benefit, no funds shall be paid from his retirement account under the provisions of this section.

Sec. 17. Minnesota Statutes 1974, Section 16A.17, is amended by adding a subdivision to read:

*Subd. 9. [PAYROLL COSTS.] The moneys in the computer services revolving fund used for the costs of preparing the state payroll, and all the earnings accrued thereto, are appropriated to a central payroll revolving fund under the department of finance. In the instance of a direct appropriation for the costs of preparing the state payroll, all state departments and agencies shall be billed for their share of the payroll preparation costs through the indirect cost billing system, with the moneys collected being deposited in the general fund.*

Sec. 18. Minnesota Statutes 1974, Chapter 16A, is amended by adding a section to read:

**[16A.275] [RECEIPTS DEPOSITED WITH THE STATE TREASURER.]** *All receipts from any source shall be deposited with the state treasurer each day, except as otherwise provided by law, and unless such receipts are under \$50 in which event payment may be deferred until they aggregate such sum; and at the same time a report of all receipts since the last previous report and of the disposition thereof shall be made to the commissioner of finance by the depositing agency. All moneys received by the treasurer during any month shall be credited by him and by the commissioner of finance to the proper funds not later than the first day of the following month.*

Sec. 19. Minnesota Statutes 1974, Section 16A.28, is amended to read:

**16A.28 [APPROPRIATIONS TO REVERT TO STATE TREASURY.]** *Except as specifically provided for in appropriation acts, every appropriation or part thereof of any kind hereafter made subject to the provisions of this section remaining unexpended and unencumbered at the close of any fiscal year shall lapse and the commissioner shall cause same to be returned to the fund from which such appropriation was made; provided, that the commissioner, with the approval of the governor, may continue such appropriations or balances in force temporarily and further provided, that an appropriation for construction or other permanent improvement shall not lapse until the purposes for*

which the appropriation was made shall have been accomplished or abandoned unless such appropriation has stood during the entire fiscal biennium without any expenditure therefrom or encumbrances thereon.

*On October 16 of each year all allotments and encumbrances for the preceding fiscal year shall be cancelled unless an agency certifies to the commissioner that there is an encumbrance incurred pursuant to law for services rendered or goods ordered in the preceding fiscal year. The commissioner may reinstate that portion of the cancellation needed to meet the certified encumbrance or he may charge the certified encumbrance against the current year's appropriation.*

Except as otherwise expressly provided by law, the provisions of this section shall apply to every appropriation of a stated sum for a specified purpose or purposes heretofore or hereafter made (FROM THE GENERAL FUND), but shall not, unless expressly so provided by law, apply to any fund or balance of a fund derived wholly or partly from special taxes, fees, earnings, fines, federal grants, or other sources which are by law appropriated for special purposes by standing, continuing, or revolving appropriations.

Sec. 20. Minnesota Statutes 1974, Chapter 16A, is amended by adding a section to read:

[16A.30] [APPLICATIONS FOR NONSTATE FUNDS.]  
*Subdivision 1. Every department or agency of the executive branch of state government shall, prior to the submission of any application for nonstate funds, submit the original of the application to the commissioner of finance. The commissioner shall promptly return the application indicating his approval or disapproval. No application for funds shall be submitted without the prior approval of the commissioner of finance. The commissioner of finance may promulgate rules, regulations, and directives to implement the provisions of this section.*

*Subd. 2. The provisions of this section shall not apply to the Minnesota historical society.*

Sec. 21. Minnesota Statutes 1974, Section 84A.04, is amended to read:

84A.04 [LISTS OF LANDS.] (NOT LATER THAN SEPTEMBER 1, 1929.) The auditor of each county in which a portion of this preserve and hunting ground is situated shall certify to the commissioner of (FINANCE) *natural resources* a list of all the lands within the boundaries of the preserve and hunting ground, except lands lying within the boundaries of any incorporated city, which have been bid in for the state at the delinquent tax sale held in the year 1928 for the non-payment of taxes or special drainage assessments and not redeemed or

assigned to an actual purchaser, which certificate shall contain the following information:

- (1) The legal description of each parcel of such lands;
- (2) The amount of principal and interest of delinquent drainage assessments, if any, or instalments thereof, for all years prior to the date of such report, against each such parcel of land; and
- (3) The amount of drainage assessments thereof assessed against each such parcel of land which have been or are to be extended upon the tax rolls of such county for collection with the taxes for the year 1927 and subsequent years.

On or before June fifteenth, of each year thereafter, such county auditor shall certify to the commissioner of (FINANCE) *natural resources* a supplemental report giving the information contained in the original report covering such lands within this preserve and hunting ground bid in for the state at the annual tax sale of that year and not included in the previous report.

When redemption is made of any parcel of such land within the preserve and hunting ground which has been bid in for the state at any tax sale for taxes heretofore levied or when the tax liens on such land are assigned to an actual purchaser, the county auditor shall report the same forthwith to the commissioner of (FINANCE) *natural resources*, and the county treasurer shall transmit forthwith the proceeds of such redemption to the state treasurer.

After each distribution has been made of the tax collections on the June and November tax settlements, such county auditor shall certify to the commissioner of (FINANCE) *natural resources* the following information relating to bonds issued to finance or refinance public drainage ditches lying wholly or partly within this preserve and hunting ground and the collection of assessments levied on account of such ditches:

- (1) The amount of principal and interest to become due on such bonds prior to the next ensuing tax settlement and distribution;
- (2) The amount of moneys collected from such drainage assessments and credited to the funds of these ditches; and
- (3) The amount of the deficit in the ditch fund of the county chargeable to such ditches.

Upon the approval of this certificate by the commissioner of (FINANCE) *natural resources*, he shall draw a warrant or warrants on the state treasurer, payable out of the Red Lake game

preserve fund, for the amount of the deficit in favor of such county.

As to all public drainage ditches which lie wholly within this preserve and hunting ground, the maximum amount of money which shall be paid to or for the benefit of such county, in the manner above provided, shall never exceed the principal and interest of the bonds issued to finance and refinance such ditches outstanding at the time of the passage and approval of sections 84A.01 to 84A.11, less moneys on hand in the county ditch fund to the credit of such ditches, and such liability shall be reduced, from time to time, by the amount of any and all payments of assessments hereafter extended, made by the owners of lands heretofore assessed for benefits on account of such ditches. As to all public drainage ditches which lie partly within and partly without the boundaries of this preserve and hunting ground, the maximum amount which shall be paid to or for the benefit of such county shall never exceed the percentage of bonds issued to finance and refinance such ditches so outstanding, less moneys on hand in the county ditch fund to the credit of such ditches at the time of the passage and approval of sections 84A.01 to 84A.11, which bears the same proportion to the whole amount of such bonds as the original benefits assessed against lands within the game preserve bear to the original total benefits assessed to the entire system of such ditches, and such liability shall be reduced, from time to time, by the payments of all assessments hereafter extended, made by the owners of lands in this preserve and hunting ground, of assessments for benefits heretofore assessed on account of any such ditch. The commissioner of (FINANCE) *natural resources* shall have authority to provide and prescribe the forms for any reports required by sections 84A.01 to 84A.11 to be made to him, and to require any further and additional information from any officials of these counties which he deems necessary for the proper administration of sections 84A.01 to 84A.11.

Sec. 22. Minnesota Statutes 1974, Section 93.12, is amended to read:

93.12 [FORFEITURE OF PERMITS AND LEASES.] In the event the holder of such permit or lease shall fail to comply with all the provisions contained in sections 93.08 to 93.12 to be by him performed or observed and such default shall continue for a period of 30 days the commissioner of *natural resources* upon 30 days notice to the holder of such permit or lease by registered mail to the address of such holder as shown by the records of the commissioner of (FINANCE) *natural resources* may declare such permit or lease and all rights acquired thereunder forfeited. Upon the filing of the order of forfeiture with the commissioner of (FINANCE) *natural resources* all rights under such lease or permit shall cease.

Sec. 23. Minnesota Statutes, 1975 Supplement, Section 124.28, Subdivision 2, is amended to read:

Subd. 2. Any district entitled to a tax refund under the provisions of this section shall apply to the commissioner of (EDUCATION) *revenue* on or before July 1 of each year for such a refund and the commissioner of (EDUCATION) *revenue* shall immediately secure the necessary information on the valuation of the railroad property located in such a district from the department of public service subject to taxation under the gross earnings tax act, except rolling stock and the main tracks, and the local school tax rate in such a district, and compute the amount of the refund. For the purposes of this section the railroad valuation shall be taken as of December 31 of the year preceding the application, the taxable valuation as of the first Monday of January of the year of the application, the tax rates of the year of the application and the enrollments as of June 1 of the year of application. The commissioner of (EDUCATION) *revenue* shall forthwith (DRAW) *request the commissioner of finance to issue* a warrant on the state treasurer for such a refund to be paid from the appropriation otherwise made for that purpose. Provided, however, that for refunds receivable during fiscal 1974 and thereafter, no school district qualifying for a refund under this section shall receive more money than would be produced by a tax rate of 160 mills applied to the railroad property assessed at 30 percent of its full value as reported by the department of public service; nor shall any school district receive a larger refund the second fiscal year of the biennium than it receives the first fiscal year of the biennium by reason of the school district raising its mill rate for school purposes by more than five mills. Provided further, that payments made pursuant to this section during fiscal 1974 and 1975 are hereby sanctioned and deemed to have been made in accordance with the intent of this subdivision.

If the appropriation made for the purposes of this section is insufficient to pay all the school districts eligible for refund under this section the appropriation shall be prorated among the school districts entitled thereto.

Sec. 24. Minnesota Statutes 1974, Section 276.09, is amended to read:

276.09. [SETTLEMENT BETWEEN AUDITOR AND TREASURER.] On the last day of February, May, and October, of each year, the county treasurer shall make full settlement with the county auditor of his receipts and collections for all purposes, from the date of the last settlement up to and including each day mentioned, and the auditor shall, within 30 days after each settlement, send an abstract of same to the (COMMISSIONER OF FINANCE) *state auditor* in such form as the (COMMISSIONER OF FINANCE) *state auditor* may prescribe. At each settlement the treasurer shall make complete returns of his collections on the current tax list, showing the amount collected on account of the several funds included in the list.

Sec. 25. Minnesota Statutes 1974, Section 276.10, is amended to read:

276.10 [APPORTIONMENT AND DISTRIBUTION OF FUNDS.] On the last day of February, May, and October, of each year, the county auditor and county treasurer shall make distribution of all undistributed funds remaining in the treasury, apportioning the same, as provided by law, and placing the same to the credit of the state, town, city, or school district, and each county fund. Within 20 days after such distribution is completed, the county auditor shall make report thereof to the (COMMISSIONER OF FINANCE) *state auditor*, in such form as the (COMMISSIONER OF FINANCE) *state auditor* may prescribe. The county auditor shall issue his warrant for the payment of any moneys remaining in the county treasury to the credit of the state, town, city, or school district on application of the persons entitled to receive the same.

Sec. 26. Minnesota Statutes 1974, Section 293.10, is amended to read:

293.10 [DRAFT ON DELINQUENT; EVIDENCE.] On or before the tenth day of June, in each year, the commissioner of (FINANCE) *revenue* shall (MAKE HIS DRAFT UPON THE) *issue his order to any person delinquent in the payment of such tax for the amount of taxes and penalty due thereon and (PLACE THE SAME IN THE HANDS OF THE STATE TREASURER FOR COLLECTION. THE DRAFT OF THE COMMISSIONER OF FINANCE FOR THE TAX AND PENALTY IMPOSED BY THE PROVISIONS OF THIS CHAPTER) this order* shall be prima facie evidence in any court where proceedings may be brought for its enforcement that the amount therein stated is due from the person (AGAINST WHOM THE SAME IS DRAWN).

Sec. 27. Minnesota Statutes 1974, Section 348.04, is amended to read:

348.04 [PROOFS SENT TO COMMISSIONER OF NATURAL RESOURCES.] Before August first the county auditor shall compare the proofs furnished by the claimant with the assessor's report, and, if they correspond in substance, he shall immediately forward to the commissioner of (FINANCE) *natural resources* the original proofs of claim and a certified list of all plats filed.

Sec. 28. Minnesota Statutes 1974, Section 379.05, is amended to read:

379.05 [RECORD OF DESCRIPTION OF TOWN, WHERE KEPT; ABSTRACT SENT TO COMMISSIONER OF REVENUE.] Each county auditor shall within 30 days after any such town is organized transmit by mail to the commissioner of (FI-

NANCE) *revenue* an abstract of such report, giving the name and boundaries of such town and record in a book kept for that purpose a full description of each such town.

Sec. 29. Minnesota Statutes 1974, Section 379.07, is amended to read:

379.07 [TOWNS WITH SAME NAME.] If the commissioner of (FINANCE) *revenue*, on comparing the abstracts of the reports from the several counties, finds that two or more towns have the same name, he shall transmit to the auditor of the proper county the name to be altered, and the county board shall, at its next meeting thereafter, adopt for such town a different name. When such name is adopted the county auditor shall inform the commissioner of (FINANCE) *revenue*, as before directed.

Sec. 30. Minnesota Statutes 1974, Section 379.09, is amended to read:

379.09 [ORDER OF BOARD.] (THE PRAYER OF THE) Petition being granted, the board shall make a formal order to that effect, which shall be filed with the county auditor and thereupon the official name of such town shall be the one so adopted. The auditor shall within 20 days after any such change of name of town transmit by mail to the commissioner of (FINANCE) *revenue* an abstract of all the proceedings and orders of the county commissioners relative to such change of name.

Sec. 31. Minnesota Statutes 1974, Section 385.21, is amended to read:

385.21 [ACTION AGAINST.] If any county treasurer fails to make return or settlement, or to pay over all money with which he stands charged, at the time and in the manner prescribed by law, the county auditor, on receiving instructions for that purpose from the (COMMISSIONER OF FINANCE) *state auditor* or from the county board of his county, shall cause an action to be commenced against such treasurer and his sureties in the district court of his county; and judgment may be rendered therein against them for the amount due from such treasurer, with interest and a penalty of ten percent thereon.

Sec. 32. Minnesota Statutes 1974, Section 473F.07, Subdivision 1, is amended to read:

473F.07 [COMPUTATION OF AREA-WIDE TAX BASE.] Subdivision 1. Each county auditor shall certify the determinations pursuant to sections 473F.04, 473F.05, and 473F.06 to the administrative auditor on or before November 20 of (1972 AND) each (SUBSEQUENT) year. The administrative auditor shall determine the sum of the amounts certified pursuant to section 473F.06, and divide that sum by two and one half. The resulting

amount shall be known as the "area-wide tax base for (year).".

Sec. 33. Minnesota Statutes 1974, Section 473F.07, Subdivision 2, is amended to read:

Subd. 2. The commissioner of (FINANCE) *revenue* shall certify to the administrative auditor, on or before November 20 of (1972 AND) each (SUBSEQUENT) year, the population of each municipality for the preceding year, the proportion of that population which resides within the area, the average fiscal capacity of municipalities for the preceding year, and the fiscal capacity of each municipality for the preceding year.

Sec. 34. Minnesota Statutes, 1975 Supplement, Section 484.54, is amended to read:

484.54 [EXPENSES OF JUDGES.] The judges of the district court shall be paid, in addition to the amounts now provided by law, all sums they shall hereafter pay out as necessary traveling and hotel expenses while absent from their places of residence in the discharge of their official duties, (AND) *except that a judge shall not be paid such travel expenses for travel from his place of residence to and from his permanent chambers. Judges shall submit their travel expenses on the same forms state employees must utilize to seek travel reimbursement. Additionally, judges of the district court shall be reimbursed for all sums, not reimbursed by counties, they shall necessarily hereafter pay out for telephone tolls, postage; expressage, (AND) stationery, including printed letterheads and envelopes for official business (EXCEPT THAT A JUDGE SHALL NOT BE PAID SUCH TRAVELING EXPENSES FOR TRAVEL FROM HIS PLACE OF RESIDENCE TO AND FROM HIS PERMANENT CHAMBERS), membership dues and fees for legal and judicial organizations, educational programs when attendance is approved by the president of the state district court judges association, legal publications and the care of judicial robes. Each judge claiming reimbursement for allowable expenses may file with the supreme court monthly and shall file (WITHIN) not later than 90 days after the expenses are incurred, (UNLESS THE TIME IS EXTENDED BY THE COMMISSIONER OF FINANCE, WITH THE COMMISSIONER OF FINANCE) an itemized statement, verified by (HIM) the judge, of all (SUCH) allowable expenses actually paid by him (WHICH SHALL BE AUDITED BY THE COMMISSIONER OF FINANCE AND PAID UPON HIS WARRANT). All statements shall be audited by the supreme court and, if approved by the supreme court, shall be paid by the commissioner of finance from appropriations for this purpose.*

Sec. 35. [REPEALER.] *Minnesota Statutes 1974, Sections 3.30, Subdivision 2a; 10.16; 16.141; 16.16; 16.161; 16.164; 16.18; 16.19; 16A.09; 16A.125, Subdivisions 1, 2, 3, 7, 8, 9, and 10; 16A.17, Subdivision 2; and 136.06, are repealed.*

Sec. 36. [EFFECTIVE DATE.] *This act is effective the day following its final enactment.*"

Further, strike the title and insert:

"A bill for an act relating to the organization, operation and financing of state government; establishing an indirect cost billing system; requiring revolving fund billing rates to be determined by the commissioner of finance; transferring certain powers and duties relating to finance and recordation from and to the department of finance; appropriating money; amending the expense provisions for district court judges; amending Minnesota Statutes 1974, Sections 3.30, Subdivision 2; 15.191, Subdivision 2; 16A.055; 16A.129; 16A.15, Subdivision 3; 16A.17, Subdivisions 1, 4, 5, 6, 7, and by adding a subdivision; 16A.28; 84A.04; 93.12; 276.09; 276.10; 293.10; 348.04; 379.05; 379.07; 379.09; 385.21; 473F.07, Subdivisions 1 and 2; Chapter 16, by adding a section; and Chapter 16A, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 124.28, Subdivision 2; and 484.54; repealing Minnesota Statutes 1974, Sections 3.30, Subdivision 2a; 10.16; 16.141; 16.16; 16.161; 16.164; 16.18; 16.19; 16A.09; 16A.125, Subdivisions 1, 2, 3, 7, 8, 9, and 10; 16A.17, Subdivision 2; and 136.06."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 1997, A bill for an act relating to the operation of state government; providing for aids to education, tax levies and the distribution of tax revenues; changing the funding of special education, adult vocational education and secondary vocational education to a current funding basis; granting certain powers and duties to school districts, the commissioner of education, and the state board of education; establishing a uniform financial accounting and reporting system for Minnesota school districts; requiring the provision of special education on a shared time basis to nonpublic school pupils; appropriating money; amending Minnesota Statutes 1974, Sections 120.17, by adding a subdivision; 120.73, Subdivision 1; 120.74, Subdivision 1; 121.21, by adding a subdivision; 122.45, Subdivisions 2 and 3a; 124.212, by adding a subdivision; 124.32, as amended; Chapter 124, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 122.23, Subdivision 15; 122.45, Subdivision 1; 124.04; 124.17, Subdivisions 1 and 2; 124.212, Subdivision 8a; 124.271, Subdivision 2; 124.43, Subdivision 1; 124.561, Subdivision 3, and by adding a subdivision; 124.562, Subdivision 2; 124.563, Subdivision 3, and by adding a subdivision; 124.564; 124.565, Subdivision

2; 124.611, Subdivisions 1 and 2; 275.125, Subdivisions 2a, 4, 5, 8, 9, and 14; repealing Minnesota Statutes 1974, Sections 122.54 and 275.39.

Reported the same back with the following amendments:

Page 53, after line 29, insert

*"Subd. 4. For the payment of gross earnings aid pursuant to section 124.28, the sum of \$291,442 is appropriated for the fiscal year ending June 30, 1977.*

*(a) The appropriation in this subdivision shall be in addition to the sum appropriated for the fiscal year ending June 30, 1977, in Laws 1975, Chapter 432, Section 96, Clause (20).*

*(b) The appropriation in this subdivision shall be expended to pay \$237,884 to Independent School District No. 181, \$43,980 to Independent School District No. 703, and \$9,578 to Independent School District No. 381, for gross earnings aid not paid in fiscal years 1974 and 1975.*

*(c) The appropriation in this subdivision shall not be prorated pursuant to section 124.28, subdivision 2, among all districts entitled to gross earnings aid, but payments pursuant to this subdivision shall be deemed fiscal year 1977 payments to the designated districts pursuant to section 124.28 for all other purposes, including deductions from foundation aid pursuant to section 124.212 and reductions of levies pursuant to section 275.125.*

*Subd. 5. For payment of emergency aid, the sum of \$300,000 is appropriated for the fiscal year ending June 30, 1977.*

*The appropriation in this subdivision shall be added to the sum appropriated in Laws 1975, Chapter 432, Section 96, Clause (1) for the year ending June 30, 1977.*

*Subd. 6. The sum of \$150,000 is appropriated for fiscal year ending June 30, 1976, for the employment of six staff, in addition to the number shown on official worksheets, and necessary and related expenses in connection with the review and approval of special education programs and budgets. Any balances remaining on June 30, 1976, shall not cancel but shall be available for the second year of the biennium."*

With the recommendation that when so amended the bill do pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 2201, A bill for an act relating to census data; providing for implementation of federal law permitting the state to design a plan for return of census data to the state; appropriating money; amending Minnesota Statutes 1974, Section 4.12, Subdivision 7; and Minnesota Statutes, 1975 Supplement, Section 204A.06, Subdivision 1, and by adding a subdivision.

Reported the same back with the following amendments:

Page 4, after line 3, add a new section as follows:

*"Sec. 4. Notwithstanding the provisions of Minnesota Statutes, Section 410.21, or any other law, ordinance or charter, the provisions of sections 2 and 3 of this act shall apply to all municipalities."*

Page 4, line 6, after "act" insert "*which shall be available until expended*".

Renumber sections in sequence.

Further, amend the title.

Page 1, line 2, delete "census data" and insert "the state planning agency; providing additional responsibilities for the state demographer".

Page 1, line 5, after "state;" insert "providing precinct boundaries to facilitate census data returns;".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

S. F. No. 429, A bill for an act relating to the Minnesota zoological garden; providing a means of public access to the garden at the time of its opening; directing the department of highways to improve a certain road to provide such public access; and appropriating money.

Reported the same back with the following amendments:

Page 2, delete lines 30 to 32.

Page 3, delete line 1 and insert:

"Sec. 5. The appropriation made in section 4 shall be available for expenditure upon the signing of an agreement between the commissioner of highways, and the cities of Apple Valley and Eagan in which the cities authorize the commissioner of highways to withhold for a period of less than 10 years, commencing July 1, 1980, such portion of the cities' apportionments from the municipal state aid street fund that is sufficient to repay the state's general fund without interest for 50 percent of the cost of the project. The commissioner of highways will annually deposit the withheld amounts in the state general fund.

Sec. 6. [EFFECTIVE DATE.] This act is effective the day following its final enactment. The appropriation shall not cancel but shall be available until expended or the project is completed or abandoned."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

S. F. No. 916, A bill for an act relating to historic sites; providing for acquisition, administration and control of additional sites by the Minnesota historical society; appropriating money; amending Minnesota Statutes 1974, Sections 138.025, Subdivision 1, and by adding subdivisions; and 138.53, Subdivision 50; repealing Minnesota Statutes 1974, Sections 85.012, Subdivision 7; and 138.025, Subdivisions 7 and 8.

Reported the same back with the following amendments:

Page 1, delete lines 12 to 25.

Page 2, delete lines 1 to 10.

Page 2, line 13, delete "9" and insert "10".

Page 2, line 26, delete "10" and insert "11".

Page 3, delete lines 6 to 21 and insert

"Sec. 3. Minnesota Statutes 1974, Section 138.53, Subdivision 3, is amended to read:

Subd. 3. Minnesota (MAN) *Woman*, owned by the state, is in Otter Tail county, and consists of government lot 5, township 136 north, range 43 west."

Page 3, line 27, delete "\$200,000" and insert "\$75,000".

Renumber the sections in order.

Further, amend the title.

Lines 6 and 7, delete "Subdivision 1, and".

Line 8, delete "Subdivision" and insert "Subdivisions 3 and".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

S. F. No. 1120, A bill for an act relating to flood plain management; providing for a program of grants to local government units for the construction of floodwater retention and retarding structures; appropriating money; amending Minnesota Statutes 1974, Chapter 104, by adding sections.

Reported the same back with the following amendments:

Page 2, line 12, delete "50" and insert "75".

Page 6, line 21, after "*expended.*" insert "*The state soil and water conservation commission shall make application for funds to the legislative commission on Minnesota resources and any funds received from the legislative commission on Minnesota resources would reduce the amount of the unencumbered balance of this appropriation.*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

S. F. No. 345, A bill for an act relating to insurance; providing for indemnification and subrogation in certain cases; amending Minnesota Statutes 1974, Section 65B.53; repealing Minnesota Statutes 1974, Section 65B.62.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

S. F. No. 687, A bill for an act relating to credit unions; allowing credit union members to vote by mail for officers and amendments; allowing credit unions certain powers with respect to dividends; amending Minnesota Statutes 1974, Sections 52.02; 52.07 and 52.18.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

S. F. No. 1296, A bill for an act relating to insurance; making more certain which group insurance policies and subscriber contracts are required to provide insurance coverage to employees after termination of employment; extending the period for certain notices to terminated employees; requiring certain group insurance policies to provide for optional conversion to an individual policy after group coverage terminates; amending Minnesota Statutes 1974, Sections 62A.16; and 62A.17, Subdivisions 2 and 5, and by adding a subdivision.

Reported the same back with the following amendments:

Page 2, delete lines 2 to 32, and insert:

“Sec. 2. Minnesota Statutes, 1975 Supplement, Section 62A.17, Subdivision 5, is amended to read:

Subd. 5. [NOTICE OF OPTIONS.] Upon the termination of employment of an eligible employee, the employer shall inform the employee within (FIVE) *ten* days (OF SUCH) *after* termination of:

- (a) his right to elect to continue the coverage;
- (b) the amount he must pay monthly to the employer to retain the coverage;
- (c) the manner in which and the office of the employer to which the payment to the employer must be made; and
- (d) the time by which the payments to the employer must be made to retain coverage.

If the policy, contract or health care plan is administered by a trust, the terminating employer is relieved of the obligation

imposed by clauses (a) to (d). The trust shall inform the employee of the information required by clauses (a) to (d).

Notice may be in writing and sent by first class mail to the employee's last known address which the employee has provided the employer or trust. If the employer or trust fails to so notify the employee who is properly enrolled in the program, the employee shall have the option to retain coverage provided he makes this election within 60 days of the date his employment is terminated by making the proper payment to the employer or trust to provide continuous coverage."

Page 3, line 5, delete "five" and insert "ten".

Page 3, after line 24, insert a new section to read: "Sec. 4. *This act is effective on August 1, 1976.*"

Renumber the section accordingly.

Amend the title as follows:

Page 1, line 11, delete "Subdivisions 2".

Page 1, line 12, delete "and 5, and".

Page 1, line 12, after "subdivision" insert "; and Minnesota Statutes, 1975 Supplement, Section 62A.17, Subdivision 5".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

S. F. No. 1636, A bill for an act relating to insurance; clarifying license requirements for persons who enter into, acquire or hold insurance premium finance agreements; amending Minnesota Statutes 1974, Section 59A.03, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 13, after "company" strike "or" and insert a comma.

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

S. F. No. 1763, A bill for an act relating to motor vehicle sales finance companies; establishing fees and permitting refunds of fees; requiring written agreements to extend, defer or renew contracts; amending Minnesota Statutes 1974, Sections 168.67; and 168.74.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

S. F. No. 1848, A bill for an act relating to insurance; including surety bonds within the scope of the Minnesota insurance guaranty association act; amending Minnesota Statutes 1974, Sections 60C.02, Subdivisions 1 and 2; 60C.03, Subdivision 4; 60C.04; 60C.09, Subdivision 1; 60C.14, Subdivision 2.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

S. F. No. 1865, A bill for an act relating to insurance; providing a countersignature commission; amending Minnesota Statutes 1974, Section 60A.17, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 16, delete "*Minnesota resident agents*" and insert "*a non-resident agent who is a resident agent of Minnesota*".

Page 1, line 18, delete "*non-resident*" and insert "*resident*".

Page 1, line 18, after "*agent*" and before the comma insert "*of that state*"; and after the comma and before "*the*" insert "*then*"; and after "*agent*" at the end of the line insert "*of Minnesota*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1548, A bill for an act relating to the conduct of public officials and campaigns for public office; redefining certain terms; providing for the filing of certain reports and statements; providing penalties; amending Minnesota Statutes 1974, Sections 10A.01, Subdivisions 2 and 11; 10A.02, Subdivisions 1, 8 and 11; 10A.04, Subdivision 4; 10A.07, Subdivision 1; 10A.09, Subdivision 5; 10A.14, Subdivision 2; 10A.19, Subdivision 1; 10A.20, Subdivisions 1, 2, and 3, and by adding a subdivision; 10A.21, Subdivision 1; 10A.22, Subdivision 5; 10A.23; 10A.25, Subdivisions 3 and 6; 10A.27, Subdivision 3; repealing Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; 10A.22, Subdivisions 2 and 8.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1974, Section 10A.01, Subdivision 2, is amended to read:

Subd. 2. “Administrative action” means an action (OF A NON-MINISTERIAL NATURE) by any official, board, commission or agency of the executive branch to make rules. “Administrative action” does not include the application or administration of those rules, except in cases of rate setting, power plant siting and others specified by the commission.

Sec. 2. Minnesota Statutes 1974, Section 10A.01, Subdivision 5, is amended to read:

Subd. 5. “Candidate” means an individual who seeks nomination for election or election to any statewide office or legislative office, other than a federal office for which candidates are required to report under federal laws. The term candidate shall also include an individual who seeks nomination for election or election to supreme court and district court (JUDGES) judge-ships of the state. An individual shall be deemed to seek nomination for election or election if he has taken the action necessary under the law of the state of Minnesota to qualify himself for nomination for election or election to an office, has received contributions or made expenditures in excess of \$100, or has given his consent, implicit or explicit, for any other person to receive contributions or make expenditures in excess of \$100 with a view to bringing about his nomination for election or election to an office.

Sec. 3. Minnesota Statutes 1974, Section 10A.01, Subdivision 11, is amended to read:

## Subd. 11. "Lobbyist" means any:

(a) Individual who is engaged for pay or other consideration or is authorized by another person to spend money for the purpose of attempting to influence legislative or administrative action by communicating with public officials;

(b) Officially designated (REPRESENTATIVES) *representative* of any person or association which has as a major purpose the influencing of legislative or administrative action who attempt to influence an action by communicating with public officials; or

(c) Individual *acting on his own behalf* who spends more than \$250, not including traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating with public officials:

"Lobbyist" does not include *any*:

(a) (A) Public official or employee of the state or any of its political subdivisions or public bodies acting in his official capacity;

(b) (PARTIES AND THEIR REPRESENTATIVES) *Party or his representative* appearing in a proceeding before a state board, commission or agency of the executive branch unless the board, commission or agency is (ACTING IN A NON-MINISTERIAL CAPACITY) *taking administrative action*;

(c) (INDIVIDUALS) *Individual* in the course of selling goods or services to be paid for by public funds; (OR)

(d) News media or their employees or agents (, BUT ONLY WHILE) acting in the ordinary course of business of publishing or broadcasting news items, editorials or other comments or paid advertisements which directly or indirectly urge official action;

(e) Paid expert (WITNESSES) *witness* whose testimony is requested *either* by the body before which (THEY ARE) *he* is appearing or one of the parties to a proceeding, but only (WHILE ACTING IN THE ORDINARY COURSE) *to the extent* of preparing or delivering testimony;

(f) *Stockholder of a family farm corporation as defined in section 500.24, subdivision 1, who does not spend over \$250, excluding travel expenses, in any year in communicating with public officials; or*

(g) *Officer or employee of any corporation, cooperative, partnership, or other business who is not engaged as or offi-*

*cially designated as its lobbyist and who spends not over five hours in any month or not over \$250 excluding travel time and expense in any year in communicating with public officials.*

Sec. 4. Minnesota Statutes 1974, Section 10A.01, is amended by adding a subdivision to read:

*Subd. 19. "Office holder" means an individual who holds any statewide or legislative office, except a federal office for which candidates are required to report under federal laws, state supreme court justice or district court judge.*

Sec. 5. Minnesota Statutes 1974, Section 10A.02, Subdivision 1, is amended to read:

10A.02 [STATE ETHICS COMMISSION.] Subdivision 1. There is hereby created a state ethics commission composed of six members. The members shall be appointed by the governor with the advice and consent of three-fifths of both the senate and the house of representatives acting separately. Failure by either house to confirm the appointment of a commission member within 45 legislative days after his appointment shall be deemed to be a refusal to advise and consent and his appointment shall terminate immediately after 45 legislative days or non-confirmation, whichever is earlier. One member shall be a former state legislator from a *major* political party different from that of the governor; one member shall be a former state legislator from the same political party as the governor; two members shall be persons who have not been public officials, held office in a political party other than precinct delegate, or been elected to public office for which party designation is required by statute in the three years prior to the time of their appointment; and the other two members shall not support the same political party. No more than three of the members of the commission shall support the same political party.

Sec. 6. Minnesota Statutes 1974, Section 10A.02, Subdivision 8, is amended to read:

Subd. 8. The commission shall: (a) Report at the close of each fiscal year to the legislature, the governor and the public concerning the action it has taken, the names, salaries, and duties of all individuals in its employ and the money it has disbursed. The commission shall include and identify in its report any other reports it has made during the fiscal year. It may indicate apparent abuses and offer legislative recommendations;

(b) Prescribe forms for statements and reports required to be filed under sections 10A.01 to 10A.34 and make the forms available to persons required to file them;

(c) Make available to the persons required to file the reports and statements a manual setting forth the recommended uniform methods of bookkeeping and reporting;

(d) Develop a filing, coding and cross-indexing system consistent with the purposes of sections 10A.01 to 10A.34;

(e) Make the reports and statements filed with it available for public inspection and copying by the end of the second day following the day on which they were received. Any person may copy a report or statement by hand or by duplicating machine and the commission shall provide duplicating services at cost for this purpose. No information copied from reports and statements shall be sold or utilized by any person for any commercial purpose;

(f) *Notwithstanding the provisions of section 138.163*, preserve reports and statements for a period of (SIX) five years from the date of receipt;

(g) Compile and maintain a current list and summary of all statements or parts of statements pertaining to each candidate; and

(h) Prepare and publish reports as it may deem appropriate.

Sec. 7. Minnesota Statutes 1974, Section 10A.02, Subdivision 11, is amended to read:

Subd. 11. Any hearing or action of the commission concerning any complaint or investigation shall be confidential and all information obtained by the commission shall be privileged until the commission makes a finding that the commission believes there is or is not probable cause to conclude that a violation of Laws 1974, Chapter 470 (OR OTHER CAMPAIGN LAWS) has occurred. Any person, including any member or employee of the commission, violating the confidentiality provisions of this subdivision shall be guilty of a gross misdemeanor. *The commission shall make a finding within 30 days of receipt of a written complaint unless a majority of the commission agrees to extend the time limit.* After determination of its findings the commission shall report any finding of probable cause to the appropriate law enforcement authorities.

Sec. 8. Minnesota Statutes 1974, Section 10A.04, Subdivision 4, is amended to read:

Subd. 4. The report shall include (ALL) *such* information (REQUIRED ON) *as the commission may require from* the registration form and the following information for the reporting period:

(a) The lobbyist's total disbursements on lobbying and a breakdown of those disbursements into categories specified by the commission, including but not limited to the cost of publication and distribution of each publication used in lobbying; other printing; media, including the cost of production; postage; travel; fees, including allowances; entertainment; telephone and telegraph; and other expenses;

(b) *The amount and nature of each honorarium, gift (OR), loan, item or benefit, excluding contributions to a candidate, equal in value to \$20 or more, given or paid to any public official by the lobbyist or any employer or any employee of the lobbyist. The list shall include the name and address of each public official to whom the honorarium, gift, loan, item or benefit was given or paid and the date it was given or paid; and*

(c) Each original source of funds in excess of \$500 in any year used for the purpose of lobbying. The list shall include the name, address and employer, or, if self employed, the occupation and principal place of business, of each payer of funds in excess of \$500.

Sec. 9. Minnesota Statutes 1974, Section 10A.04, is amended by adding a subdivision to read:

*Subd. 4a. If in any reporting period the lobbyist's reportable disbursements total not over \$100 and no honorarium, gift, loan, item or benefit equal in value to \$20 or more was given or paid to any public official, a statement to that effect in lieu of the report may be filed for that period. The unreported disbursements shall be included in the report for the following period, unless the total for that period, including the carryover, is not over \$100. The October 15 report shall include all previously unreported disbursements, even though the total for the year is not over \$100.*

Sec. 10. Minnesota Statutes 1974, Section 10A.09, Subdivision 5, is amended to read:

Subd. 5. A statement of economic interest required by this section shall be on a form prescribed by the commission. The individual filing shall provide the following information:

(a) His name, address, occupation and principal place of business;

(b) The name of each business with which he is associated and the nature of that association; and

(c) A listing of all real property within the state, excluding homestead property, in which he has a fee simple interest, a contract for deed or an option to buy, whether direct or indirect, and

which interest is valued in excess of \$2,500. The filing shall indicate *the street address and the municipality (, IF ANY) or the section, township, range and approximate acreage, whichever applies*, and the county wherein the property is located.

Sec. 11. Minnesota Statutes 1974, Section 10A.14, Subdivision 2, is amended to read:

Subd. 2. The statement of organization shall include:

(a) The name and address of the political committee or political fund;

(b) The names and addresses of the supporting associations of a political fund;

((C) THE GEOGRAPHIC AREA IN WHICH IT WILL OPERATE AND THE PURPOSE OF THE POLITICAL COMMITTEE OR POLITICAL FUND;)

((D) THE NAME, ADDRESS AND POSITION OF THE CUSTODIAN OF BOOKS AND ACCOUNTS;)

((E)) (c) The name and address of the chairman, the treasurer, and any (OTHER PRINCIPAL OFFICERS INCLUDING) deputy treasurers (, IF ANY);

((F) THE NAME, ADDRESS, OFFICE SOUGHT, AND PARTY AFFILIATION, IF ANY, OF EACH CANDIDATE WHOM THE COMMITTEE OR POLITICAL FUND IS SUPPORTING, OR, IF THE COMMITTEE OR POLITICAL FUND IS SUPPORTING THE ENTIRE TICKET OF ANY PARTY, THE NAME OF THE PARTY;)

((G) A STATEMENT AS TO WHETHER THE COMMITTEE OR POLITICAL FUND IS A CONTINUING ONE;)

((H)) (d) A listing of all depositories or safety deposit boxes used; and

((I)) (e) A statement as to whether the committee is a principal campaign committee.

Sec. 12. Minnesota Statutes 1974, Section 10A.19, Subdivision 1, is amended to read:

10A.19 [PRINCIPAL CAMPAIGN COMMITTEE.] Subdivision 1. Every candidate shall designate and cause to be formed a single principal campaign committee *which shall be responsible for reporting contributions and authorized expenditures on behalf of the candidate.*

Sec. 13. Minnesota Statutes 1974, Section 10A.20, Subdivision 1, is amended to read:

10A.20 [CAMPAIGN REPORTS.] Subdivision 1. (EVERY) *The treasurer of (A) every political committee (OR) and political fund shall begin to file the reports required by this section in (ANY) the first year it receives contributions or makes expenditures in excess of \$100 and shall continue to file until the committee or fund is terminated.*

Sec. 14. Minnesota Statutes 1974, Section 10A.20, Subdivision 2, is amended to read:

Subd. 2. The reports shall be filed with the commission (BY THE FOLLOWING DATES:)

((A) IN YEARS IN WHICH ANY CANDIDATE BEING SUPPORTED DOES NOT STAND FOR ELECTION:)

((1) JANUARY 7; AND)

((2) JULY 7;)

((B) IN YEARS IN WHICH ANY CANDIDATE BEING SUPPORTED DOES STAND FOR ELECTION:)

((1) JANUARY 7;)

((2) JULY 7;)

((3) FIVE) *on or before January 7 of each year, and in each year in which the name of the candidate being supported is on the ballot; ten days before (ANY) the primary (ELECTION IN WHICH THE CANDIDATE STANDS FOR ELECTION;)*

((4) FIVE DAYS BEFORE ANY) *or special primary and general or special election (IN WHICH THE CANDIDATE STANDS FOR ELECTION; AND)*

((5) 30 DAYS AFTER THE LAST ELECTION IN WHICH A CANDIDATE STANDS FOR ELECTION;)

((C) IN SPECIAL OR SPECIAL PRIMARY ELECTIONS IN WHICH A CANDIDATE STANDS FOR ELECTION;)

((1) 30 DAYS BEFORE THE ELECTION; AND)

((2) FIVE DAYS BEFORE THE ELECTION).

*If a scheduled filing date falls on a Saturday, Sunday or legal holiday, the filing date shall be the next regular business day.*

Sec. 15. Minnesota Statutes 1974, Section 10A.20, Subdivision 3, is amended to read:

Subd. 3. Each report under this section shall disclose:

(a) The amount of liquid assets on hand at the beginning of the reporting period;

(b) The name (,) *and* address (AND EMPLOYER, OR, IF SELF-EMPLOYED, OCCUPATION) of each person, political committee or political fund who has made one or more contributions to or for the political committee or political fund including the purchase of tickets for dinners, luncheons, rallies, and similar fund raising events within the year in an aggregate amount or value in excess of \$50 for legislative candidates and in excess of \$100 for statewide candidates, together with the amount and date of the contributions, and the aggregate amount of contributions within the year (OF) *from* each contributor so disclosed. The lists of contributors shall be in alphabetical order;

(c) The total sum of individual contributions made to or for the political committee or political fund during the reporting period and not reported under clause (b);

((D)) THE NAME AND ADDRESS OF EACH POLITICAL COMMITTEE, POLITICAL FUND OR CANDIDATE FROM WHICH THE REPORTING COMMITTEE OR FUND RECEIVED, OR TO WHICH THAT COMMITTEE MADE, ANY TRANSFER OF FUNDS, TOGETHER WITH THE AMOUNTS AND DATES OF ALL TRANSFERS. THE LISTS SHALL BE IN ALPHABETICAL ORDER;)

((E)) (d) Each loan to or from any person within the year in an aggregate amount or value in excess of \$100, together with the (FULL NAMES) *name* and (MAILING) address, (OCCUPATIONS) *occupation* and the principal (PLACES) *place of* business, if any, of the lender or (ENDORSERS, IF ANY,) *any endorser* and the date and amount of the (LOANS) *loan*;

((F)) (e) Each receipt in excess of \$100 not otherwise listed under clauses (b) to ((C)) (d);

((G)) (f) The total sum of all receipts by or for the political committee or political fund during the reporting period;

((H)) (g) *The* name (,) *and* address (, OCCUPATION AND THE PRINCIPAL PLACE OF BUSINESS, IF ANY,) of each person to whom expenditures have been made by the political committee or political fund or on its behalf within the year in an aggregate amount in excess of \$100, the amount, date and purpose of each expenditure and the name and address of,

and office sought by, each candidate on whose behalf the expenditure was made;

((I)) *(h)* The sum of individual expenditures (WHICH IS) not otherwise reported under clause ((H)) *(g)*;

((J)) THE NAME, ADDRESS, OCCUPATION AND THE PRINCIPAL PLACE OF BUSINESS, IF ANY, OF EACH PERSON TO WHOM AN EXPENDITURE FOR PERSONAL SERVICES, SALARIES, AND REIMBURSABLE EXPENSES IN EXCESS OF \$100 HAS BEEN MADE, AND WHICH IS NOT OTHERWISE REPORTED, INCLUDING THE AMOUNT, DATE AND PURPOSE OF THE EXPENDITURE;)

((K)) THE SUM OF INDIVIDUAL EXPENDITURES FOR PERSONAL SERVICES, SALARIES AND REIMBURSABLE EXPENSE WHICH IS NOT OTHERWISE REPORTED UNDER (J);)

((L)) *(i)* The total expenditures made by the political committee or political fund during the reporting period;

((M)) *(j)* The amount and nature of (DEBTS AND OBLIGATIONS) *any debt or obligation* owed by or to the political committee or political fund, and (A CONTINUOUS REPORTING OF THEIR DEBTS AND OBLIGATIONS AFTER THE ELECTION UNTIL THE DEBTS AND OBLIGATIONS ARE EXTINGUISHED;)

((N)) THE AMOUNT AND NATURE OF) *any written* contract, promise or agreement (, IN WRITING, WHETHER OR NOT LEGALLY ENFORCEABLE,) to make a contribution or expenditure; *and*

((O)) *(k)* *For principal campaign committees only:* The name of each person, committee or political fund, which has been authorized by the treasurer to make expenditures on behalf of the candidate and the nature and amount of each authorized expenditure.

Sec. 16. Minnesota Statutes 1974, Section 10A.20, is amended by adding a subdivision to read:

*Subd. 12. The commission shall notify any person who fails to file a statement required by this section. A person who knowingly fails to file the statement within seven days after receiving notice from the commission is guilty of a misdemeanor.*

Sec. 17. Minnesota Statutes 1974, Section 10A.21, Subdivision 1, is amended to read:

10A.21 [REPORTS TO COUNTY AUDITOR.] Subdivision 1. All reports or statements that must be filed with the commission by the principal campaign committee of legislative candidates shall (ALSO) be *duplicated and filed by the commission with the county auditor of each county in which the legislative district lies within 72 hours of the date the report or statement is required to be filed or, if the report or statement is delinquent, within 72 hours of the time the report is actually filed.*

Sec. 18. Minnesota Statutes 1974, Section 10A.23, is amended to read:

10A.23 [CHANGES AND CORRECTIONS.] Any material changes in information previously submitted and any corrections to a report or statement shall be reported in writing to the commission within ten days following the date of the event prompting the change or the date upon which the person filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph containing the information to be changed or corrected. Any person who wilfully fails to report a material change or correction is guilty of a gross misdemeanor.

Sec. 19. Minnesota Statutes 1974, Section 10A.25, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding subdivision 2, clause (a), a candidate for the endorsement for the office of lieutenant governor at the convention of a political party may spend \$30,000 or five percent of the amount in subdivision 2, clause (a) (, PRIOR TO THE TIME OF) to seek endorsement. This (MONEY) amount shall be in addition to the (MONEY) amount which may be expended pursuant to subdivision 2, clause (a).

Sec. 20. Minnesota Statutes 1974, Section 10A.25, Subdivision 6, is amended to read:

Subd. 6. In a year in which (A CANDIDATE DOES NOT STAND FOR ELECTION) *an election does not occur for an office held or sought*, no expenditures shall be made and no obligations to make expenditures shall be incurred by a candidate or officeholder or by a political committee, political fund or individual which makes expenditures with the authorization, express or implied, and under the control, direct or indirect, of the candidate or officeholder or his agents which shall result in the aggregate expenditure on behalf of the candidate or officeholder in that year of an amount in excess of 20 percent of the amount of the aggregate expenditure permitted by subdivision 2. Expenditures permitted by this subdivision shall be in addition to expenditures permitted by subdivision 2.

Sec. 21. Minnesota Statutes 1974, Chapter 10A, is amended by adding a section to read:

[10A.261] *Nothing in chapter 10A shall be construed as abridging the right of an association to communicate with its members.*

Sec. 22. Minnesota Statutes 1974, Section 10A.27, Subdivision 3, is amended to read:

Subd. 3. Expenditures by (A) *the state or local committee of any political party on behalf of candidates of that party generally, without referring to any of them specifically in any advertisement published (OR), posted, (ON ANY) or broadcast, or (IN) any sample ballot or telephone conversation (, IF THAT CONVERSATION MENTIONS) listing three or more (CANDIDATES) persons whose names are to appear on the ballot, shall not be allocated to any candidate or subject to the limitations of section 10A.25, subdivision 2.*

Sec. 23. Minnesota Statutes 1974, Section 10A.27, is amended by adding a subdivision to read:

Subd. 5. *Nothing in chapter 10A shall be construed as limiting expenditures by a political committee, political fund, or individual which are made without the written authorization of the candidate, provided that the political committee, political fund, or individual is in compliance with the provisions of section 10A.17, subdivision 5.*

Sec. 24. Minnesota Statutes 1974, Section 10A.30, Subdivision 2, is amended to read:

Subd. 2. Within the state elections campaign fund account there shall be maintained (SEPARATE ACCOUNTS) *a separate account for the candidates of each political party and a general account.*

Sec. 25. Minnesota Statutes 1974, Section 10A.31, Subdivision 3, is amended to read:

Subd. 3. The commissioner of the department of revenue shall on the first page of the income tax form notify the taxpayer of his right to allocate \$1 of his taxes (\$2 if filing a joint return) to finance the election campaigns of state candidates. The form shall also contain language prepared by the commissioner which permits the taxpayer to direct the state to allocate the \$1 (or \$2 if filing a joint return) to (ONE OF THE FOLLOWING): (i) *one of the major political parties; (ii) (THE NAME OF) any minor political party (PROVIDED THAT IF) for which a petition is filed to qualify as a minor political party (IT BE FILED) by June 1 of that taxable year; (AND) or (iii) (DISTRIBUTION TO) all qualifying candidates as provided by this section.*

Sec. 26. Minnesota Statutes 1974, Section 10A.31, Subdivision 5, is amended to read:

Subd. 5. ((A) IN EACH FISCAL YEAR, 40 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATEWIDE OFFICE.)

((B) OF THE AMOUNT SET ASIDE IN CLAUSE (A), 40 PERCENT SHALL BE DISTRIBUTED TO THE CANDIDATES FOR GOVERNOR AND LIEUTENANT GOVERNOR JOINTLY; 24 PERCENT SHALL BE DISTRIBUTED TO THE CANDIDATE FOR ATTORNEY GENERAL; AND 12 PERCENT EACH SHALL BE DISTRIBUTED TO THE CANDIDATES FOR SECRETARY OF STATE, STATE TREASURER AND STATE AUDITOR. IF THERE IS NO NOMINEE OF THAT PARTY FOR ONE OF THE OFFICES, THE SHARE SET ASIDE FOR THAT OFFICE SHALL BE DISTRIBUTED TO THE OTHER STATEWIDE CANDIDATES OF THAT PARTY IN THE SAME PROPORTIONS AS THE ORIGINAL AMOUNT.)

((C) WITHIN TWO WEEKS OF THE CERTIFICATION BY THE STATE CANVASSING BOARD OF THE RESULTS OF THE PRIMARY ELECTION, THE STATE TREASURER SHALL DISTRIBUTE AVAILABLE FUNDS IN EACH ACCOUNT, OTHER THAN THE GENERAL ACCOUNT, OF THE STATE ELECTIONS FUND TO THE APPROPRIATE CANDIDATES WHO ARE TO APPEAR ON THE BALLOT FOR THE GENERAL ELECTION AS PRESCRIBED IN CLAUSES (A) AND (B).)

((D) WITHIN TWO WEEKS OF THE CERTIFICATION BY THE STATE CANVASSING BOARD OF THE RESULTS OF THE GENERAL ELECTION, THE STATE TREASURER SHALL DISTRIBUTE THE AVAILABLE FUNDS IN THE GENERAL ACCOUNT IN THE SAME PROPORTIONS AS PROVIDED IN CLAUSE (B), IN AN EQUAL AMOUNT TO EACH CANDIDATE WHO RECEIVED AT LEAST FIVE PERCENT OF THE VOTE CAST IN THE GENERAL ELECTION FOR THE OFFICE FOR WHICH HE WAS A CANDIDATE.) *In each calendar year the moneys in each party account and the general account shall be allocated to candidates as follows:*

(a) *16 percent for the offices of governor and lieutenant governor jointly;*

(b) *9.6 percent for the office of attorney general;*

(c) *4.8 percent each for the offices of secretary of state, state auditor and state treasurer;*

(d) *in each calendar year during the period in which state senators serve a four year term, 20 percent for the office of state senator and 40 percent for the office of state representative;*

(e) *in each calendar year during the period in which state senators serve a two year term, and in 1975 and 1976, 30 percent for the office of state senator and 30 percent for the office of state representative;*

(f) *all candidates of one party for the state senate and state house of representatives whose names are to appear on the ballot in the general election shall share equally in the funds allocated to their respective offices from their party account, except that any candidate may refuse his share, which shall then be divided equally among the remaining candidates of his party for the same office.*

*If a candidate elects to refuse moneys from the state elections campaign fund, he shall not be subject to the expenditure limitations imposed by section 10A.25 or limited in the amount he may contribute to his own campaign.*

Sec: 27. Minnesota Statutes 1974, Section 10A.31, Subdivision 6, is amended to read:

Subd. 6. ((A) IN EACH OF THE FISCAL YEARS DURING THE PERIOD IN WHICH THE STATE SENATE SERVES A FOUR YEAR TERM WHICH COMMENCES AFTER APRIL 13, 1974, 20 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATE SENATE. IN EACH OF THE FISCAL YEARS DURING THE PERIOD IN WHICH THE STATE SENATE SERVES A TWO YEAR TERM, AND IN 1975 AND 1976, 30 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATE SENATE.)

((B) THE AMOUNT SET ASIDE IN CLAUSE (A) SHALL BE DISTRIBUTED IN EQUAL SHARES TO EACH OF THE CANDIDATES FOR STATE SENATE OF THAT PARTY.)

((C)) Within two weeks (OF THE) *after certification by the state canvassing board of the results of the primary (ELECTION), the state treasurer shall distribute the available funds in each party account, (OTHER THAN THE GENERAL ACCOUNT TO THE APPROPRIATE CANDIDATES WHO) as certified by the commissioner of revenue on September 15, to the candidates of that party who have signed the agreement as provided in section 10A.32, subdivision 3, and whose names are to appear on the ballot (FOR) in the general election (AS PRESCRIBED IN CLAUSES (A) AND (B); according to the allocations set forth in subdivision 5. If there is no candidate of a party for any one office designated in subdivision 5 in any year in which that office appears on the ballot, the allocation for that office shall be distributed to all other candidates of that party in proportion to their shares as set forth in subdivision 5.*

((D) WITHIN TWO WEEKS OF THE CERTIFICATION BY THE STATE CANVASSING BOARD OF THE RESULTS OF THE GENERAL ELECTION, THE STATE TREASURER SHALL DISTRIBUTE THE AVAILABLE FUNDS IN THE GENERAL ACCOUNT IN AN EQUAL AMOUNT TO EACH CANDIDATE WHO RECEIVED AT LEAST TEN PERCENT OF THE VOTES CAST IN THE GENERAL ELECTION FOR THE OFFICE FOR WHICH HE WAS A CANDIDATE.)

Sec. 28. Minnesota Statutes 1974, Section 10A.31, Subdivision 7, is amended to read:

Subd. 7. ((A) IN EACH OF THE FISCAL YEARS DURING THE PERIOD IN WHICH THE STATE SENATE SERVES A FOUR YEAR TERM WHICH COMMENCES AFTER APRIL 13, 1974, 40 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATE REPRESENTATIVES. IN EACH OF THE FISCAL YEARS DURING THE PERIOD IN WHICH THE STATE SENATE SERVES A TWO YEAR TERM, AND IN 1975 AND 1976, 30 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATE REPRESENTATIVES.)

((B) THE AMOUNT SET ASIDE IN CLAUSE (A) SHALL BE DISTRIBUTED IN EQUAL SHARES TO EACH OF THE CANDIDATES FOR STATE REPRESENTATIVE OF THAT PARTY.)

((C) WITHIN TWO WEEKS OF THE CERTIFICATION BY THE STATE CANVASSING BOARD OF THE RESULTS OF THE PRIMARY ELECTION, THE STATE TREASURER SHALL DISTRIBUTE AVAILABLE FUNDS IN EACH ACCOUNT, OTHER THAN THE GENERAL ACCOUNT, TO THE APPROPRIATE CANDIDATES WHO ARE TO APPEAR ON THE BALLOT FOR THE GENERAL ELECTION AS PRESCRIBED IN CLAUSES (A) AND (B).)

((D)) Within two weeks (OF THE) *after* certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account, *as certified by the commissioner of revenue on November 15 and according to the allocations set forth in subdivision 5*, in (AN) equal (AMOUNT) amounts to (EACH CANDIDATE) *all candidates for each statewide office who received at least five percent of the votes cast in the general election for that office, and to all candidates for legislative office who received at least ten percent of the votes cast in the general election for the specific office for which (HE WAS A CANDIDATE) they were candidates.*

Sec. 29. Minnesota Statutes 1974, Section 10A.31, is amended by adding a subdivision to read:

*Subd. 8. Within one week after certification by the state canvassing board of the results of the primary, the commission shall certify to the state treasurer the name of each candidate who has signed the agreement as provided in section 10A.32, subdivision 3, and the amount he is to receive from the available funds in his party account.*

Sec. 30. Minnesota Statutes 1974, Section 10A.31, is amended by adding a subdivision to read:

*Subd. 9. Within one week after certification by the state canvassing board of the results of the general election, the commission shall certify to the state treasurer the name of each candidate who is qualified to receive funds from the general account, together with the amount he is to receive from the available funds in the general account.*

Sec. 31. Minnesota Statutes 1974, Section 10A.31, is amended by adding a subdivision to read:

*Subd. 10. Within one week after all the tax returns have been processed, the commissioner of revenue shall certify to the commission the amount accumulated in each account since the previous certification. Within one week thereafter, the commission shall certify to the state treasurer the amount to be distributed to each candidate according to the allocations as provided in subdivision 5. As soon as practicable thereafter, the state treasurer shall distribute the amounts to the candidates.*

Sec. 32. Minnesota Statutes 1974, Section 10A.32, is amended to read:

10A.32 [LIMITATIONS UPON THE STATE ELECTION CAMPAIGN FUND.] Subdivision 1. No candidate shall be entitled to receive from the state elections campaign fund an amount greater than the total amount of expenditures which may be made by *him* or on *his* behalf (OF THE CANDIDATE) under sections 10A.25 and 10A.27. *The amount by which the expenditure limit is exceeded shall be distributed to all other candidates of the same party whose shares do not exceed their expenditure limits in proportion to their shares as set forth in section 10A.31.*

Subd. 2. No candidate shall be entitled to receive from the state election campaign fund an amount greater than the total amount actually expended by *him* or on *his* behalf (OF THE CANDIDATE DURING HIS CAMPAIGN) *in the year of the election. If the report required to be filed on or before January 7 in the year following the general election indicates that the amount received by the candidate is greater than the amount expended on his behalf, the treasurer of his principal campaign committee shall refund to the state treasurer an amount equal to the difference. The refund in the form of a check or money*

*order shall be submitted with such report and the commission shall forward the refund to the state treasurer.*

Subd. 3. As a condition of receiving any funds from the state elections campaign fund, any candidate, prior to receipt of the funds, shall agree by stating in writing to the commission on or before September 1 that expenditures on his behalf shall not exceed the expenditure limits as set forth in section 10A.25 and that his principal campaign committee shall not accept contributions (EXCEEDING) for the period beginning with the registration of his principal campaign committee and ending December 31 of the election year which exceed 105 percent of the difference between the amount which may legally be expended by him or on his behalf (OF THAT CANDIDATE), and the amount which (THE CANDIDATE) he receives from the state elections campaign fund. Any amount by which his total contributions exceed 105 percent of the difference shall be refunded to the state treasurer. The refund in the form of a check or money order shall be submitted in the same manner as provided in subdivision 2.

*For the purposes of this subdivision only, the total amount to be distributed to each candidate is his share of the total estimated funds in his party account as provided in subdivision 3a, plus the total amount estimated as provided in subdivision 3a to be in the general account and set aside for that office divided by the number of candidates whose names are to appear on the general election ballot for that office. If the amount actually received by the candidate is greater by reason of a lesser number of qualifying candidates sharing in the funds in each account, and his contributions thereby exceed 105 percent of the difference, the agreement shall not be considered violated.*

Subd. 3a. The commissioner of revenue shall certify to the commission on or before the last day for filing for office his estimate of the total to be accumulated in each account in the state elections campaign fund after 100 percent of the tax returns have been processed. Within seven days after the last day for filing for office the secretary of state shall certify to the state treasurer and the commission the name, address, office sought, and party affiliation of each candidate. Within seven days thereafter the commission shall estimate the minimum amount to be received by each candidate who qualifies as provided in section 10A.31, subdivisions 6 and 7, and notify all candidates on or before August 15 of the applicable amount.

Subd. 4. If a political party for whose candidates funds have been accumulated in the state elections campaign fund does not have a candidate for (STATEWIDE) any office (, STATE REPRESENTATIVE OR STATE SENATOR), the moneys (WHICH WOULD BE USED FOR DISTRIBUTION TO THAT CATEGORY OR CATEGORIES) shall be (TRANSFERRED TO THE GENERAL) maintained in that account until the year of the next general election. If in two successive general election years

*that political party does not have a candidate for any office, the accumulated funds shall be transferred to the general fund.*

Sec. 33. *Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; and 10A.22, Subdivisions 2 and 8, are repealed.*

Sec. 34. *This act is effective the day following final enactment."*

And further, to amend the title as follows :

Page 1, line 5, after "statements;" insert "providing for distribution of moneys in the state elections campaign fund;"

Page 1, line 6, after "1974," insert "Chapter 10A, by adding a section;"

Page 1, line 7, after "2" insert ", 5," and after "11" insert ", and by adding a subdivision".

Page 1, line 8, after "Subdivision 4" and before the semicolon insert ", and by adding a subdivision"; and after the semicolon strike "10A.07, Subdivision".

Page 1, line 9, strike "1;"

Page 1, line 12, strike "10A.22, Subdivision 5;"

Page 1, line 14, after "3" insert ", and by adding a subdivision; 10A.30, Subdivision 2; 10A.31, Subdivisions 3, 5, 6, and 7, and by adding subdivisions; and 10A.32".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred :

H. F. No. 1342, A bill for an act relating to soil and water conservation; providing for the operation of the soil and water conservation commission; amending Minnesota Statutes 1974, Sections 40.03, Subdivisions 1 and 4; and 40.06, Subdivision 2.

Reported the same back with the following amendments:

Pages 1, 2, and 3, delete all of section 1 and insert:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 40.03, Subdivision 1, is amended to read:

40.03 [SOIL AND WATER COMMISSION.] Subdivision 1. [MEMBERS.] There is hereby established, to serve as an agency within the department of natural resources and to perform the functions conferred upon it in this chapter, the state soil and water conservation commission to be composed of 11 members, seven of whom shall be elected supervisors of soil and water conservations districts selected as herein provided. Four members thereof shall be ex officio members composed of the following: The director of the agricultural extension service of the University of Minnesota; the dean of the institute of agriculture of the University of Minnesota; the director of the pollution control agency; the commissioner of agriculture. (THE DIRECTOR OF THE AGRICULTURAL EXTENSION SERVICE) *Each ex officio member may designate (THE ASSOCIATE DIRECTOR OF THE AGRICULTURAL EXTENSION SERVICE) a person within his organization to act in his stead as a member of the commission, with all his rights and privileges. The designation shall be filed with the secretary of state. (SIMILARLY, THE DEAN OF THE INSTITUTE OF AGRICULTURE MAY DESIGNATE THE ASSOCIATE DEAN OF THE INSTITUTE OF AGRICULTURE TO ACT IN HIS STEAD, WITH ALL HIS RIGHTS AND PRIVILEGES, WHICH DESIGNATION ALSO SHALL BE FILED WITH THE SECRETARY OF STATE.)* The commission shall invite the state conservationist of the United States soil conservation service to serve as an advisory member. The commission may also invite a representative of the state association of soil and water conservation districts, the association of Minnesota counties, the league of municipalities and such other organizations and governmental agencies as may be deemed necessary to serve as advisory members. The other seven members of said commission shall be appointed by the governor from nominees who are elected representatives of the state soil and water conservation districts, recommended by the state association of soil and water conservation district supervisors submitted to the governor, and in the event of a failure to submit such nominees to the governor he shall make the necessary appointments from present or past supervisors of soil and water conservation districts. One member shall be appointed from each department of natural resources region except that two members shall be appointed from region number one. The four members heretofore appointed shall serve for the balance of the terms for which they were appointed. The fifth, sixth and seventh (MEMBER) members shall be appointed for (A TERM) terms of five years. Thereafter as vacancies occur all appointments shall be made for terms of five years. The commission shall keep a record of its official actions, and may perform such acts, hold such public hearings, and promulgate such rules and regulations as may be necessary for the execution of its functions under this chapter. The commission shall (BE RESPONSIBLE TO THE COMMISSIONER OF NATURAL RESOURCES AND SHALL CONTINUE TO) exercise all powers and duties as conferred upon it by law."

Page 3, after line 6, insert a section to read:

"Sec. 2. Minnesota Statutes 1974, Section 40.03, Subdivision 2, is amended to read:

Subd. 2. [EMPLOYEES.] (THE STATE SOIL AND WATER CONSERVATION COMMISSION MAY EMPLOY, WITH THE APPROVAL OF THE COMMISSIONER OF NATURAL RESOURCES, AN ADMINISTRATIVE OFFICER IN THE UNCLASSIFIED SERVICE AND SUCH TECHNICAL EXPERTS AND SUCH OTHER AGENTS AND EMPLOYEES, PERMANENT AND TEMPORARY, AS IT MAY REQUIRE, AND SHALL DETERMINE THEIR QUALIFICATIONS, DUTIES, AND COMPENSATION.) *The department of natural resources shall provide administrative functions of Minnesota Statutes, Section 40.03. The commissioner of natural resources shall make available by separate budget to the state soil and water conservation commission such staff services, funds for operation, and office space as are necessary for the administration and coordination of its functions. The commission shall be responsible to the commissioner for reporting purposes in regard to staff functions and those operations as they relate to department activities.*

*The commissioner of natural resources shall in agreement with the state soil and water conservation commission provide an administrative officer and such technical experts and such other agents and employees, permanent and temporary, as it may require in carrying out Minnesota Statutes, Section 40.03, and shall determine their qualifications and duties, and recommend compensation to the commissioner of personnel. The commission may call upon the attorney general for such legal services as it may require. It shall have authority to prescribe the powers and duties of its officers and employees, and to delegate to its chairman or to one or more of its other officers or members or administrative officer such of its own powers and duties as it may deem proper. (THE ADMINISTRATIVE OFFICER SHALL SERVE AT THE PLEASURE OF THE COMMISSIONER AND MAY BE DISMISSED ONLY UPON THE ADVICE AND RECOMMENDATION OF THE COMMISSION. ALL OTHER PERSONNEL OF THE COMMISSION SHALL BE TRANSFERRED TO THE DEPARTMENT OF NATURAL RESOURCES AND SHALL BE IN THE CLASSIFIED SERVICE OF THE STATE.) The administrative officer is responsible to the commission and may be dismissed by the commissioner of natural resources only upon the advice and recommendation of the commission. All permanent personnel of the commission are employees of the department of natural resources and are in the classified service of the state except as otherwise required by statute. All rights, duties and responsibilities of the existing staff of the commission on November 12, 1971 shall remain unchanged except as may be agreed upon by the commission and the commissioner. Upon request of the commission, for the purpose of carrying out any of its functions, the supervising officer*

of any state agency, or of any state institution of learning, shall insofar as may be possible under available appropriations, and having due regard to the needs of the agency to which the request is directed, assign or detail to the commission members of the staff or personnel of the agency or institution of learning, and make such special reports, surveys, or studies as the commission may request."

Renumber the remaining sections in order.

Page 3, after line 12, insert.

*"(1) To prepare and present to the commissioner of the department of natural resources a budget to finance the activities of the commission and the districts and to administer any law appropriating funds to districts;"*

Page 4, after line 3, insert:

*"(5) To require annual reports from districts and other special reports as requested by the commission;*

*(6) To approve or disapprove the plans or programs of districts as they relate to the use of state funds as administered by the commission;"*

Renumber the clauses in sequence.

Page 5, line 7, delete "1975" and insert "1976".

Further amend the title:

Line 5, after "Subdivisions" delete "1" and insert "2".

Line 6, delete "and".

Line 6, after "Subdivision 2" insert "; and Minnesota Statutes, 1975 Supplement, Section 40.03, Subdivision 1".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1444, A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act; appropriating money; amending Minnesota Statutes 1974, Sections 490.121,

Subdivisions 2 and 4; 490.124, Subdivisions 1, 2, 3, 6, 8, 9, and 10; 490.125, Subdivision 2; and 490.128, by adding subdivisions.

Reported the same back with the following amendments:

“Page 1, after line 9, insert a section to read: ”

“Section 1. Minnesota Statutes, 1975 Supplement, Section 356.30, Subdivision 3, is amended to read:

Subd. 3. [COVERED FUNDS.] The provisions of this section shall apply to the following retirement funds:

(1) state employees retirement fund established pursuant to chapter 352;

(2) correctional employees retirement program, established pursuant to chapter 352;

(3) unclassified employees retirement plan, established pursuant to chapter 352D;

(4) highway patrolmen's retirement fund, established pursuant to chapter 352B;

(5) legislators' retirement plan, established pursuant to chapter 3A;

(6) elective state officers' retirement plan, established pursuant to chapter 352C;

(7) public employees retirement association, established pursuant to chapter 353;

(8) public employees police and fire fund, established pursuant to chapter 353;

(9) teachers retirement fund; established pursuant to chapter 354;

(10) Minneapolis municipal employees retirement fund, established pursuant to chapter 422A;

(11) Minneapolis teachers retirement fund association, established pursuant to chapter 354A;

(12) St. Paul teachers retirement fund association, established pursuant to chapter 354A;

(13) Duluth teachers retirement fund association, established pursuant to chapter 354A;

(14) *Judges retirement fund, established pursuant to sections 490.121 to 490.132.*"

Page 1, line 18, after the stricken language, insert "or".

Page 1, line 19, reinstate the stricken language.

Page 1, line 21, delete "*Fractions of a year of*".

Page 1, delete lines 22 and 23 and insert "*It shall not include service as a retired judge.*".

Page 1, after line 23, insert sections to read:

"Sec. 4. Minnesota Statutes 1974, Section 490.121, Subdivision 13, is amended to read:

Subd. 13. "Disability" means permanent inability to perform the functions of judge *prior to the normal retirement date* by reason of physical or mental impairment resulting from sickness or injury.

Sec. 5. Minnesota Statutes 1974, Section 490.123, Subdivision 1, is amended to read:

490.123 [JUDGES' RETIREMENT FUND.] Subdivision 1. [CREATION; CONTRIBUTIONS.] There is hereby created a special fund known as the "judges' retirement fund". The fund shall be credited with all contributions, all interest and all other income authorized by law. From this fund there are appropriated the payments authorized by sections 490.121 to 490.132 in the amounts and at times provided herein, including the expenses of administering the fund. Except as provided in section 490.128, subdivision 2, each judge shall contribute to the fund from each salary payment a sum equal to the salary multiplied by the rate of employee tax under the Federal Insurance Contributions Act as defined in section 355.01, subdivision 9. *Any former judge who is receiving an annuity under the provisions of sections 490.121 to 490.126 and who is also serving as a retired judge shall not be required to make contributions from each salary payment pursuant to this subdivision and shall not be credited with any additional years of service.* The balance of all money necessary for administering sections 490.121 to 490.132 and the judges' retirement fund, including payment of retirement compensation and other benefits under sections 490.121 to 490.132, shall be contributed to the fund by the state. The amount required therefor is hereby annually appropriated from the general fund to the judges' retirement fund."

Page 2, line 15, delete "1974" and insert "1975 Supplement".

Pages 2 and 3, delete all of subdivision 2 and insert:

"Subd. 2. [YEARS OF SERVICE.] No judge shall be eligible for an annuity at normal or early retirement date if he has less than ten years of service. A judge who shall retire on or, as permitted under sections 490.121 to 490.132, after mandatory retirement date, shall be entitled to a proportionate annuity based upon his service at date of retirement.

A judge who was in office on December 31, 1973 and thereafter and who, by the date on which his term expires, would not be eligible to retire with (FULL BENEFITS) *such benefits as may be available, whether full or partial, solely* under statutes in effect on December 31, 1973, may apply to the governor for an extension to serve up to three additional years, stating his intention to retire upon such eligibility. Notwithstanding section 490.125 hereof, the governor shall forthwith make a written order accepting such retirement application, and extending the term of office of such judge for such period of time, not exceeding three years, as may be necessary to make such judge eligible for such retirement, solely for purposes of computing benefits *to be paid hereunder.*"

Page 3, strike lines 9 and 10 and insert "*he is under age 65 on his retirement date.*"

Page 4, line 3, strike "60 days" and insert "*six months*".

Page 4, line 4, delete the new language and insert "*July 1, 1976*".

Page 4, line 23, delete "1974" and insert "*, 1975 Supplement*".

Pages 4 and 5, delete all of subdivision 9 and insert:

"Subd. 9. [SURVIVORS' ANNUITY.] *Except as qualified hereinafter*, upon the death of a judge prior to retirement, his surviving spouse or, if there be no surviving spouse or there shall be a surviving spouse who shall thereafter die leaving one or more dependent children, his dependent children, shall receive an annuity, payable monthly, equal to 60 percent of the normal retirement annuity which would have been payable to the judge (HAD) *computed as though he were at least age 65 on the date of his death (BEEN THE NORMAL RETIREMENT DATE)*, provided that the surviving spouse or dependent children shall receive an annuity of not less than 25 percent of the judge's (FINAL AVERAGE COMPENSATION) *salary earned in the 12 full calendar months immediately preceding his retirement. With respect to a judge who was in office on December 31, 1973 and shall die in office thereafter, the benefits to be paid to a surviving spouse or dependent children hereunder shall in no event be less than as provided under statutes in effect on December 31, 1973.*

If a judge, whose surviving spouse was not entitled to survivors benefits provided solely for judges under statutes in effect prior to January 1, 1974, shall have died prior to retirement on or after May 23, 1973 and before January 1, 1974, his surviving spouse and dependent children, if any, shall be entitled to survivors benefits as provided hereunder as if such judge had died on January 1, 1974.”.

Page 5, after line 32, insert a section to read:

“Sec. 13. Minnesota Statutes 1974, Section 490.124, is amended by adding a subdivision to read:

*Subd. 13. [SERVICE BY A RETIRED JUDGE.] Notwithstanding sections 488A.02, subdivision 9, 484.62, or any other law to the contrary, effective January 1, 1977, should any retired judge again become entitled to receive salary or wages from the state, county, or municipality for service as a judge, his annuity or retirement allowance shall cease when he has earned \$3,000 in any calendar year. The annuity shall be resumed when his service as a judge terminates, or, if the retired judge is still serving as a judge at the end of that calendar year, his annuity or retirement allowance shall be resumed at the beginning of the next calendar year, and payment shall again terminate when he has earned \$3,000.”.*

Page 6, after line 16, insert sections to read:

“Sec. 15. Minnesota Statutes 1974, Section 490.132, is amended to read:

490.132 [ELECTION.] A judge of the supreme court, who holds office on or prior to January 1, 1974, is covered by the retirement provisions of chapter 490, and shall continue to receive all the benefits thereunder unless he elects, in writing, to come under the provisions of sections 490.121 to 490.132 by notifying the director of the state retirement system thereof by January 1, (1974) 1977. None of the provisions of sections 490.121 to 490.132 shall apply to a judge of the supreme court who does not make such election.

Sec. 16. *Any judge of office on December 31, 1973 who failed to elect to continue contributions as authorized by Minnesota Statutes, Section 490.124, Subdivision 10, may elect to resume said contributions as of July 1, 1976 by giving notice to the executive director of the Minnesota state retirement system prior to July 1, 1976. The notice shall be accompanied by a remittance equal to four percent of the salary earned by the judge between January 1, 1974 and July 1, 1976 plus six percent of the amount remitted in lieu of interest.”.*

Pages 6, 7, and 8, delete sections 11, 12, 13, and 14.

Page 8, line 8, delete "*This act is*" and insert "*Sections 2, 9, 10, 14, and 15 are*".

Page 8, line 9, after "1974." insert "*The remainder of this act shall be effective on July 1, 1976.*".

Renumber sections in sequence.

Further amend the title:

Page 1, line 3, delete "appropriating money;"

Page 1, line 5, after "Subdivisions 2" insert ", 4".

Page 1, line 5, after "and" delete "4" and insert "13".

Page 1, line 5, before "490.124," insert "490.123, Subdivision 1,".

Page 1, line 6, delete "2,".

Page 1, line 6, delete "9" and insert "10".

Page 1, line 6, after "and" delete "10" and insert "by adding a subdivision".

Page 1, line 7, after "Subdivision 2;" delete the balance of the line.

Page 1, line 8, delete all of line 8 and insert "490.132; and Minnesota Statutes, 1975 Supplement, Sections 356.30, Subdivision 3; and 490.124, Subdivisions 2 and 9.".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2306, A bill for an act relating to the board of medical examiners; adding four public members; requiring sanctions after determination of board; providing procedures for reporting and investigating malpractice complaints; requiring malpractice information from physicians from other states; prescribing reports to the complaining parties; authorizing the attorney general to investigate; amending Minnesota Statutes 1974, Sections 144.651; 147.021, Subdivision 1; 147.031, Subdivision 1; and Chapter 147 by adding sections; amending Minne-

sota Statutes, 1975 Supplement, Sections 147.01; 147.021, Subdivision 2; and 147.03.

Reported the same back with the following amendments:

Page 12, line 16, reinstate the stricken language and delete the new language.

Page 13, delete line 29 and insert "*(d) The dollar amount of each medical malpractice settlement or award.*".

Further amend the title:

Page 1, line 2, delete "adding".

Page 1, line 2, delete "four public members;".

With the recommendation that when so amended the bill do pass and be referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2503, A bill for an act relating to state employees; limiting severance allowances for certain employees; amending Minnesota Statutes, 1975 Supplement, Section 43.224.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2535, A bill for an act relating to retirement; inclusions and exclusions under the Minnesota State Retirement System; amending Minnesota Statutes 1974, Section 352.01, Subdivisions 2A and 2B.

Reported the same back with the following amendments:

Page 1, after line 6, insert a new section to read:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 43.051, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding the provisions of subdivision 1, any employee of the state of Minnesota in a covered classification

as defined in the special retirement program for correctional personnel defined in chapter 352, must retire from such covered classification upon having reached or upon reaching the mandatory retirement age as of the effective dates established herein:

Effective Date	Mandatory Retirement Age
July 1, 1974	65
January 1, 1975	62
July 1, 1975	59
January 1, 1976	57
July 1, 1976	55

A covered correctional employee may be employed beyond the mandatory retirement age (FOR A PERIOD OF ONE YEAR NOT TO EXTEND BEYOND JULY 1, 1976,) but in no event beyond age of 62, subject to an annual medical examination and the written approval of the commissioner of corrections, whose decision shall be final. A correctional employee desiring employment beyond mandatory retirement age shall be examined at his own expense and the results and findings of the medical examination shall be transmitted to the commissioner of corrections prior to the date the employee would otherwise have to retire pursuant to this subdivision."

Page 6, line 10, after "*employed*" insert "*in positions designated by the department of personnel*".

Page 6, after line 15, insert new sections to read:

"Sec. 4. Minnesota Statutes 1974, Section 352C.02, Subdivision 2, is amended to read:

Subd. 2. "Commissioner" means a person who was duly elected and qualified *and is serving* as (A) *an elected* member of the department of public service of Minnesota. "Constitutional officer" means a person who was duly elected and qualified *and is serving* as a governor, a lieutenant governor, an attorney general, a secretary of state, a state auditor, or a state treasurer of the state of Minnesota. "*Former constitutional officer or commissioner*" means a person who has ceased to be a constitutional officer or commissioner subsequent to the effective date of this act for any reason, including but not limited to expiration of the term of office for which elected, retirement, or death.

Sec. 5. Minnesota Statutes 1974, Section 352C.02, Subdivision 3, is amended to read:

Subd. 3. ("WIDOW") "*Surviving spouse*" means the surviving wife or husband of a constitutional officer or commissioner or former constitutional officer or commissioner.

Sec. 6. Minnesota Statutes 1974, Section 352C.02, is amended by adding a subdivision to read:

Subd. 4. "*Dependent child*" means any natural or adopted child of a deceased constitutional officer or commissioner or former constitutional officer or commissioner who is under the age of 18, or who is under the age of 22 and is a full time student, and who in either case is unmarried and was actually dependent for more than one half of his support upon such constitutional officer or commissioner for a period of at least 90 days immediately prior to the death of the constitutional officer or commissioner. It also includes a posthumous child of such constitutional officer or commissioner.

Sec. 7. Minnesota Statutes 1974, Section 352C.04, Subdivision 1, is amended to read:

352C.04 [SPOUSE'S AND DEPENDENT CHILDREN'S SURVIVOR BENEFITS.] Subdivision 1. Upon the death of a constitutional officer or commissioner *while serving in such office, or a former constitutional officer or commissioner with at least eight years of allowable service, (WHO ON THE DATE THEREOF WAS ENTITLED TO A RETIREMENT ALLOWANCE, HIS) the surviving spouse (WIDOW) is entitled to a survivor benefit in the amount of one half of the retirement allowance of such constitutional officer or commissioner computed as though such constitutional officer or commissioner were at least age 65 on the date of death and based upon the attained allowable service or eight years whichever is greater (HAD NOT DIED).* Such benefit shall be paid to a (WIDOW) *surviving spouse* eligible therefor during the remainder of (HER) *the spouse's natural life or until (SHE REMARRIES) remarriage.* Upon remarriage such (WIDOW) *spouse* shall no longer be eligible for such benefit *except as provided by Minnesota Statutes, 1975 Supplement, Section 356.31.*

Sec. 8. Minnesota Statutes 1974, Section 352C.04, Subdivision 2a, is amended to read:

Subd. 2a. Upon the death of a constitutional officer or commissioner *while serving in such office, or a former constitutional officer or commissioner with at least eight years of allowable service, (WHO ON THE DATE THEREOF WAS IN ALL RESPECTS ENTITLED TO A RETIREMENT ALLOWANCE EXCEPT THAT (A) HE HAD NOT RETIRED OR (B) HE HAD NOT REACHED THE AGE OF 65,)* each dependent child of such deceased constitutional officer or commissioner (MEMBER) shall be paid a survivor benefit in the following amount: First dependent child a monthly (ALLOWANCE) *benefit* which

equals 25 percent of the monthly *retirement* allowance of the constitutional officer or commissioner computed as though the constitutional officer or commissioner (HAD RETIRED AT THE AGE OF) *were at least age 65 on the date of his death and based upon the attained allowable service or eight years whichever is greater*; for each additional dependent child a monthly (ALLOWANCE) *benefit* which equals 12 1/2 percent of the monthly *retirement* allowance of the constitutional officer or commissioner computed as in the case of the first child; but the total amount paid to the surviving spouse and dependent children shall not exceed in any one month 100 percent of the monthly allowance of the constitutional officer or commissioner computed as in the case of the first child. The payments for dependent children shall be made to the surviving spouse or the guardian of the estate of the dependent child, if there is one. A posthumous child qualifies as a dependent child for benefits provided herein from the date of its birth.

Sec. 9. Minnesota Statutes 1974, Section 352C.05, is amended to read:

352C.05 [APPLICATION FOR SURVIVOR BENEFIT.] (WIDOWS) *Surviving spouses or guardians of the estate of the dependent children* entitled to payment of benefits under section 352C.04 shall file their applications therefor with the executive director of the Minnesota state retirement system, and payments shall commence as of the first of the month next following the filing of the application, but shall be retroactive to the first of the month following the death of the constitutional officer or commissioner, *but no payment shall be retroactive for more than 12 months prior to the month the application is filed with the director.*

Sec. 10. Minnesota Statutes 1974, Section 352C.09, Subdivision 1, is amended to read:

352C.09 [CONTRIBUTIONS.] Subdivision 1. Every constitutional officer or commissioner shall contribute (SEVEN) *eight percent of his or her total salary beginning the first full pay period after July 1, 1976, (PAID AFTER JANUARY 1, 1967,)* by payroll deduction, to be paid into the state treasury and deposited in the general fund. (DEDUCTIONS AS TO TOTAL SALARY FOR THE PERIOD BETWEEN JANUARY 1, 1967 AND JULY 1, 1967 SHALL BECOME IMMEDIATELY PAYABLE OR IF NOT SO PAID, PAYROLL DEDUCTIONS DURING THE ENSUING SIX MONTHS SHALL BE INCREASED SUFFICIENTLY TO AMOUNT TO TOTAL PAYMENT.) In case of retirement any unpaid deductions shall be deducted from any retirement allowance that becomes payable. All deductions and payments, if any, in lieu of deductions are to be paid into the state treasury and deposited in the general fund. It shall be the duty of the executive director of the Minne-

sota state retirement system to record the contributions of each constitutional officer or commissioner and credit such contribution to such officer's or commissioner's account.

Sec. 11. Minnesota Statutes 1974, Chapter 352C, is amended by adding a section to read:

[352C.091] [ADMINISTRATION.] *Subdivision 1. The provisions of Minnesota Statutes, Chapter 352C, shall be administered by the Minnesota state retirement system.*

*Subd. 2. Sections 4 to 11 of this act shall apply to constitutional officers in office on and after the effective date of this act.*

Sec. 12. Minnesota Statutes, 1975 Supplement, Section 352D.02, Subdivision 1, is amended to read:

352D.02 [COVERAGE.] Subdivision 1. The following employees in the unclassified service of the state who are eligible for coverage under the Minnesota state retirement system shall participate in the unclassified program unless such employee gives notice to the executive director of the state retirement system within one year following June 5, 1975 or the commencement of his employment, whichever is later, that he desires coverage under the regular employee plan. For the purposes of this chapter, an employee who does not file such notice with the executive director shall be deemed to have exercised his option to participate in the unclassified plan. The employee and applicable employer contributions for those employees covered by the regular plan on June 5, 1975, who after such date participate in the unclassified plan, shall be transferred to the supplemental fund in accordance with sections 352D.02, subdivision 4 and 352D.03 as though the employee had elected to participate when first eligible to make such election. This subdivision shall also be applicable to any person who was an employee in an eligible position on or after January 1, 1975, has terminated service before June 5, 1975 with less than ten years of allowable service, and has not taken a refund of his contributions.

(1) Any employee in the office of the governor, lieutenant governor, secretary of state, state auditor, state treasurer, attorney general, revisor of statutes or the state board of investment,

(2) Any department, division, or agency head, the assistant department head or deputy, or any employee enumerated in sections 15A.081, subdivision 1 or 15A.083, subdivision 3, (AND)

(3) Any permanent, full-time unclassified employee of the legislature or any commission or agency of the legislature or a part-time legislative employee having shares in the supplemental retirement fund whether or not eligible for coverage under the Minnesota state retirement system(.),

(4) *Any person employed in a position established pursuant to section 43.09, subdivision 2a, which is at the deputy or assistant head of department or agency or director level, and .*

(5) *The chairman and chief administrator of the metropolitan waste control commission and the chairman and executive director of the metropolitan council and not exceeding nine each division directors or administrative deputies as designated by the council or commission.*

*The eligibility to participate of those employee specified in clauses (4) and (5) employed in such positions on the effective date of this act, shall be retroactive to their date of appointment to such positions.*

Sec. 13. *The surviving spouse of a member of the public employees retirement association who died between May 1, 1974 and June 1, 1974 and who as of the date of death had attained the age of not less than 63 years, received credit for not less than 33 years of allowable service, and had selected an optional 100 percent joint and survivor annuity, may elect to receive benefits which would have been payable pursuant to the 100 percent joint and survivor annuity had the member been qualified therefor on his date of death. Payments pursuant to this section shall be in lieu of further payments pursuant to Minnesota Statutes, Section 353.31, Subdivision 1, and shall commence on the first day of the month following application therefor.*

Sec. 14. Minnesota Statutes, 1975 Supplement, Section 353.01, Subdivision 6, is amended to read:

Subd. 6. [GOVERNMENTAL SUBDIVISION.] "Governmental subdivision" means a county, city, town, school district within this state, or a department or unit of state government, the League of Minnesota Municipalities, or any public body whose revenues are derived from taxation, fees, assessments or from other sources, but does not mean any municipal housing and redevelopment authority organized under the provisions of sections 462.415 to 462.711; or any port authority organized pursuant to chapter 458; (OR ANY SOIL CONSERVATION DISTRICT ORGANIZED PURSUANT TO CHAPTER 40;) or any hospital district organized or reorganized prior to July 1, 1975 pursuant to legislation enacted by the 1959 Legislature.

Sec. 15. Minnesota Statutes 1974, Chapter 353, is amended by adding a section to read:

[353.019] [SOIL AND WATER CONSERVATION DISTRICT EMPLOYEES.] *Subdivision 1. From and after July 1, 1976, all employees of a soil and water conservation district shall become members of the public employees retirement association coordinated fund, unless specifically exempt under section 353.01, subdivision 2b.*

*Subd. 2. [PURCHASE OF PRIOR SERVICE CREDIT.] Any employee of a soil and water conservation district covered by the retirement association after July 1, 1976, who was so employed prior to July 1, 1976, and who was excluded from coverage by the retirement association for such prior service shall be allowed to obtain allowable service credit for such prior service by (a) paying to the retirement association an employee contribution equal to six percent of covered salary in effect when such service was rendered plus interest at the rate of six percent per annum compounded annually from the year of purchase to the date payment is made; (b) the member at the same time shall pay additionally a matching amount equal to that required to be paid under (a); providing the employing soil and water conservation district may, in its sole discretion, for all its employees electing to make payment hereunder, pay the retirement association the obligation under (b). Payment must be made in one lump sum prior to July 1, 1980, or prior to termination of public service whichever is earlier, and no allowable service with respect to such payment shall be credited to the employee's account until payment is received by the retirement association.*

*Sec. 16. Minnesota Statutes 1974, Section 352C.04, Subdivisions 2 and 2b, are repealed."*

Page 6, line 18, after "coverage" insert "by section 3".

Renumber the sections accordingly.

Further amend the title:

Page 1, line 2, after "retirement;" insert "mandatory retirement age for correctional officers;"

Page 1, line 3, after "System;" insert "inclusion of employees of the soil and water conservation district in membership of the public employees retirement association; miscellaneous changes in the elective state officers' plan and the unclassified employees retirement plan;"

Page 1, line 4, delete "Section" and insert "Sections".

Page 1, line 5, after "and 2B" insert "; 352C.02, Subdivisions 2, 3, and by adding a subdivision; 352C.04, Subdivisions 1 and 2a; 352C.05; 352C.09, Subdivision 1; Chapters 352C, by adding a section; and 353, by adding a section; and Minnesota Statutes, 1975 Supplement, Sections 43.051, Subdivision 3; 352D.02, Subdivision 1; 353.01, Subdivision 6; and repealing Minnesota Statutes 1974, Section 352C.04, Subdivisions 2 and 2b.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2608, A bill for an act relating to the city of Buhl; police officers membership in the public employees retirement association.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2632, A bill for an act relating to the city of Fridley; providing for membership of a certain employee thereof in the Public Employees Police and Fire Fund.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 1550, bill for an act relating to public welfare; authorizing payments to county welfare departments for former institutionalized persons placed in community residential and day programs; amending Minnesota Statutes 1974, Section 256.01, Subdivision 2.

Reported the same back with the following amendments:

Page 5, line 19, after "*Payments*" insert "*initially*".

Page 5, line 23, after "*July 1,*" delete "*1975*" and insert "*1976*".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 1552, A bill for an act relating to public welfare; pertaining to the development of community based residential care facilities for the mentally ill, mentally deficient and drug de-

pendent through the housing finance agency; amending Minnesota Statutes 1974, Sections 462A.02, by adding a subdivision; 462A.03, Subdivision 7, and by adding subdivisions.

Reported the same back with the following amendments:

Page 1, line 16, after "are" delete "best" and insert "better".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2280, A bill an act relating to the city of Maplewood; paramedic service; authorizing the collection of taxes in excess of the levy limits for purposes of the paramedic program.

Reported the same back with the following amendments:

Page 1, delete lines 14 to 16 and insert:

"Sec. 2. This act is effective upon approval by a majority of the voters of the city of Maplewood, on or before September 30, 1976 of a levy limit base adjustment for levy year 1976 and subsequent levy years, pursuant to Minnesota Statutes, Section 275.58, for the purpose of financing the paramedic program provided for in Laws 1975, Chapter 426, Section 4."

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Taxes.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2281, A bill for an act relating to metropolitan government; changing the metropolitan parks and open space commission to the metropolitan parks, arts and recreation commission and prescribing its powers and duties; authorizing the metropolitan council to issue bonds and levy taxes therefor; authorizing the commission to impose an admissions tax; imposing a transient lodging tax in the metropolitan area; requiring the completion of an environmental impact statement prior to construction of a new sports facility; requiring a certificate of need for regional recreational facilities; amending Minnesota Statutes 1974, Chapter 473, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 473.121, Subdivisions 7 and 14; 473.146, by adding a

subdivision; 473.147; 473.301; 473.302; and 473.303, Subdivision 1; repealing Minnesota Statutes 1974, Section 340.11, Subdivision 11a.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes, 1975 Supplement, Section 139.08, Subdivision 5, is amended to read:

Subd. 5. [REPORTS.] By November 15 of each year, the board shall prepare and deliver to the legislature and the governor a report which shall include the following:

(a) a financial statement showing receipts and disbursements for the year ending the preceding June 30, including a listing of the donors and amounts of gifts to the board of its advisory committees valued in excess of \$1,000;

(b) a brief description of the activities of the board for the preceding year;

(c) the number of meetings and approximate hours spent by board members in meetings and on other board activities;

(d) the names of board members and their addresses, occupations, and dates of appointment and re-appointment to the board;

(e) the names and job classifications of board employees;

(f) a brief summary of board rules proposed or adopted during the period with appropriate citations to the state register and published rules;

(g) the number of requests for assistance received by the board and the number of written and oral complaints received from residents of the state relating to the activities of the board or the performance of the duties of the board as provided in this chapter;

(h) a summary by category of the substance of the complaints and requests referred to in (g) above and the responses of the board thereto;

(i) a listing of all grants, loans or other forms of assistance given by the board. This listing shall indicate (1) the recipients of board assistance who are members of the board or its advisory committees, and (2) each recipient sponsoring organization having a member of the board or its advisory committees as a director, officer or employee. The indication required in clause (2)

shall also specify the name of the member who is the officer, director or employee;

(j) *a summary of the local arts development program established pursuant to section 5 of this act, including a description of the membership, activities, and criteria and guidelines of each of the 13 regional arts task forces and a statement describing progress in achieving the purposes of the program;*

(k) *a summary of grants made to major arts organizations for general operating support under section 6 of this act and a statement describing progress in achieving the purposes of the program of state grants for general operating support.*

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 139.10, Subdivision 1, is amended to read:

139.10 [DUTIES.] Subdivision 1. The board shall through the following activities stimulate and encourage the creation, performance and appreciation of the arts in the state:

(a) receive and consider any requests for grants, loans or other forms of assistance;

(b) advise and serve as a technical resource at the request of sponsoring organizations and political subdivisions in the state on programs relating to the arts;

(c) advise and recommend on existing or proposed activities of the departments of the state relating to the arts;

(d) accept gifts and grants to the board and distribute the same in accordance with the instructions of the donor insofar as the instructions are consistent with law;

(e) promulgate by rule procedures *consistent with this chapter* to be followed by the board in receiving and reviewing requests for grants, loans or other forms of assistance;

(f) promulgate by rule standards consistent with this chapter to be followed by the board in the distribution of grants, loans and other forms of assistance;

(g) distribute according to the above procedures and standards grants, loans and other forms of assistance for artistic activities to departments and agencies of the state, political subdivisions, sponsoring organizations and, in appropriate cases, to individuals engaged in the creation or performance of the arts; provided that a member of the board shall not participate in deliberations or voting on assistance to groups or persons in which that member has an interest as officer, director, employee or recipient;

(h) appoint advisory committees which the board determines are essential to the performance of its power and duties under this section; provided that no member of an advisory committee shall within two years prior to his appointment have received or applied for in his own name a grant, loan or other form of assistance from the board or its predecessor;

(i) establish a comprehensive statewide system of information and publicity about the arts and artistic activities;

(j) administer a program of state grants for the payment of touring costs for professional touring, provided that grants for touring made with funds from the local arts development program shall be made according to the provisions of section 5 of this act;

(k) administer a program of state grants for general operating support to major arts organizations, in accordance with this section and section 6 of this act;

(l) administer the program of local arts development established by section 5 of this act.

Sec. 3. Minnesota Statutes, 1975 Supplement, Section 139.10, Subdivision 2, is amended to read:

Subd. 2. In performing the duties under subdivision 1, the board shall insofar as reasonably possible *in accordance with the provisions of chapter 139 and other applicable law*:

(a) avoid any actions which infringe on the freedom of artistic expression or which interfere with programs in the state which relate to the arts but which do not involve board assistance;

(b) distribute board assistance equitably according to population throughout the geographical regions of the state;

(c) give special consideration to requests for assistance for the creation or performance of types or variations of the arts which have yet to receive the level of general support and assistance given to the more established types or variations of the arts;

(d) distribute annually to individuals engaged in the creation or performance of the arts at least five percent of the moneys from the state's general fund appropriated to the board for each fiscal year.

Sec. 4. Minnesota Statutes, 1975 Supplement, Section 139.10, is amended by adding a subdivision to read:

*Subd. 3. Every publication, program or other graphic material prepared by the board or prepared for use by any other organization in connection with an activity funded in whole or part by the board shall bear the legend: This activity is made possible in part by a grant provided by the Minnesota state legislature and the Congress of the United States.*

Sec. 5. Minnesota Statutes 1974, Chapter 139, is amended by adding a section to read:

[139.11] [LOCAL ARTS DEVELOPMENT PROGRAM.]

*Subdivision 1. It is the purpose of the local arts development program to assist and encourage the arts and artistic expression within the various regions of the state and to improve and expand the opportunity to enjoy and participate in the arts in smaller cities and towns and in rural areas within each region.*

*Subd. 2. The regional development commissions established pursuant to section 462.387 and the metropolitan council established pursuant to section 473.123, in consultation with the board, shall create 13 regional arts task forces within regions designated pursuant to section 462.385 and the metropolitan area defined in section 473.121. Each task force shall be composed of no less than nine members, distributed so as to ensure equitable representation from all parts of the region or metropolitan area, including smaller cities and towns and rural areas. The membership of each task force shall include majority representation from the major art disciplines and shall also include local elected officials, provided that no organization shall be permitted more than one representative on the task force. At least one member of each task force shall be a member of the regional development commission or metropolitan council serving that region. Trustees or employees of major arts organizations receiving state grants from the board for general operating support shall not be eligible for membership on any task force.*

*Subd. 3. The regional arts task forces shall advise and assist the board and the regional development commissions or metropolitan council on the design, development, implementation, and evaluation of the local arts development program. Each task force shall meet at least bi-monthly and shall review and make recommendations to the board on applications for grants under the program. Each task force, in consultation with the board and the regional development commission or metropolitan council, shall develop guidelines and criteria for funding projects, programs and organizations of artistic merit within the regions and shall submit the guidelines and criteria to the board and the regional development commission or metropolitan council for review and approval. Guidelines and criteria shall promote local arts development in all parts of the region or metropolitan area and shall ensure an equitable distribution of benefits to smaller cities and towns and rural areas. Guidelines and criteria may permit grants to organizations for general operating support,*

provided that a demonstration of operating efficiency and continuing increases in earned income and revenues derived from private contributions shall be required of applicants as a condition to receiving any such grant and provided further that no recipient of state grants for general operating support under any other program administered by the board shall be eligible for such grants under the local arts development program. At the end of each fiscal year, the board and each regional development commission and the metropolitan council shall review and assess the adherence of each task force to its guidelines and criteria. The board or the regional development commission or metropolitan council may require modifications in the guidelines and criteria.

Subd. 4. Applications for grants under the local arts development program shall be made to the regional arts task forces, which shall forward copies of each application to the board and regional development commission or metropolitan council. The task force shall review each application on the basis of the criteria and guidelines established pursuant to subdivision 3 and shall recommend to the board whether the application should be granted. The recommendations of a task force whose guidelines and criteria are approved by the board and the regional development commission or metropolitan council pursuant to subdivision 3 shall be binding on the board, provided that grants made under the program shall be distributed by the board according to the populations of the respective regions and that not less than 75 percent of the funds expended under the program in each region and the metropolitan area shall be expended for local arts development and not more than 25 percent for special projects or for the payment of touring costs for professional touring.

Sec. 6. Minnesota Statutes 1974, Chapter 139, is amended by adding a section to read:

[139.12] [MAJOR ARTS ORGANIZATIONS; GENERAL OPERATING SUPPORT.] *Subdivision 1. It is the purpose of the program of state grants for general operating support to assist the major arts organizations in the state, to ensure a broader and more equitable distribution of benefits from such organizations to all areas of the state, and to promote activities by major arts organizations to bring their services to nonmetropolitan areas.*

*Subd. 2. The board shall establish guidelines for the distribution of grants under this section. The guidelines shall include standards and criteria to ensure that recipients of grants provide public and educational services on a statewide or regional basis and are responsive to the needs of nonmetropolitan areas of the state.*

*Subd. 3. The board shall demand the highest level of fiscal responsibility from recipients of grants under this section. A*

*demonstration of operating efficiency and continuing increases is earned income and revenues derived from private contributions shall be required of applicants by the board as a condition of receiving any grant under this section.*

*Subd. 4. Recipients of grants under this section shall be subject to the provision of Minnesota Statutes, Section 471.705.*

*Subd. 5. Recipients of grants under this section shall not be eligible for any other grant from state funds administered by the board.*

Sec. 7. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.357] [RECREATION AND SPORTS FACILITIES: INVESTIGATION AND REPORT.] *The council shall investigate the operation and financial condition of recreational and sports auditorium and stadium facilities having a seating capacity of 10,000 or more located in the metropolitan area, other than sports facilities, as defined in section 9, subdivision 7, of this act, to determine the effect of competition between and among such facilities upon their economic viability. The council shall report its findings to the legislature on or before February 1, 1977, including its recommendation as to the function, if any, that the metropolitan sports facilities commission, established by section 11 of this act, may perform in reference to such facilities. The council is authorized to undertake all necessary investigations whether public or private and, if necessary, to hold public hearings.*

Sec. 8. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.358] [CERTIFICATE OF NEED FOR NEW PUBLIC REGIONAL SPORTS AND AUDITORIUM FACILITIES.] *Subdivision 1. The council shall, subject to chapter 15, promulgate regulations governing the issuance of a certificate of need for new public regional sports and auditorium facilities with a planned capacity of more than 5,000 persons or requiring a total capital expenditure of more than five million dollars.*

*The regulations shall provide for the manner in which a local governmental unit, or agency thereof, may apply for a certificate of need, and for the process by which the council shall review the applications. The regulations shall include the factors to be considered in a decision whether to accept or reject an application for a certificate of need. Those factors shall include:*

(a) *the need for the particular new public regional sports or auditorium facility proposed;*

(b) *the extent to which this need can be met by existing regional facilities;*

(c) *the relationship between the proposed facility and other existing and proposed facilities in the metropolitan area;*

(d) *the level of governmental subsidy required to support the proposed facility.*

*Subd. 2. No new public regional sports facility or auditorium with a planned capacity of more than 5,000 persons or requiring a total capital expenditure of more than five million dollars may be constructed unless a certificate of need has been issued for the proposed facility by the council.*

Sec. 9. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.851] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 9 to 24, the following terms shall have the meanings here given them.*

*Subd. 2. "Commission" means the metropolitan sports facilities commission.*

*Subd. 3. "Metropolitan sports area commission" means that commission established by an ownership and operations agreement made and entered into as of August 13, 1954, validated by Laws 1955, Chapter 445, to which the cities are now parties.*

*Subd. 4. "Metropolitan sports area" means the real estate in the city of Bloomington described in the ownership and operations agreement, and all buildings, structures, improvements and equipment thereon, now owned by the cities.*

*Subd. 5. "Use agreements" means all agreements now in effect entered into by the metropolitan sports area commission on behalf of the cities, providing for the use of the metropolitan sports area or any part thereof by any person, firm or corporation.*

*Subd. 6. "Cities" means the cities of Minneapolis, Bloomington, and Richfield.*

*Subd. 7. "Sports facility" means real, personal, or mixed property comprising a multipurpose stadium, suitable for university and major league baseball and football and for soccer, with adjacent parking facilities.*

*Subd. 8. "Council" means the metropolitan council.*

Sec. 10. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.852] [LEGISLATIVE POLICY; PURPOSE.] *The legislature finds that the population in the metropolitan area has a need for additional sports facilities and that this need cannot be adequately met by the activities of individual municipalities, agreements among municipalities, or by the private efforts of the people in the metropolitan area. It is therefore necessary for the public health, safety and general welfare to create a metropolitan sports facilities commission.*

Sec. 11. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.853] [SPORTS FACILITIES COMMISSION; MEMBERS; EXECUTIVE DIRECTOR.] *Subdivision 1. [CREATION.] The metropolitan sports facilities commission is created as an agency of the metropolitan council.*

*Subd. 2. [MEMBERS.] The commission shall consist of seven members appointed as follows:*

*(a) Four members appointed by the metropolitan council, one from each of the following areas:*

- (1) Council districts 1, 2, 3 and 4;*
- (2) Council districts 5, 6, 7 and 8;*
- (3) Council districts 10, 12, 13 and 14;*
- (4) Council districts 9, 11, 15 and 16.*

*(b) Three members appointed by the governor, at least one of whom shall be experienced in municipal finance, and one of whom shall be experienced in building construction management.*

*The members appointed by the council shall reside while serving in the area from which they are appointed. Two members appointed by the governor shall reside outside the metropolitan area.*

*Subd. 3. [TERM.] Members shall be appointed for four year terms except that the terms of the members initially appointed by the governor shall expire with the term of the governor and the terms of members appointed by the metropolitan council shall expire two years thereafter. The term of each member shall continue until his successor is appointed and qualified.*

*Subd. 4. [VACANCIES.] An office shall be deemed vacant under the conditions specified in chapter 351. The vacant office shall be filled by the respective appointing authority.*

*Subd. 5. [COMPENSATION.] Members shall be compensated in the manner provided in section 473.141, subdivision 7. Meetings and operating procedures are subject to section 473.141, Subdivisions 8 and 13 (a).*

*Subd. 6. [OFFICERS.] At its first meeting, the commission shall select from among its members a chairman who shall preside at all meetings of the commission, if present, and shall perform all other duties assigned to him by the commission or by law. The commission may select a vice-chairman from among its members to act for the chairman during his temporary absence or disability. A secretary and treasurer or secretary-treasurer may be selected and shall serve in the manner provided in section 473.141, subdivision 10.*

*Subd. 7. [EXECUTIVE DIRECTOR.] The chairman of the commission shall, subject to the approval of the commission, appoint an executive director who shall be chosen solely on the basis of his training, experience, and other qualifications, and who shall serve at the pleasure of the commission at a salary determined by the commission. The director shall attend all meetings of the commission, but shall not vote, and shall have the following powers and duties:*

*(a) He shall see that all resolutions, rules, regulations, or orders of the commission are enforced.*

*(b) He shall appoint and remove, subject to the provisions of any personnel code adopted by the commission, upon the basis of merit and fitness, all subordinate officers and regular employees of the commission.*

*(c) He shall present to the commission plans, studies, and reports prepared for commission purposes and recommend to the commission for adoption such measures as he deems necessary to enforce or carry out the powers and duties of the commission, or to the efficient administration of the affairs of the commission.*

*(d) He shall keep the commission fully advised as to its financial condition, and he shall prepare and submit to the commission its annual budget and such other financial information as it may request.*

*(e) He shall recommend to the commission for adoption such rules and regulations as he deems necessary for the efficient operation of the commission's functions.*

*(f) He shall perform such other duties as may be prescribed by the commission.*

Sec. 12. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.854] [POWERS OF COMMISSION.] *Subdivision 1. [GENERAL.] The commission shall have all powers necessary or convenient to discharge the duties imposed by law, including but not limited to those specified in this section.*

*Subd. 2. [ACTIONS.] The commission may sue and be sued, and shall be a public body within the meaning of chapter 562.*

*Subd. 3. [ACQUISITION OF PROPERTY; FACILITY CONSTRUCTION AND OPERATION; EXEMPTION OF PROPERTY.] The commissioner may acquire by lease, purchase, gift, devise, or eminent domain pursuant to the provisions of Minnesota Statutes, Chapter 117, all necessary right, title, and interest in and to real and personal property deemed necessary to the purposes contemplated by sections 9 to 24 within the limits of the metropolitan sports area and within three quarters of a mile of the intersection of 12th avenue and 2nd street in the city of Minneapolis, and may construct, equip, improve, operate, manage, and maintain sports facilities, including existing facilities. The power of eminent domain may be exercised by the commission for a specific property only upon the approval of the council. The power of eminent domain may not be exercised by the commission in the area to the east of trunk highway 394. Any properties, real or personal, acquired, owned, leased, controlled, used or occupied by the commission for any of the purposes of this act, are declared to be acquired, owned, leased, controlled, used, and occupied for public, governmental, and municipal purposes, and shall be exempt from taxation by the state or any political subdivision of the state, provided that such properties shall be subject to the special assessments levied by a political subdivision for a local improvement in amounts proportionate to and not exceeding the special benefit received by the properties from such improvement.*

*Subd. 4. [DISPOSITION OF PROPERTY.] The commission may sell or otherwise dispose of any real or personal property acquired by it which is no longer required for accomplishment of its purposes, subject to the approval by the council of any sale of real property. The property shall be sold in the manner provided by section 462.325, insofar as practical. The proceeds of sale shall be used, subject to the provisions of section 15 and as directed by the council, to pay the capital cost of sports facilities or to pay bonds issued by the council for that purpose or bonds upon which it is obligated under the provisions of section 13, subdivision 2.*

*Subd. 5. [EMPLOYEES AND CONTRACTS.] The commission may employ persons and contract for services and materials, supplies and equipment as may be necessary to carry out its functions.*

*Subd. 6. [GIFTS AND GRANTS.] The commission may accept gifts, may apply for and accept grants or loans of money*

or other property from the United States, the state, or any person for any of its purposes, may enter into any agreement required in connection therewith, and may hold, use, and dispose of such money or property in accordance with the terms of the gift, grant, loan or agreement relating thereto.

Subd. 7. [RESEARCH.] *The commission may conduct research studies and programs, collect and analyze data, prepare reports, maps, charts, and tables, and conduct all necessary hearings and investigations in connection with its functions; and may advise and assist the metropolitan council and other governmental units on planning matters within the scope of its powers, duties and objectives.*

Subd. 8. [AGREEMENTS WITH UNIVERSITY.] *The commission and the board of regents of the university of Minnesota may enter into agreements and do all other acts necessary to further the functions prescribed herein.*

Subd. 9. [USE AGREEMENTS.] *The commission may lease, license, or enter into other agreements for the use of part or all of any property or facility under its ownership or control for purposes as will provide athletic, educational, cultural, commercial or other entertainment, instruction or activity for the citizens of the state.*

Subd. 10. [CONTRACTS.] *Contracts for the purchase of materials, supplies, and equipment shall be made in accordance with section 471.345; except that the commission with the approval of the council, and without advertisement for bids, may employ a person, firm, or corporation to perform one or more or all of the functions of architect, engineer, construction manager, or contractor for both design and construction, with respect to all or any part of a sports facility project. Any such person, firm, or corporation shall certify, before the contracts are finally signed, a total construction price to the commission and shall post a bond in the amount of \$10,000,000 to cover any costs which may be incurred over and above the certified price. The commission shall secure surety bonds as required in section 574.26, securing payment of just claims in connection with all public work undertaken by it. Persons entitled to the protection of such bonds may enforce them as provided in sections 574.28 to 574.32, and shall not be entitled to a lien on any property of the commission under the provisions of sections 514.01 to 514.16.*

Subd. 11. [TRAFFIC OFFICERS.] *The commission may employ on such terms as it deems advisable persons or firms for the purpose of providing traffic officers to direct traffic on property under the control of the commission, and on the city streets in the general area of the property controlled by the commission. The traffic officers shall not be peace officers and shall not have authority to make arrests for violations of traffic regulations.*

*Subd. 12. [INSURANCE.] The commission may require any employee to obtain and file with it an individual bond or fidelity insurance policy; and may procure insurance in the amounts it deems necessary against liability of the commission or its officers and employees or both, for personal injury or death and property damage or destruction, with the force and effect stated in Minnesota Statutes, Chapter 466, and against risks of damage to or destruction of any of its facilities, equipment, or other property, as it deems necessary.*

**Sec. 13.** Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.855] [METROPOLITAN SPORTS AREA.] *Subdivision 1. [TRANSFER OF OWNERSHIP.] On the effective date of this act the commission shall assume ownership of the metropolitan sports area.*

*Subd. 2. [CONVEYANCE OF PROPERTY; TRANSFER TO FUNDS.] The cities and the metropolitan sports area commission shall cause all conveyances and other instruments to be executed, delivered, and recorded on their behalf which the commission, upon advice of counsel, deems necessary or desirable to transfer and convey to it all of the cities' right, title, and interest in and to the metropolitan sports area and all parts thereof and appurtenances thereto. The comptroller-treasurer of the city of Minneapolis shall remit, endorse, assign and transfer to the treasurer or secretary-treasurer of the commission all moneys and securities credited to the metropolitan sports area fund on the city's official books and records under the provisions of the ownership and operations agreement.*

*Subd. 3. [ASSUMPTION OF OBLIGATIONS.] The metropolitan council shall be and become obligated and shall provide for the payment of the principal and interest thereafter due and payable with respect to the general obligation bonds and revenue bonds issued by the city of Minneapolis under the provisions of the ownership and operations agreement and amendments thereto. For the purpose of making such payments the metropolitan council shall have all the powers and duties conferred upon it by section 19 and by chapter 475 for the payment of bonds issued by the metropolitan council and interest thereon. The commission shall assume all of the cities' obligations and those of the metropolitan sports area commission under the provision of all use agreements relating to the metropolitan sports area, and the cities and the metropolitan sports area commission shall cause to be executed all such assignments and other documents as the commission, upon advice of the council, shall deem necessary or desirable and appropriate to vest all their rights and privileges under such agreements in the commission, provided that nothing herein shall be construed as imposing upon the commission an obligation to the cities and the metropolitan sports area commission, or any of them, to compensate the cities for all or any part*

*of the metropolitan sports area, or to continue to operate and maintain the metropolitan sports area facilities taken over by the commission.*

*Subd. 4. [EMPLOYEES.] All persons employed by the metropolitan sports area commission are transferred by this act to the metropolitan sports facilities commission without loss of right or privilege.*

Sec. 14. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.856] [RETIREMENT; ADMINISTRATION; PURCHASES OF PRIOR SERVICE CREDIT.] *Subdivision 1. All employees of the commission shall be members of the Minnesota state retirement system with respect to service rendered on or after the effective date of this act, except that temporary employees hired for a period of less than six months and part time employees hired to work less than 30 hours per week shall be excluded from membership in the retirement system if the commission certifies them to the executive director of the retirement system as being temporary or part time employees. Provided, however, that any employee of the commission who was an employee of the metropolitan sports area commission immediately prior to the effective date of this act and who was a member of the public employees retirement association on account of such employment may elect no later than 30 days following the effective date of this act to remain a member of the public employees retirement association. Such election shall be made on forms provided by the commission, and the commission shall give immediate notice of any such elections to the executive directors of the public employees retirement association and the Minnesota state retirement system. Any person who makes such an election shall be excluded from membership in the Minnesota state retirement system with respect to employment by the commission. The commission shall make the employer's contribution to pension funds of its employees.*

*Subd. 2. Any permanent full time employee of the commission who was a permanent full time employee of the metropolitan sports area commission prior to the effective date of this act for whom such prior employment was not covered by the public employees retirement system, may obtain allowable service credit in the Minnesota state retirement system by paying to the retirement system (a) an amount equal to four percent of his or her current salary rate multiplied by the days and months of such prior service for which he or she desires to obtain allowable service credit plus (b) an amount representing the employer's required contributions, except that the commission may agree to pay such matching amount on behalf of its employees. Proof of prior permanent full time service and the duration thereof shall be established by the certification of the commission to the executive director of the retirement system. The payments shall*

*be made either in a lump sum or by payroll deduction arranged for on or before July 1, 1977.*

Sec. 15. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.857] [LIMITATION ON GIFTS AND CAPITAL EXPENDITURES.] *The commission shall not accept gifts or grants, any one of which is valued at more than \$10,000, under the provisions of section 12, subdivision 6, nor expend more than \$44,500,000 in capital expenditures for the purpose authorized in section 12, subdivision 3, without the prior approval of the council. In evaluating proposed gifts, grants, agreements required in connection therewith, and capital expenditures, the council shall examine the possible short-range and long-range impact on (a) commission revenues and (b) commission operating expenditures.*

Sec. 16. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.858] [EXEMPTION FROM METROPOLITAN COMMISSION REQUIREMENTS.] *The construction of a sports facility under this act shall be accomplished pursuant to the provisions of sections 9 to 24 and shall not be affected by Minnesota Statutes, Sections 473.161 and 473.163.*

Sec. 17. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.869] [DEBT OBLIGATIONS.] *Subdivision 1. [BONDS.] The metropolitan council may by resolution authorize the sale and issuance of its general obligation revenue bonds for any or all of the following purposes:*

(a) *To provide funds for the acquisition or betterment of sports facilities by the commission, subject to the limitations in subdivision 3 and section 18;*

(b) *To refund bonds issued hereunder and bonds upon which the council is obligated under section 13, subdivision 2; and*

(c) *To fund judgments entered by any court against the commission or against the council in matters relating to the commission's functions.*

*Subd. 2. [PROCEDURE.] Such bonds shall be sold, issued, and secured in the manner provided in chapter 475, and the council shall have the same powers and duties as a municipality and its governing body in issuing bonds under that chapter. The amount thereof shall not be limited except as provided in subdivision 3 and section 18 shall not be included in the net debt of any*

city, county, or other subdivision of the state for the purpose of any net debt limitation, and no election shall be required.

Subd. 3. [LIMITATION OF AMOUNT AND PURPOSE; CONDITIONS.] *Until and unless otherwise provided by law, the principal amount of bonds issued pursuant to subdivision 1, clause (a), shall be limited to \$47,500,000, and the proceeds thereof shall be used only for the acquisition and betterment of a sports facility, including a stadium seating approximately 65,000 person suitable for university and major league baseball and football and for soccer, with adjacent parking facilities for approximately 3,000 automobiles and road access improvements, situated within three quarters of a mile of the intersection of twelfth avenue and second street in the city of Minneapolis, provided that:*

(a) *No more than \$38,500,000 of the proceeds shall be used for the construction and furnishing of the stadium, including the appropriate professional fees and charges relating to the stadium structure but excluding costs for site preparation and no less than \$3,000,000 of the proceeds shall be placed in the debt service fund established pursuant to subdivision 4;*

(b) *None of the bond proceeds or other funds of the council or the commission shall be used for the acquisition of the site;*

(c) *No bonds in excess of \$1,500,000 may be issued unless and until the requirements of section 18 have been satisfied.*

Subd. 4. [SECURITY.] *The net revenues from time to time received by the commission from charges for the use of its sports facilities and from the taxes authorized in section 19, in excess of (a) amounts necessary to pay when due the current, reasonable, and necessary expenses of the operation, administration, and maintenance of the sports facilities and the funds and revenues thereof, and (b) reserves authorized by the council to be accumulated and maintained for working capital and for major repairs, replacements, or improvements, shall be pledged and appropriated to the council's debt service fund in the amounts needed to reduce and if possible cancel the tax otherwise required to be extended and assessed annually upon taxable property by section 475.61. The council is authorized to establish and maintain a reserve in its debt service fund, from bond proceeds or from revenues of the commission, in the amount determined to be necessary and feasible for this purpose. The tax, if required, shall be levied upon all taxable property within the metropolitan area under the jurisdiction of the council, without limitation as to rate or amount.*

Subd. 5. [CERTIFICATES OF INDEBTEDNESS.] *At any time or times after approval of an annual budget of the commission for operation, administration, and maintenance of its sports*

facilities, and in anticipation of the collection of the tax and other revenues appropriated in the budget, the council may authorize the issuance, negotiation, and sale, in such form and manner and upon such terms as it may determine, of general obligation certificates of indebtedness in aggregate principal amounts not exceeding 50 percent of the total amount of such appropriations, and maturing not later than three months after the close of the budget year. An amount of the anticipated revenues equal to not less than 105 percent of the amount required to pay the certificates and interest thereon when due shall be reappropriated to a special debt service fund established in the council's financial records, and all revenues received after expenditure or encumbrance of the remaining amount appropriated shall be credited to the fund until the certificates and interest are fully paid. If for any reason the anticipated revenues are insufficient, the certificates and interest shall be paid from the first tax and other revenues received in the following budget year, and the council shall levy a tax in the amount of the deficiency on all taxable property in the metropolitan area.

Sec. 18. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.860] [BONDS; CONDITIONS OF SALE.] *The council shall not issue any bonds pursuant to section 17, subdivision 1, clause (a), in excess of \$1,500,000 unless and until:*

(1) *The council has reviewed the activities and plans of the commission and the plans, reports, studies and agreements relating to the new sports facility provided for in section 17, subdivision 3 and has found them to be consistent with the purposes of this act;*

(2) *The council has held a public hearing, after appropriate public notice at least 15 days prior to the hearing, on the commission's design specifications and site plan for the new sports facility;*

(3) *The council has determined that:*

(a) *Studies of the following matters as they relate to the new sports facility have been prepared by or for the commission; (i) traffic circulation, transit, access and parking needs, including necessary capital cost, operating cost, methods of funding, and probable construction completion date; (ii) the value and possibilities for sale of the land at the metropolitan sports area identified in section 24; (iii) the salvage value of the existing multi-purpose stadium situated within the metropolitan sports area, and the cost of demolition of such stadium; (iv) probable revenues and capital and operating costs of the new sports facility; (v) alternative bonding programs to finance the construction of the new sports facility;*

(b) *The commission's design specifications and site plans for the new sports facility are consistent with all chapters of the metropolitan development guide adopted by the council pursuant to Minnesota Statutes, Section 473.145;*

(c) *The entire site on which the stadium and parking and ancillary facilities are to be situated lies within three quarters of a mile of the intersection of twelfth avenue and second street in the city of Minneapolis;*

(d) *The environmental impact statement required in section 21 has been accepted by the environmental quality council and all necessary permits have been issued by the pollution control agency and other governmental agencies;*

(e) *Adequate provisions have been made for traffic circulation at the stadium site;*

(f) *Any facilities of the commission in the area to the east of trunk highway 394 will be consistent with the plan of the city of Minneapolis for the cedar riverside urban renewal area;*

(g) *Professional baseball and football organizations and the board of regents of the university of Minnesota have entered into agreements with the commission to use the new sports facility for a period of not less than the term of the longest term bonds that in the council's judgment it may find it necessary to issue to finance the completion of the sports facility;*

(h) *Professional baseball and football organizations have entered into agreements with the commission which provide the maximum possible guarantees by the organizations for payment of any deficits, calculated in accordance with clause (m), including as a minimum but not limited to a provision which requires that, in any year in which the sum of the expenditures of the council for the payment of principal and interest on all bonds issued under section 17, subdivision 1, clause (a), plus the expenditures of the commission for the operation and maintenance of the commission's property and for carrying on its business in accordance with law, are greater than the sum of the revenues received from the operation of the sports facility, including but not limited to revenues from the sources described in section 19, subdivisions 1 and 3, and agreements with the professional sports organizations and the university, plus revenues from investment of the construction fund, plus revenues from the sale of land no longer needed at the metropolitan sports area, the professional sports organizations shall pay together, in proportion to the total annual rentals, fees, and charges to be paid by each for the use of the stadium, one-half of the deficit thus incurred;*

(i) *The commission has entered into agreements with the appropriate labor organizations and construction contractor or-*

ganizations which provide that no labor strikes or management lockouts will halt, delay or impede construction of the new sports facility;

(j) The commission has received a grant of funds, or has entered into an agreement or agreements sufficient in the judgment of the council to assure the receipt of funds, at the time and in the amount required to make any payment upon which its acquisition of title to and possession of the site is conditioned, and to pay all costs of clearing the site of all buildings, railroad trackage and other structures, including without limitation all necessary relocation costs, all necessary utility relocation costs, and all legal costs;

(k) The commission has acquired title to the site, including all easements and other appurtenances needed for the construction and operation of the new sports facility, or an order has been entered by a court of competent jurisdiction determining that its taking of the site and appurtenances is necessary and authorized by law and appointing commissioners to assess and award the damages pursuant to section 117.075;

(l) The proceeds of the bonds will be sufficient to pay the entire cost of the stadium and ancillary facilities;

(m) The revenues that may reasonably be expected to be received from the operation of the sports facility, including but not limited to revenues from the sources described in section 19, subdivisions 1 and 3, and agreements with the professional sports organizations and the university, from investment of the construction fund, and from the sale of any part of the existing metropolitan sports area which is no longer needed, will be sufficient to pay all current expenses of operation, administration and maintenance of the commission's sports facilities, to pay the principal of and interest on all bonds issued pursuant to section 17, when due or called for prior redemption, and to accumulate and maintain an adequate bond reserve;

(4) The council has reported to the legislature, in the manner provided in Minnesota Statutes, Section 3.195, its review comments, findings and determinations regarding the matters specified in this section.

Sec. 19. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.861] [FINANCES.] *Subdivision 1.* [ADMISSIONS TAX.] *The council shall by resolution impose a three percent admissions tax upon sales and distribution by any private or public person, association, or corporation other than the commission, of tickets for admission to activities conducted on premises owned, operated, or controlled by the commission. The council*

shall impose an additional seven percent admissions tax upon sales and distribution by any private or public person, association, or corporation other than the commission, of tickets for admission to activities conducted on or in sports facilities owned, operated, or controlled by the commission. No other tax, except the taxes imposed by chapter 297A, may be levied by any unit of government upon any such sale or distribution. The tax shall be stated and charged separately from the sales price so far as practicable and shall be collected by the seller or distributor from the holder of the ticket and shall be a debt from the holder to the seller or distributor, and the tax required to be collected shall constitute a debt owned by the seller or distributor to the commission, which debts shall be recoverable at law in the same manner as other debts. Every person, association, or corporation selling or distributing tickets for such admissions may be required, as provided in resolutions of the commission, to secure a permit, to file returns, to deposit security for the payment of the tax, and to pay such penalties for nonpayment and interest on late payments, as shall be deemed necessary or expedient to assure the prompt and uniform collection of the tax. Commencing with the operation of a new sports facility constructed by the commission pursuant to this act, the council may impose a 15 percent admissions tax pursuant to this subdivision upon activities conducted at the new sports facility. The tax imposed by this subdivision shall be paid into the debt service fund under section 17, subdivision 4.

*Subd. 2.* The council is authorized to impose a tax, supplemental to the general sales tax imposed in Minnesota Statutes, Chapter 297A, in the amount of one percent on all sales of intoxicating liquor and fermented malt beverages when sold at licensed on-sale liquor establishments located in the metropolitan area. The tax shall be reported and paid to the commissioner of revenue with and as part of the state sales and use taxes, and shall be subject to the same penalties, interest, and enforcement provisions. The collections of this tax, less refunds and a proportionate share of the cost of collection, shall be remitted at least quarterly to the council and shall be paid by the council into the debt service fund established in section 17, subdivision 4. The tax shall be imposed only when the council deems it necessary to provide revenues, with revenues from other sources, to maintain reserves in the debt service fund sufficient to meet the obligations of the council under section 17.

*Subd. 3.* [RENTALS, FEES, CHARGES, AND CONTRACTS.] The commission is authorized to fix, alter, charge, and collect rentals, fees, and charges to all private and public persons, associations, and corporations, for the use, occupation, and availability of all premises owned, operated, or controlled by it and all facilities situated thereon, and to enter into contracts respecting such rentals, fees, and charges. The amounts thereof shall be those estimated to be necessary and feasible to produce so far as possible, with revenues from other sources, the

amounts needed for current operation, maintenance, and debt service. All such rentals, fees, charges, and contracts shall be submitted to the council in accordance with section 473.163. Any contract may provide that the other contracting party shall have exclusive or nonexclusive use of such areas at such times, and shall be responsible for such performance and the payment of such costs of operation and maintenance thereof, as may be agreed.

Subd. 4. [GENERAL.] The commission shall receive and account for all tax and other revenues referred to in this section and from such revenues shall provide, contract, and pay for proper operation and maintenance of all of its property and facilities, and for the payment of all obligations assumed by it under the provisions of section 13, and shall maintain a reasonable reserve for working capital, and shall remit to the council for deposit in its debt service fund, at times required by resolutions of the council, the net revenues in excess of these requirements; provided that the council may by such resolutions authorize the retention also of a reserve for major repairs, replacements, and improvements.

Sec. 20. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.862] [REPORTS TO LEGISLATURE.] Subdivision 1. The commission shall report to the legislature: (a) 30 days before a contract is entered into for development of design specifications and plans for a sports facility; (b) 30 days before a contract is entered into for construction of a sports facility; and (c) 30 days before a use agreement is entered into with a major tenant. The commission shall report at least quarterly to the legislature during the period in which a sports facility is being planned, designed, and constructed. Each report under this subdivision shall be made in the manner provided in section 3.195 and shall fully and completely inform the legislature of all provisions of the contract or lease about to be concluded; the commission's financial affairs; any studies, reports, or recommendations made by the commission; the progress of any projects undertaken by the commission; and other significant activities of the commission.

Subd. 2. Commencing with the operation of a sports facility constructed pursuant to the provisions of sections 9 to 24, the commission shall report to the legislature, in the manner provided in section 3.195, and to the governor, on or before January 15 of each year. The report shall describe the activities of the commission during the preceding year and shall include at least the following matters:

(a) a summary of the use of sports facilities and other properties owned, operated, or controlled by the commission;

(b) a complete report of the commission's financial affairs, including a statement of receipts and expenditures;

(c) summaries of any reports, studies, and recommendations of the commission;

(d) a summary of commission activities, including any improvements or construction, planned for the following year; and

(e) a detailed report on the progress of any project undertaken by the commission.

Sec. 21. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.863] [ENVIRONMENTAL IMPACT STATEMENT.]

*Subdivision 1. An environmental impact statement fulfilling the requirements of section 116D.04, shall be completed within ten months of the effective date of this act and prior to the commencement of construction of, or issuance of the bonds in excess of \$1,500,000 for any new sports facility by the commission or the council. The environmental impact statement shall be prepared by the state planning agency. The commission shall reimburse the planning agency for the cost of preparing the statement. The draft environmental impact statement shall be submitted to the environmental quality council within 120 days of the effective date of this act. The provisions of this section shall apply to the construction of a new sports facility by the commission, notwithstanding any contrary provisions of section 116D.04 or any regulations issued pursuant thereto.*

*Subd. 2. The pollution control agency shall take final action to approve or deny any permits necessary for the construction of the new sports facility within ten months following the effective date of this act.*

Sec. 22. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.864] [LIQUOR LICENSE.]

*A single on-sale license may be issued by the commission for the sale of intoxicating liquors in each sports facility owned or controlled by the commission. A license issued under this section shall be for a single sports facility building, and shall not be included in the number of licenses within the city in which the sports facilities are located for the purposes of any law or charter provision limiting the number of on-sale licenses within the city. In addition, notwithstanding any provision of law or city charter to the contrary, on-sale licenses for the sale of intoxicating liquor may be issued to establishments on land now known as the metropolitan sports area owned by the commission and which is used primarily for sports and recreational purposes, upon payment of the regular on-sale license fee therefor to the municipality where-*

*in the licensed premises are located, and such license shall authorize the sale of intoxicating liquor to club members and guests only.*

Sec. 23. [BLOOMINGTON; TAX LEVY.] *Subdivision 1. The city of Bloomington may add to the levy base determined for the purposes of Minnesota Statutes, Section 275.50 to 275.56, an amount equal to the revenue derived by the city in calendar year 1975 from the city tax imposed on tickets sold for admission to activities conducted at the metropolitan sports area.*

*Subd. 2. For the year 1977 only, the city of Bloomington may add to the levy base an amount equal to twice the amount determined in subdivision 1.*

Sec. 24. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.865] [SALE OF METROPOLITAN SPORTS AREA LAND.] *Following the completion of the new sports facility under section 9 to 24, the commission may sell up to 100 acres of the land at the metropolitan sports area, in a single parcel, or in smaller parcels, over a period of years. The cities of Bloomington and Richfield, acting jointly or individually, may purchase and are hereby granted a right of first refusal for the metropolitan sports area land. The cities of Bloomington and Richfield, individually or jointly, are hereby granted authority to issue bonds or other obligations exclusive of the net debt limits of section 475.53, subdivision 1, for the purpose of purchasing said property, which bonds or obligations may be issued without an election.*

*When, pursuant to the provisions of this section, the commission decides to sell any or all of the metropolitan sports area land, it shall notify the cities of Bloomington and Richfield of its intent to sell and give them 90 days in which to make an acceptable offer. If no such offer is made within 90 days of notice of intent to sell, the commission may sell the land on the open market, without public bids.*

*In the event that the commission receives and accepts a bona fide offer on part or all of the metropolitan sports area land, the cities of Bloomington and Richfield shall be offered an opportunity match such offer within 60 days of when notified of the offer, and if they do, jointly or individually, the commission shall sell them the land at the price of the bona fide offer. In the event that the approximately 47 acres of land retained by the commission at the metropolitan sports area is no longer used for a public purpose, the commission shall transfer all right, title, and interest to the real property to the cities of Bloomington and Richfield, in proportion to their population at the most recent federal decennial census, and shall cause all conveyances and other instruments to be executed, delivered, and recorded on*

*their behalf which the commission, upon advice from counsel, deems necessary or desirable to transfer and convey to the city all of the commission's right, title, and interest in the real property.*

Sec. 25. [APPROPRIATION.] *Subdivision 1. There is appropriated to the state arts board from the general fund in the state treasury the sum of \$2,800,000.*

*Subd. 2. Of the sum appropriated in subdivision 1, \$1,300,000 shall be administered by the board for grants for the purpose and in accordance with the provisions of the local arts development program established by section 5 of this act, except that no more than \$300,000 shall be available for grants within the metropolitan area defined in Minnesota Statutes, Section 473.121, and a sum not to exceed \$10,000 may be expended by each of the regional arts task forces for the purpose of assessing the needs and existing resources of the region and developing guidelines and criteria for funding projects, programs and organizations within the region.*

*Subd. 3. Of the remainder of the sum appropriated in subdivision 1, not less than \$1,000,000 nor more than \$1,300,000 shall be distributed by the board to major arts organizations for general operating support in accordance with the provisions of Minnesota Statutes, Section 139.10, and section 6 of this act.*

*Subd. 4. Not more than \$75,000 of the sum appropriated shall be available to the board for administration, provided however that none of these funds shall be used for salary expenditures of any arts task force or regional development commission*

*Subd. 5. The appropriation in this section shall be effective July 1, 1976 and be available until expended.*

Sec. 26. *Minnesota Statutes 1974, Section 340.11, Subdivision 11a, is repealed.*

Sec. 27. *This act shall be effective on the day following final enactment."*

Further amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to cultural and recreational activities; prescribing powers and duties of the state board of arts; establishing a local arts development program and a program of general operating support for major arts institutions; requiring a certificate of need for construction of certain new public regional sports and auditorium facilities; creating the metropolitan sports facilities commission and prescribing its powers and duties; authorizing the metropolitan council to issue bonds

and levy taxes; providing for the construction and operation of a sports facility; authorizing a tax on certain sales of intoxicating liquor and fermented malt beverages in the metropolitan area; providing for admissions tax at certain facilities; requiring the completion of an environmental impact statement prior to construction of a sports facility; appropriating money; amending Minnesota Statutes 1974, Chapters 139 and 473, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 139.08, Subdivision 5; 139.10, Subdivisions 1 and 2 and by adding a subdivision; repealing Minnesota Statutes 1974, Section 340.11, Subdivision 11a.”.

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Taxes.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1635, A bill for an act relating to real estate; changing the name of register of deeds and office of register of deeds to county recorder and office of county recorder.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1740, A bill for an act relating to counties; authorizing county boards to establish personnel departments; providing for county personnel administration on an integrated, merit basis.

Reported the same back with the following amendments:

Page 4, delete lines 9 to 12.

Reletter following clause in sequence.

Page 6, line 2, before the period insert “; provided that no positions subject to merit systems established pursuant to Minnesota Statutes, Section 12.22, Subdivision 3; 144.071; and 393.07, Subdivision 5, shall be removed from existing merit system coverage and placed under a personnel department established pursuant to this act, until that personnel department is certified by the United States Civil Service Commission as meeting the operating standards of a merit system”.

Page 6, line 13, before "For" insert "Subdivision 1."

Page 6, line 26, after "employer" insert "for all employees of the county, including employees under the jurisdiction of an appointing authority other than the county board."

Subd. 2. Any employee holding a position covered by this act shall, upon the effective date of the establishment of a county personnel administration system, retain his position without further examination and suffer no loss in wages, seniority or benefits as the result of the implementation of this act.

Subd. 3. Notwithstanding any provisions of this act:

(a) any labor contract in effect pursuant to Minnesota Statutes, Sections 179.61 to 179.77, shall remain in effect until its expiration date; and

(b) the provisions of this act do not supersede the employee rights provided under Minnesota Statutes, Section 179.76.

Subd. 4. Where provisions of labor contracts negotiated pursuant to Minnesota Statutes, Sections 179.61 to 179.77, are in conflict with rules and regulations adopted under this act, the provisions of those contracts shall supersede such rules and regulations".

Page 8, after line 17 insert:

"Subd. 4. The personnel board of appeals shall have no authority to act on any matter negotiated pursuant to Minnesota Statutes, Sections 179.61 to 179.77."

Page 9, after line 15, insert:

"Sec. 15. Notwithstanding any law to the contrary, any county may receive financial assistance from agencies of the United States, and plan for, and carry out comprehensive manpower services as provided for in the Emergency Employment Act of 1971, as amended, and the Comprehensive Employment and Training Act of 1973, as amended."

Page 9, line 18, after "act" insert "or prohibit recourse to any remedies provided in the Minnesota human rights act".

Renumber subsequent sections accordingly.

Further amend the title as follows:

Line 5, after "basis" insert "; authorizing counties to conduct manpower programs and services".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1866; A bill for an act relating to Blue Earth county; welfare board; authorizing the welfare board to maintain certain contingency funds.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1868, A bill for an act relating to certain counties; requiring the filing of certain surveys with the county surveyor; amending Minnesota Statutes, 1975 Supplement, Section 389.08.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 2051, A bill for an act relating to local improvements; council procedure; authorizing percentage payment in advance of completion of improvement on engineer's estimate; amending Minnesota Statutes 1974, Section 429.041, Subdivision 6.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 2356, A bill for an act relating to Red River watershed; authorizing watershed districts which are members of the lower Red River watershed management board to levy a tax; authorizing the management board to institute certain projects; allowing the board to enter certain intergovernmental agreements.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

S. F. No. 161, A bill for an act relating to highway traffic regulations; required equipment on certain vehicles; amending Minnesota Statutes 1974, Section 169.733.

Reported the same back with the following amendments:

Page 1, line 9, after "semi-trailer" restore the stricken comma.

Page 1, line 9, restore the stricken "pole" and insert "trailer,".

Page 1, line 10, restore the stricken "and rear-end dump" and insert "truck".

Page 1, line 10, delete the new language.

Page 1, line 11, delete the new language.

Page 1, line 17, after "shall" insert "*be at least as wide as the tires they are protecting and shall*".

Page 1, line 20, strike "and shall be at least as wide".

Page 1, line 21, strike "as the tires they are protecting".

Page 1, lines 21 and 22, delete all of the new language.

Page 2, delete lines 1 to 9 and insert a sentence to read: "*Provided that in the case of a dump truck or truck with a rigid box fastened to its frame and having a conveyor belt or chain in the bottom of the vehicle which moves the cargo to the rear end of the vehicle, the flaps shall be mounted as far to the rear of the vehicle as practicable and shall have a ground clearance of not more than 18 inches when the vehicles is loaded.*".

With the recommendation that when so amended the bill do pass:

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1130, 1997, 2201, 1548, 1342, 1444, 2503, 2535, 2608 and 2356 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 2108, 2344, 429, 916, 1120, 345, 687, 1296, 1636, 1763, 1848, 1865, 1552, 1635, 1740, 1866, 1868, 2051 and 161 were read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Johnson, D., introduced:

H. F. No. 2658, A bill for an act relating to state government; appropriating money to the Grand Portage Reservation Business Council.

The bill was read for the first time and referred to the Committee on Appropriations.

St. Onge; Wieser; Beauchamp; Patton and Evans introduced:

H. F. No. 2659, A bill for an act relating to education; state universities; handicapped students; waiving tuition for legally blind students; amending Minnesota Statutes 1974, Section 136.11, Subdivision 1.

The bill was read for the first time and referred to the Committee on Higher Education.

Brinkman, Jopp, Graba, Erickson and Setzepfandt introduced:

H. F. No. 2660, A bill for an act relating to taxation; distribution of proceeds of taxation of electric transmission and certain distribution lines; amending Minnesota Statutes, 1975 Supplement, Section 124.212, Subdivision 2; and Minnesota Statutes 1974, Section 273.42.

The bill was read for the first time and referred to the Committee on Taxes.

Brinkman, George and Pehler introduced:

H. F. No. 2661, A bill for an act relating to financial institutions; requiring insurance for accounts in credit unions and savings associations; requiring a certificate of approval; amending Minnesota Statutes 1974, Section 51A.23 by adding subdivisions; and Chapter 52 by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

## HOUSE ADVISORY BILLS

Pursuant to Rule 5.3, the following House Advisory Bill was introduced:

Johnson, D., introduced:

H. A. B. No. 68, Study to repeal the DNR 1000.

The bill was referred to the committee on Environment and Natural Resources.

## PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Philbrook reported on the progress of H. F. No. 404, now in Conference Committee.

Pursuant to Joint Rule 13, Volk reported on the progress of S. F. No. 1206, now in Conference Committee.

REPORT FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

Pursuant to Rule 1.9, Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as a Special Order for Monday, March 15, 1976, to be acted upon immediately following the Special Orders for today:

H. F. Nos. 2165, 2491, 2019, 1581, 518, 1955, 1994, 1865, 1372, 2489, and 2204.

## 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 Files, herewith returned:

H. F. No. 1932, A bill for an act relating to state administrative procedures; amending Minnesota Statutes 1974, Section 15.0418; and Minnesota Statutes, 1975 Supplement, Section 15.0411, Subdivisions 3 and 4.

H. F. No. 2298, A bill for an act relating to eminent domain; time of title and possession; providing that certain payments deposited with the court shall draw interest; amending Minnesota Statutes, 1975 Supplement, Section 117.042.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 1959, A bill for an act authorizing the commissioner of administration to convey a portion of a water system at the Red Wing state training school to the city of Red Wing.

H. F. No. 1960, A bill for an act relating to the firemen's relief association of the city of Goodview; providing that years of service with the Goodview volunteer fire department shall be treated as years of service with the Goodview firemen's relief association; repealing Laws 1974, Chapter 188.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 1961, A bill for an act relating to the city of Chanhassen; firemen's service pensions.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution herewith transmitted:

Senate Concurrent Resolution No. 11

A Concurrent Resolution relating to joint rules; clarifying use of underscoring in omnibus appropriation bills; amending Joint Rule 17.

PATRICK E. FLAHAVER, Secretary of the Senate

Senate Concurrent Resolution No. 11 was referred to the Committee on Rules and Legislative Administration.

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 1751, A bill for an act relating to game and fish; firearms permissible for taking wild animals; amending Minnesota Statutes 1974, Section 100.29, Subdivision 9.

The Senate has appointed as such committee Messrs. Bernhagen, Larson and Schrom.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 5 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 1530, A bill for an act relating to metropolitan land use and planning; providing certain requirements and procedures for local governmental units and school districts in the metropolitan area; providing interim zoning; amending Minnesota Statutes 1974, Section 462.365, by adding a subdivision; Minnesota Statutes, 1975 Supplement, Section 473.175.

The Senate has appointed as such committee Messrs. Chenoweth, Humphrey, Doty, Nelson and Keefe, J.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 404, A bill for an act relating to banks; cash reserves of banks and trust companies; recordkeeping of savings associations; amending Minnesota Statutes 1974, Sections 48.22; and 51A.19, Subdivision 4.

The Senate has appointed as such committee Messrs. Borden; Hansen, Baldy and Bang.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 574, A bill for an act relating to pollution control; amending Minnesota Statutes 1974, Sections 115.03, Subdivision 2; 115.05, by adding a subdivision; 115.071, Subdivision 2; 116.07, by adding a subdivision; 116.16, by adding a subdivision; 648.39, Subdivision 1; repealing Minnesota Statutes 1974, Section 115.05, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, and 10.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Luther moved that the House concur in the Senate amendments to H. F. No. 574 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 574, A bill for an act relating to pollution control; relating to the power to issue subpoenas; authorizing the agency to disseminate information and receive copies of Minnesota Statutes; repealing certain appeal procedures; authorizing the agency to assess certain costs in administering said grant; authorizing reimbursement to Indians for costs pertaining to the inventory, collection, storage and transportation of abandoned motor vehicles and scrap metal; amending Minnesota Statutes 1974, Sections 115.03, Subdivision 2; 115.05, by adding a subdivision; 115.071, Subdivision 2; 116.07, by adding a subdivision; 116.16, by adding a subdivision; 168B.10, by adding a subdivision; 648.39, Subdivision 1; repealing Minnesota Statutes 1974, Section 115.05, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, and 10.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 120, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Berglin	Casserly	Eken	Friedrich
Adams, L.	Biersdorf	Clark	Enebo	Fudro
Adams, S.	Birnstihl	Clawson	Erickson	George
Albrecht	Braun	Corbid	Esau	Hanson
Anderson, G.	Brinkman	Dahl	Evans	Haugerud
Anderson, I.	Byrne	Dean	Ewald	Heinitz
Arlandson	Carlson, A.	Dieterich	Farcy	Hokanson
Beauchamp	Carlson, L.	Doty	Fjoslien	Jacobs
Begich	Carlson, R.	Eckstein	Forsythe	Jaros

Jensen	Kvam	Neisen	Samuelson	Smogard
Johnson, C.	Laidig	Nelsen	Sarna	Stanton
Johnson, D.	Langseth.	Nelson	Savelkoul	Suss
Jopp	Lemke	Niehaus	Schreiber	Swanson
Jude	Lindstrom	Novak	Schulz	Ulland
Kaley	Luther	Osthoff	Schumacher	Vanasek
Kalis	Mangan	Parish	Searle	Vento
Kelly, R.	Mann	Patton	Setzepfandt	Volk
Kempe, A.	McCarron	Pehler	Sherwood	Voss
Kempe, R.	McCauley	Peterson	Sieben, H.	Wenstrom
Ketola	McCollar	Philbrook	Sieben, M.	Wenzel
Knickerbocker	McEachern	Pleasant	Sieloff	White
Knoll	Menning	Prahl	Simoneau	Wieser
Kostohryz	Metzen	Reding	Skoglund	Williamson
Kroening	Munger	St. Onge	Smith	Speaker Sabo

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker :

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1753, 1776, 1821, 1858, 2011, 2037, 2147 and 2151.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 612, 1624, 1927, 1932, 2056, 2152, 2232 and 2251.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 100, 175, 1050, 1051, 1570 and 1587.

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. 556.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1499, 1619, 1884 and 2180.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 975, 1786, 1874, 1920 and 2379.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1097, 1957, 2078, 2175 and 2469.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1191, 2252 and 2355.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1792, 1872, 1944 and 1998.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2195, 2208, 2365 and 2373.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1456, 1615, 1780, 2100, 2174, 2328, 2330 and 2370.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1788, 2327 and 2381.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1576 and 1822.

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. 1956.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### FIRST READING OF SENATE BILLS

S. F. No. 1753, A bill for an act relating to financial institutions; requiring insurance for accounts in credit unions and savings associations; requiring a certificate of approval; amending Minnesota Statutes 1974, Section 51A.23 by adding subdivisions; and Chapter 52 by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 1776, bill for an act relating to workmen's compensation; providing that compensation for injury to internal organs

will be based on that injury's contribution to the individual's general physical disability; amending Minnesota Statutes, 1975 Supplement, Section 176.101, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1821, A bill for an act relating to civil service; providing for the status of persons holding positions changed to the unclassified service; amending Minnesota Statutes, 1975 Supplement, Section 43.09, Subdivision 2a.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1858, A bill for an act relating to the city of Roseville; membership of housing and redevelopment authority.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 2011, A bill for an act relating to game and fish; removing lynx from the definition of unprotected animals; authorizing the commissioner of natural resources to establish a season for taking lynx; amending Minnesota Statutes 1974, Section 100.27, Subdivision 7; Minnesota Statutes, 1975 Supplement, Sections 100.26, Subdivision 1; and 100.27, Subdivision 3.

The bill was read for the first time.

Skoglund moved that S. F. No. 2011 and H. F. No. 2148, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2037, A bill for an act relating to medicine and osteopathy; authorizing continuing education requirements for licensed practitioners; amending Minnesota Statutes 1974, Chapter 147, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 2147, bill for an act relating to intoxicating liquor; permits to sell upon military bases or installations.

The bill was read for the first time.

Jaros moved that S. F. No. 2147 and H. F. No. 2219, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2151, A bill for an act relating to motor vehicles; registration and taxation; exempting certain vehicles from license fees; amending Minnesota Statutes, 1975 Supplement, Section 168.012, Subdivision 2b.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 612, A bill for an act relating to retirement; withdrawal of share values by members of the unclassified employees retirement program; amending Minnesota Statutes, 1975 Supplement, Section 352D.05, Subdivision 3.

The bill was read for the first time.

Philbrook moved that S. F. No. 612 and H. F. No. 518, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1624, A bill for an act relating to housing and redevelopment; permitting coinciding terms of office for city council members of a municipality who are appointed commissioners of a municipal housing and redevelopment authority; redefining powers of local housing and redevelopment authorities in carrying out legislation; amending Minnesota Statutes 1974, Sections 462.425, Subdivision 6; and 462.475, Subdivision 1; repealing Minnesota Statutes 1974, Section 462.501, Subdivision 1.

The bill was read for the first time.

Kroening moved that S. F. No. 1624 and H. F. No. 1656, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1927, A bill for an act relating to no fault automobile insurance; clarifying the definition of motor vehicle; providing penalties against motorcycle owners who violate the no fault insurance act; amending Minnesota Statutes 1974, Section 65B.67, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 1932, A bill for an act relating to banking; providing for mailed notice of automatic renewal of time deposits and possible penalties or loss of interest or reduction of interest; amending Minnesota Statutes 1974, Chapter 47, by adding a section.

The bill was read for the first time.

Luther moved that S. F. No. 1932 and H. F. No. 2224, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2056, A bill for an act relating to the city of Duluth; authorizing residential property rehabilitation loans and grants.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 2152, A bill for an act relating to anatomical gifts; eye enucleation; authorizing eye enucleation upon pronouncement of death by a physician; amending Minnesota Statutes, 1975 Supplement, Section 525.924, Subdivision 6.

The bill was read for the first time.

White moved that S. F. No. 2152 and H. F. No. 2305, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2232, A bill for an act relating to optometric services; providing for inclusion of optometric services in benefits for expenses incurred for medical treatment or services; amending Minnesota Statutes 1974, Section 62A.15, Subdivision 1, and by adding a subdivision.

The bill was read for the first time.

St. Onge moved that S. F. No. 2232 and H. F. No. 2295, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2251, A bill for an act relating to crime victims reparations; authorizing a claim to be filed within one year of the time when it could have been reasonably made; amending Minnesota Statutes 1974, Section 299B.03, Subdivision 2.

The bill was read for the first time.

Byrne moved that S. F. No. 2251 and H. F. No. 2350, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 100, A bill for an act relating to cities and towns; providing for negotiation of contracts between cities, towns, and state departments and agencies for provision of fire and police protection services for state institutions, land and other property; and appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 175, A bill for an act relating to corrections; increasing the scope of the jurisdiction and power of the ombudsman; preserving the rights of complainants; providing a penalty for persons hindering the ombudsman; removing an expiration date; appropriating money; amending Minnesota Statutes 1974, Sections 241.42, Subdivision 2; 241.44, Subdivisions 1 and 3, and by adding a subdivision; and Chapter 241, by adding a section; repealing Minnesota Statutes 1974, Section 241.42, Subdivision 4; and Laws 1973, Chapter 553, Section 7.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1050, A bill for an act relating to attorneys; change of attorney and statutory lien for attorneys' fees; amending Minnesota Statutes 1974, Sections 481.11; 481.13; and 481.14.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 1051, A bill for an act relating to attorneys; providing for investigation of accusations against attorneys; amending Minnesota Statutes 1974, Section 481.15, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 1570, A bill for an act relating to insurance; providing that the same priorities of security for payment of basic economic loss benefits apply to school buses as to non-commercial motor vehicles under the Minnesota no fault insurance act; amending Minnesota Statutes 1974, Section 65B.47, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 1587, A bill for an act relating to appropriations; appropriating money to fund a program of graduate training in family practice for physicians.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 556, A bill for an act relating to financial institutions and mortgagees; modifying the maximum interest rate that may be charged on certain loans; requiring interest to be paid on certain escrow accounts; providing penalties; amending Minnesota Statutes 1974, Sections 47.20; and 47.21.

The bill was read for the first time.

George moved that S. F. No. 556 and H. F. No. 1377, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1499, A bill for an act relating to the conduct of public officials and campaigns for public office; defining "lobbying"; redefining "lobbyist" and certain other terms; providing for the filing of certain reports and statements; providing penalties; amending Minnesota Statutes 1974, Sections 10A.01, Subdivisions 2, 5, 7, 10 and 11, and by adding a subdivision; 10A.02, Subdivisions 1, 5, 8 and 11; 10A.04, Subdivision 4; 10A.07, Subdivision 1; 10A.09, Subdivision 5; 10A.11, Subdivision 6; 10A.14, Subdivision 2; 10A.19, Subdivision 1; 10A.20, Subdivisions 1, 2, and 3, and by adding a subdivision; 10A.21, Subdivision 1; 10A.22, Subdivision 5; 10A.23; 10A.25, Subdivisions 3, 6 and 7; 10A.27, Subdivision 3; repealing Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; 10A.20, Subdivision 4; 10A.22, Subdivisions 2 and 8.

The bill was read for the first time.

Vento moved that S. F. No. 1499 and H. F. No. 1548, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1619, A bill for an act relating to intoxicating liquors; repealing certain obsolete provisions; increasing the penalty for selling or giving away poisonous liquor; amending Minnesota Statutes 1974, Sections 340.71 and 340.942; repealing Minnesota Statutes 1974, Sections 340.38, 340.70; 340.76; 340.77; 340.79; 340.80; 340.83; 340.87; 340.88; 340.89; 340.90; 340.91; 340.92; and 340.93.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

S. F. No. 1884, A bill for an act relating to health care; providing conversion privileges for spouses whose marriage was dissolved under certain accident and health insurance policies, health service plan subscriber contracts and health maintenance contracts; amending Minnesota Statutes 1974, Chapters 62A, by adding a section; 62C, by adding a section; and 62D, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 2180, A bill for an act relating to housing and redevelopment authorities; allowing employees and commissioners to purchase a principal residence in a housing and redevelopment authority project; amending Minnesota Statutes 1974, Section 462.431.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 975, A bill for an act relating to counties; written notice of public hearings relating to planning and zoning activities; amending Minnesota Statutes 1974, Section 394.26, Subdivision 2.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 1786, A bill for an act relating to elections; providing for the maintenance of permanent registration systems in all counties; amending Minnesota Statutes, 1975 Supplement, Section 201.021.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 1874, A bill for an act relating to mortgages; legalizing certain foreclosure sales heretofore made and the records of the mortgage foreclosure proceedings.

The bill was read for the first time.

Parish moved that S. F. No. 1874 and H. F. No. 1970, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1920, A bill for an act relating to juvenile courts; requiring written findings of fact for all dispositions of delinquent, dependent, and neglected children; amending Minnesota Statutes 1974, Sections 260.185, Subdivision 1; and 260.191, Subdivision 1.

The bill was read for the first time.

Nelson moved that S. F. No. 1920 and H. F. No. 2257, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2379, A bill for an act relating to public transit; authorizing public transit authorities to establish public transit aid programs designed to assist nonprofit organizations providing transit services to the elderly and handicapped.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1097, A bill for an act relating to health; providing for pilot programs for dental care for senior citizens; establish-

ing means of administration; subsidizing premiums to cover cost of services; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 1957, A bill for an act relating to medical assistance for the needy; prohibiting false claims for reimbursement making certain vendors ineligible for reimbursement; providing access to certain medical records for verification of claims; providing for a penalty; amending Minnesota Statutes 1974, Sections 256B.064; 256B.27; Chapters 256B and 609, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 256B.12 and 609.52, Subdivision 2.

The bill was read for the first time.

Swanson moved that S. F. No. 1957 and H. F. No. 2037, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2078, A bill for an act relating to metropolitan revenue distribution; changing the method of computing the taxable valuation of certain governmental units; amending Minnesota Statutes 1974, Section 473F.08, Subdivision 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 2175, A bill for an act relating to medical assistance for the needy; allowing the cost of certain home care services provided by public health nurses to be paid by medical assistance; authorizing an experimental program for the cost of home care of the physically disabled or elderly; amending Minnesota Statutes 1974, Chapter 256B, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 256B.02, Subdivision 7.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 2469, A bill for an act relating to the city of Rochester; increasing the membership of the housing and redevelopment authority; providing terms.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1191, A bill for an act relating to the counties of Aitkin, Carlton, Itasca, and Koochiching; authorizing those counties to establish human services boards.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 2252, A bill for an act relating to the towns of Moose Lake in Carlton county and Windemere in Pine County; authorizing the Moose Lake and Windemere area sanitary sewer district to exercise certain powers of sanitary districts; providing for the appointment of members of the sanitary sewer board; amending Laws 1974, Chapter 400, Sections 3, Subdivisions 5 and 12; 4, Subdivision 2; 8 by adding a subdivision; and by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 2355, A bill for an act relating to state employees; limiting severance allowances for certain employees; amending Minnesota Statutes, 1975 Supplement, Section 43.224.

The bill was read for the first time.

Metzen moved that S. F. No. 2355 and H. F. No. 2503, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1792, A bill for an act relating to the registration of title to real estate; fees of the registrar; providing that certain fees be credited to the assurance fund; eliminating the fees for filing the certified copy of the application for registration; amending Minnesota Statutes 1974, Sections 508.75 and 508.82.

The bill was read for the first time.

Parish moved that S. F. No. 1792 and H. F. No. 2063, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1872, A bill for an act relating to health; providing that persons eligible for medical assistance have free selection of a medical care vendor; amending Minnesota Statutes, 1975 Supplement, Sections 256D.03, Subdivision 3; 261.21, Subdivision 2; and 261.22, Subdivision 2.

The bill was read for the first time.

Berglin moved that S. F. No. 1872 and H. F. No. 2093, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1944, A bill for an act relating to health; providing for a waiver of the certificate of need requirements by the state board of health; amending Minnesota Statutes, 1975 Supplement, Section 145.811; and Minnesota Statutes 1974, Chapter 145, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 1998, A bill for an act relating to elections; requiring the county auditor to make available certain voter registration lists; amending Minnesota Statutes 1974, Section 201.091, Subdivisions 2 and 3, and by adding a subdivision.

The bill was read for the first time.

Tomlinson moved that S. F. No. 1998 and H. F. No. 2086, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2195, A bill for an act relating to cities; authorizing cities engaged in electric power distribution to secure electric power by individual or joint action; authorizing the creation of municipal power agencies; defining their powers and responsibilities; authorizing the issuance of bonds.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 2208, A bill for an act relating to courts; changing the status of the Hennepin county juvenile court judge; providing for continuous district court terms in all counties; providing that retired district court judges be reimbursed for expenses incurred while acting as district judges; authorizing additional power to judges of county court; requiring certain distributions of Minnesota Statutes and Session Laws; amending Minnesota Statutes 1974, Sections 260.021, Subdivision 2; 484.08; 484.09, as amended; 484.11; 484.13; 484.14; 484.15; 484.16; 484.17; 484.18; 484.62; 648.39, Subdivision 1; and Chapter 487, by adding a section; repealing Minnesota Statutes 1974, Sections 260.021, Subdivision 3; and 490.025, Subdivision 8.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 2365, A bill for an act relating to retirement; actuarial valuations and experience studies of various public retirement funds; amortization of unfunded accrued liabilities; amending Minnesota Statutes 1974, Sections 356.22, Subdivision 2; 422A.08, Subdivision 2; and Minnesota Statutes, 1975 Supplement, Section 356.215, Subdivision 4.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 2373, A bill for an act relating to estates; clarifies aspects of the law concerning administration of estates; harmonizes relevant registered land law with probate code; modifies document verification requirements; changes notice requirements; eliminates de novo appeals from probate court; authorizes the probate court to waive inheritance tax liens in

supervised administrations; eliminates notice to attorney general for certain charitable devises; amending Minnesota Statutes 1974, Sections 524.1-310; 524.3-505; 524.3-908; 524.3-1003; 524.3-1007; 524.3-1201; 525.72; amending Minnesota Statutes, 1975 Supplement, Sections 501.79, Subdivision 2; 508.68; 524.1-401; 524.3-301; 524.3-306; 524.3-310; 524.3-403; 524.3-603; 524.3-801; 524.3-803; 524.3-806; 524.3-910; 524.3-1204; 524.4-204; and 525.31.

The bill was read for the first time.

Lindstrom moved that S. F. No. 2373 and H. F. No. 2443, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1456, A bill for an act relating to soil and water conservation; providing for the operation of the soil and water conservation commission; amending Minnesota Statutes, 1975 Supplement, Section 40.03, Subdivision 1; Minnesota Statutes 1974, Sections 40.03, Subdivisions 2 and 4; and 40.06, Subdivision 2.

The bill was read for the first time.

Wenstrom moved that S. F. No. 1456 and H. F. No. 1342, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1615, A bill for an act relating to natural resources; prohibiting, except in national emergencies, certain activities in the boundary waters canoe area; prohibiting certain activities outside the boundary waters canoe area which cause degradation of a natural resource within the boundary waters canoe area.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 1780, A bill for an act relating to credit unions; allowing credit unions to permit draft withdrawals by their members; amending Minnesota Statutes 1974, Section 52.04.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 2100, A bill for an act relating to insurance; defining persons entitled to participate in the assigned claims plan for motor vehicle injuries; amending Minnesota Statutes 1974, Section 65B.64, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 2174, A bill for an act relating to intoxicating liquor; importation of limited quantities without payment of tax; amending Minnesota Statutes 1974, Section 340.601.

The bill was read for the first time.

Anderson, I., moved that S. F. No. 2174 and H. F. No. 1946, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2328, A bill for an act relating to insurance; eliminating certain abstracting and publishing requirements for financial statements of fraternal beneficiary associations and reciprocal or interinsurance exchanges; amending Minnesota Statutes 1974, Sections 60A.13, Subdivision 7; and 60A.14, Subdivision 1; repealing Minnesota Statutes 1974, Section 60A.13, Subdivisions 3 and 4.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 2330, A bill for an act relating to municipalities; procedures required for the letting of certain contracts; amending Minnesota Statutes 1974, Section 471.345, Subdivisions 3, 4 and 5.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 2370, A bill for an act relating to loan guaranties; requiring notice to guarantor of extent of liability.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 1788, A bill for an act relating to banks and banking; authorizing consumer banking facilities and credit union facilities; providing penalties; amending Minnesota Statutes 1974, Chapter 52, by adding a section.

The bill was read for the first time.

Hanson moved that S. F. No. 1788 and H. F. No. 2084, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2327, A bill for an act relating to courts; clarifying fee exclusions for the Hennepin county municipal court; amending Minnesota Statutes 1974, Section 488A.03, Subdivision 11a.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 2381, A bill for an act relating to the city of Fairmont; authorizing a solid waste disposal and resource recovery facility; granting the city the powers of a county under Minnesota Statutes 1974, Chapter 400.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1576, A bill for an act relating to retirement; police pensions in cities of Crookston and Thief River Falls.

The bill was read for the first time.

Corbid moved that S. F. No. 1576 and H. F. No. 1592, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1822, A bill for an act relating to governmental operations; creating an interstate commission to develop a plan to merge the port authorities at Duluth, Minnesota, and Superior, Wisconsin; appropriating money.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1956, A bill for an act relating to nursing homes; providing for the licensing and inspection of nursing homes; providing for the licensing of nursing home administrators; reorganizing various laws relating to nursing homes and nursing home administrators; clarifying language and making necessary revisions; prescribing civil and criminal penalties; amending Minnesota Statutes 1974, Sections 144.053, Subdivision 3; 144.49, Subdivisions 6 and 7; 144.50; 144.51; 144.55; 144.572; 144.63, Subdivision 2; 144.652; 144.653, Subdivision 1; 144.654; 144.655; 144.656; 144.657; 144.68, Subdivisions 2 and 3; 145.61, Subdivision 4; 145.75; 145.862, Subdivision 4; 245.691, Subdivision 3; 256B.02, Subdivision 2; 256B.30; 256D.18, Subdivision 2; 299F.39, Subdivision 1; 609.231; 626.555, Subdivisions 1, 2 and 7; and Minnesota Statutes, 1975 Supplement, Sections 144.53; 144.571; 145.72, Subdivision 2; 145.74; and 214.01, Subdivision 2; repealing Minnesota Statutes 1974, Sections 144.584; 144.951; 144.953; 144.954; 144.955; 144.9555; 144.956; 144.957; 144.958; 144.959; 144.96; 144.961; 144.962; 144.963; 144.964; and 144.965; and Minnesota Statutes, 1975 Supplement, Section 144.952.

The bill was read for the first time and referred to the Committee on Governmental Operations.

#### CONSENT CALENDAR

H. F. No. 2396, A bill for an act relating to the operation of state government; authorizing the director of the energy agency

to appoint a personal secretary; amending Minnesota Statutes 1974, Section 116H.03, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 105, and nays 23, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kalis	Metzen	Sieben, H.
Adams, L.	Doty	Kelly, R.	Moe	Sieben, M.
Anderson, I.	Eckstein	Kelly, W.	Munger	Sieloff
Arlandson	Enebo	Kempe, A.	Neisen	Simoneau
Beauchamp	Evans	Kempe, R.	Norton	Skoglund
Begich	Faricy	Ketola	Novak	Smith
Berg	Forsythe	Knoll	Parish	Smogard
Biersdorf	Friedrich	Kostohryz	Patton	Spanish
Birnstihl	Fudro	Kroening	Pepler	Stanton
Braun	George	Laidig	Philbrook	Suss
Brinkman	Hanson	Langseth	Pleasant	Swanson
Byrne	Hokanson	Lemke	Prahl	Vanasek
Carlson, A.	Jacobs	Lindstrom	Reding	Vento
Carlson, L.	Jaros	Luther	Rice	Volk
Carlson, R.	Jensen	Mangan	St. Onge	Wenstrom
Cassery	Johnson, C.	Mann	Samuelson	Wenzel
Clark	Johnson, D.	McCarron	Sarna	White
Clawson	Jopp	McCauley	Schulz	Wieser
Corbid	Jude	McCollar	Schumacher	Williamson
Dahl	Kahn	McEachern	Setzepfandt	Zubay
Dean	Kaley	Menning	Sherwood	Speaker Sabo

Those who voted in the negative were:

Albrecht	Erickson	Heinitz	Niehaus	Searle
Anderson, G.	Esau	Knickerbocker	Osthoff	Ulland
Berglin	Ewald	Kvam	Peterson	Voss
DeGroat	Fjoslien	Nelsen	Savelkoul	
Eken	Haugerud	Nelson	Schreibler	

The bill was passed and its title agreed to.

H. F. No. 2472, A bill for an act relating to Independent School District No. 624 and Independent School District No. 12; providing for the exchange of territory between the districts.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Albrecht	Anderson, I.	Beauchamp	Berg
Adams, L.	Anderson, G.	Arlandson	Begich	Berglin

Biersdorf	Fjoslien	Knoll	Novak	Sieloff
Birnstihl	Forsythe	Kostohryz	Osthoff	Simoneau
Braun	Friedrich	Kroening	Parish	Skoglund
Brinkman	Fudro	Kvam	Patton	Smith
Byrne	George	Laidig	Pehler	Smogard
Carlson, A.	Hanson	Langseth	Peterson	Spanish
Carlson, L.	Heinitz	Lemke	Petrafeso	Stanton
Carlson, R.	Hokanson	Lindstrom	Philbrook	Suss
Casserly	Jacobs	Luther	Pleasant	Swanson
Clark	Jaros	Mangan	Prahl	Ulland
Clawson	Jensen	Mann	Reding	Vanasek
Dahl	Johnson, C.	McCarron	Rice	Vento
Dean	Johnson, D.	McCauley	St. Onge	Volk
DeGroat	Jopp	McCollar	Samuelson	Voss
Dieterich	Jude	McEachern	Sarna	Wenstrom
Doty	Kahn	Menning	Savelkoul	Wenzel
Eckstein	Kaley	Metzen	Schreiber	White
Eken	Kalis	Moe	Schulz	Wieser
Enebo	Kelly, R.	Munger	Schumacher	Williamson
Erickson	Kelly, W.	Neisen	Searle	Zubay
Esau	Kempe, A.	Nelsen	Setzepfandt	Speaker Sabo
Evans	Kempe, R.	Nelson	Sherwood	
Ewald	Ketola	Niehaus	Sieben, H.	
Faricy	Knickerbocker	Norton	Sieben, M.	

The bill was passed and its title agreed to.

H. F. No. 2263, A bill for an act relating to game and fish; clothing required during certain seasons; amending Minnesota Statutes 1974, Section 100.29, Subdivision 8; repealing Minnesota Statutes 1974, Section 98.52, Subdivision 5.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 4, as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Jensen	Mann	Pleasant
Adams, L.	Dean	Johnson, C.	McCarron	Prahl
Adams, S.	DeGroat	Jude	McCauley	Reding
Albrecht	Dieterich	Kahn	McCollar	Rice
Anderson, G.	Doty	Kaley	McEachern	St. Onge
Arlandson	Eckstein	Kalis	Menning	Sarna
Beauchamp	Enebo	Kelly, R.	Metzen	Savelkoul
Begich	Erickson	Kelly, W.	Moe	Schreiber
Berg	Esau	Kempe, A.	Munger	Schulz
Berglin	Evans	Kempe, R.	Neisen	Schumacher
Biersdorf	Ewald	Ketola	Nelsen	Searle
Birnstihl	Faricy	Knickerbocker	Nelson	Setzepfandt
Braun	Fjoslien	Knoll	Niehaus	Sherwood
Brinkman	Forsythe	Kostohryz	Norton	Sieben, H.
Byrne	Fudro	Kroening	Novak	Sieben, M.
Carlson, A.	George	Kvam	Osthoff	Sieloff
Carlson, L.	Hanson	Laidig	Parish	Simoneau
Carlson, R.	Haugerud	Langseth	Patton	Skoglund
Casserly	Heinitz	Lemke	Pehler	Smith
Clark	Hokanson	Lindstrom	Peterson	Smogard
Clawson	Jacobs	Luther	Petrafeso	Spanish
Corbid	Jaros	Mangan	Philbrook	Stanton

Suss  
Swanson  
Ulland

Vanasek  
Vento  
Volk

Voss  
Wenstrom  
Wenzel

White  
Wieser  
Williamson

Zubay  
Speaker Sabo

Those who voted in the negative were:

Anderson, I. Eken Johnson, D. Samuelson

The bill was passed and its title agreed to.

H. F. No. 2233 was reported to the House.

Wenstrom moved to amend H. F. No. 2233 as follows:

Page 1, line 21, after "may" insert "*by resolution of its board of county commissioners,*".

Page 2, line 2, strike "county".

Page 2, line 2, after "board" insert "*of county commissioners*".

Underscore all new material in bill.

The motion prevailed and the amendment was adopted.

H. F. No. 2233, A bill for an act relating to human services; permitting Otter Tail county to designate a human services board; amending Minnesota Statutes 1974, Section 402.01, Sub-division 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Clark	Haugerud	Kostohryz	Nelson
Adams, L.	Corbid	Heinitz	Kroening	Niehaus
Adams, S.	Dahl	Hokanson	Kvam	Norton
Albrecht	Dean	Jacobs	Laidig	Novak
Anderson, G.	DeGroat	Jaros	Langseth	Osthoff
Anderson, I.	Dieterich	Jensen	Lemke	Parish
Arlandson	Doty	Johnson, C.	Lindstrom	Patton
Beauchamp	Eckstein	Johnson, D.	Luther	Pehler
Begich	Eken	Jopp	Mangan	Peterson
Berg	Enebo	Jude	Mann	Petraieso
Berglin	Erickson	Kahn	McCarron	Philbrook
Biersdorf	Esau	Kaley	McCaughey	Pleasant
Birnstihl	Evans	Kalis	McCollar	Prahl
Braun	Ewald	Kelly, R.	McEachern	Reding
Brinkman	Faricy	Kelly, W.	Menning	Rice
Byrne	Fjoslien	Kempe, A.	Metzen	St. Onge
Carlson, A.	Friedrich	Kempe, R.	Moe	Samuelson
Carlson, L.	Fudro	Ketola	Mungér	Sarna
Carlson, R.	George	Knickerbocker	Neisen	Savelkoul
Casserly	Hanson	Knoll	Nelsen	Schreiber

Schulz	Sieben, M.	Spanish	Vento	Williamson
Schumacher	Sieloff	Stanton	Voss	Zubay
Searle	Simoneau	Suss	Wenstrom	Speaker Sabo
Setzepfandt	Skoglund	Swanson	Wenzel	
Sherwood	Smith	Ulland	White	
Sieben, H.	Smogard	Vanasek	Wieser	

Those who voted in the negative were:

Volk

The bill was passed, as amended, and its title agreed to.

H. F. No. 2370, A bill for an act relating to daytime activity centers; renaming them developmental achievement centers; making the necessary revisions in Minnesota Statutes; amending Minnesota Statutes 1974, Sections 252.21; 252.22; 252.23; 252.24, as amended; 252.25; 257.081, Subdivision 10; and Minnesota Statutes, 1975 Supplement, Sections 123.39, Subdivision 13; and 252.26.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 3, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kalis	Munger	Searle
Adams, L.	Doty	Kelly, R.	Neisen	Setzepfandt
Adams, S.	Eckstein	Kelly, W.	Nelsen	Sherwood
Albrecht	Eken	Kempe, A.	Nelson	Sieben, H.
Anderson, G.	Enebo	Kempe, R.	Niehaus	Sieben, M.
Anderson, I.	Erickson	Ketola	Norton	Sieloff
Arlandson	Esau	Knickerbocker	Novak	Simoneau
Reauchamp	Evans	Knoll	Osthoff	Skoglund
Begich	Ewald	Kostohryz	Parish	Smith
Berg	Fjoslien	Kroening	Patton	Smogard
Berglin	Fudro	Kvam	Pehler	Spanish
Biersdorf	George	Laidig	Peterson	Stanton
Birnstihl	Hanson	Langseth	Petrafeso	Suss
Braun	Haugerud	Lemke	Philbrook	Swanson
Brinkman	Heinitz	Lindstrom	Pleasant	Ulland
Byrne	Hokanson	Luther	Prahl	Vanasek
Carlson, A.	Jacobs	Mangan	Reding	Vento
Carlson, L.	Jaros	Mann	Rice	Volk
Carlson, R.	Jensen	McCarron	St. Onge	Voss
Casserly	Johnson, C.	McCauley	Samuelson	Wenstrom
Clark	Johnson, D.	McCollar	Sarna	Wenzel
Corbid	Jopp	McEachern	Savelkoul	White
Dahl	Jude	Menning	Schreiber	Wieser
Dean	Kahn	Metzen	Schulz	Williamson
DeGroat	Kaley	Moe	Schumacher	Zubay

Those who voted in the negative were:

Farcy                      Friedrich                      Speaker Sabo

The bill was passed and its title agreed to.

S. F. No. 1967, A bill for an act relating to trusts; administration of express trusts by cities; amending Minnesota Statutes 1974, Section 501.11.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kalis	Neisen	Sieben, H.
Adams, L.	Eckstein	Kelly, R.	Nelsen	Sieben, M.
Adams, S.	Eken	Kelly, W.	Nelson	Sieloff
Albrecht	Enebo	Kempe, A.	Niehaus	Simoneau
Anderson, G.	Erickson	Kempe, R.	Norton	Skoglund
Anderson, I.	Esau	Ketola	Novak	Smith
Arlandson	Evans	Knickerbocker	Osthoff	Smogard
Beauchamp	Ewald	Knoll	Parish	Spanish
Begich	Faricy	Kostohryz	Patton	Stanton
Berg	Fjoslien	Kroening	Pehler	Suss
Berglin	Friedrich	Kvam	Peterson	Swanson
Biersdorf	Fudro	Laidig	Petrafeso	Ulland
Birnstihl	George	Langseth	Philbrook	Vanasek
Braun	Hanson	Lemke	Pleasant	Vento
Byrne	Haugerud	Lindstrom	Prahl	Volk
Carlson, A.	Heinitz	Luther	Reding	Voss
Carlson, L.	Hokanson	Mangan	St. Onge	Wenstrom
Carlson, R.	Jacobs	Mann	Samuelson	Wenzel
Casserly	Jaros	McCarron	Sarna	White
Clark	Jensen	McCauley	Savelkoul	Wieser
Clawson	Johnson, C.	McCollar	Schreiber	Williamson
Corbid	Johnson, D.	McEachern	Schulz	Zubay
Dahl	Jopp	Menning	Schumacher	Speaker Sabo
Dean	Jude	Metzen	Searle	
DeGroat	Kahn	Moe	Setzepfandt	
Dieterich	Kaley	Munger	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 2440, A bill for an act relating to the administration of justice; authorizing judicially imposed fees for county law libraries; amending Minnesota Statutes 1974, Sections 140.26; 140.30; 140.31; and Chapter 140, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 3, as follows:

Those who voted in the affirmative were:

Abeln	Anderson, G.	Begich	Birnstihl	Carlson, L.
Adams, L.	Anderson, I.	Berg	Braun	Carlson, R.
Adams, S.	Arlandson	Berglin	Byrne	Casserly
Albrecht	Beauchamp	Biersdorf	Carlson, A.	Clark

Clawson	Jacobs	Lemke	Pehler	Simoneau
Corbid	Jaros	Lindstrom	Peterson	Skoglund
Dahl	Jensen	Luther	Petrafeso	Smith
Dean	Johnson, D.	Mangan	Philbrook	Smogard
DeGroat	Jopp	Mann	Pleasant	Spanish
Dieterich	Jude	McCarron	Prahl	Stanton
Doty	Kahn	McCauley	Reding	Suss
Eckstein	Kaley	McCollar	Rice	Swanson
Eken	Kalis	McEachern	St. Onge	Ulland
Enebo	Kelly, R.	Menning	Samuelson	Vanasek
Erickson	Kelly, W.	Metzen	Sarna	Vento
Esau	Kempe, A.	Moe	Savelkoul	Volk
Evans	Kempe, R.	Munger	Schreiber	Voss
Ewald	Ketola	Neisen	Schulz	Wenstrom
Fjoslien	Knickerbocker	Nelsen	Schumacher	Wenzel
Friedrich	Knoll	Niehaus	Searle	White
Fudro	Kostohryz	Norton	Setzpfandt	Wieser
George	Kroening	Novak	Sherwood	Williamson
Hanson	Kvam	Osthoff	Steben, H.	Zubay
Heinitz	Laidig	Parish	Steben, M.	Speaker Sabo
Hokanson	Langseth	Patton	Sieloff	

Those who voted in the negative were:

Faricy            Haugerud        Johnson, C.

The bill was passed and its title agreed to.

H. F. No. 1944 was reported to the House.

Knickerbocker moved to amend H. F. No. 1944, as follows:

Page 2, after line 15, insert a new section to read:

*"Sec. 3. This act shall be effective the day following final enactment."*

The motion prevailed and the amendment was adopted.

H. F. No. 1944, A bill for an act relating to the St. Cloud metropolitan transit commission; changing the fiscal year of the commission; increasing the per diem pay of commissioners; amending Laws 1969, Chapter 1134, Section 3, Subdivision 3 and Subdivision 4, as amended.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 2, as follows:

Those who voted in the affirmative were:

Abeln	Albrecht	Arlandson	Berg	Birnstihl
Adams, L.	Anderson, G.	Beauchamp	Berglin	Braun
Adams, S.	Anderson, I.	Begich	Biersdorf	Brinkman

Byrne	Fudro	Kvam	Parish	Skoglund
Carlson, A.	George	Laidig	Patton	Smith
Carlson, L.	Hanson	Langseth	Pehler	Smogard
Carlson, R.	Haugerud	Lemke	Peterson	Spanish
Casserly	Heinitz	Lindstrom	Petrafeso	Stanton
Clark	Hokanson	Luther	Philbrook	Suss
Clawson	Jacobs	Mangan	Pleasant	Swanson
Corbid	Jaros	Mann	Prahl	Ulland
Dahl	Jensen	McCarron	Reding	Vanasek
Dean	Johnson, C.	McCauley	Rice	Vento
DeGroat	Johnson, D.	McCollar	St. Onge	Volk
Dieterich	Jopp	McEachern	Samuelson	Voss
Doty	Jude	Menning	Sarna	Wenstrom
Eckstein	Kahn	Metzen	Savelkoul	Wenzel
Eken	Kaley	Moe	Schreiber	White
Enebo	Kalis	Munger	Schulz	Wieser
Erickson	Kelly, R.	Neisen	Schumacher	Williamson
Esau	Kelly, W.	Nelsen	Setzepfandt	Zubay
Evans	Ketola	Nelson	Sherwood	Speaker Sabo
Ewald	Knickerbocker	Niehaus	Sieben, H.	
Faricy	Knoll	Norton	Sieben, M.	
Fjoslien	Kostohryz	Novak	Sieloff	
Friedrich	Kroening	Osthoff	Simoneau	

Those who voted in the negative were:

Kempe, A.      Kempe, R.

The bill was passed, as amended, and its title agreed to.

H. F. No. 2315, A bill for an act relating to the city of Maple Grove; authorizing the city of Maple Grove to refund certain temporary improvement bonds.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Casserly	Fudro	Kempe, R.	Metzen
Adams, L.	Clark	George	Ketola	Moe
Adams, S.	Clawson	Hanson	Knickerbocker	Munger
Albrecht	Corbid	Haugerud	Knoll	Neisen
Anderson, G.	Dahl	Heinitz	Kostohryz	Nelsen
Anderson, I.	Dean	Hokanson	Kroening	Nelson
Arlandson	DeGroat	Jacobs	Kvam	Niehaus
Beauchamp	Dieterich	Jaros	Laidig	Norton
Begich	Doty	Jensen	Langseth	Novak
Berg	Eckstein	Johnson, C.	Lemke	Osthoff
Berglin	Eken	Johnson, D.	Lindstrom	Parish
Biersdorf	Enebo	Jopp	Luther	Patton
Birnstihl	Erickson	Jude	Mangan	Pehler
Braun	Esau	Kahn	Mann	Peterson
Brinkman	Evans	Kaley	McCarron	Petrafeso
Byrne	Ewald	Kalis	McCauley	Philbrook
Carlson, A.	Faricy	Kelly, R.	McCollar	Pleasant
Carlson, L.	Fjoslien	Kelly, W.	McEachern	Prahl
Carlson, R.	Forsythe	Kempe, A.	Menning	Reding

Rice	Schumacher	Simoneau	Swanson	Wenzel
St. Onge	Searle	Skoglund	Ulland	White
Samuelson	Setzepfandt	Smith	Vanasek	Wieser
Sarna	Sherwood	Smogard	Vento	Williamson
Savelkoul	Sieben, H.	Spanish	Volk	Zubay
Schreiber	Sieben, M.	Stanton	Voss	Speaker Sabo
Schulz	Sieloff	Suss	Wenstrom	

The bill was passed and its title agreed to.

H. F. No. 2485 was reported to the House.

There being no objection, H. F. No. 2485 was continued on the Consent Calendar for one day.

H. F. No. 2214 was reported to the House.

Reding moved to amend H. F. No. 2214, as follows:

Page 2, after line 7, add a new section to read:

*"Sec. 2. This act is effective the day following final enactment."*

The motion prevailed and the amendment was adopted.

H. F. No. 2214, A bill for an act relating to motor vehicle registration; providing for waiver of penalty for vehicles in storage; providing an exemption for automobiles; amending Minnesota Statutes 1974, Section 168.31, Subdivision 3.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Ewald	Jude	Lindstrom
Adams, L.	Carlson, R.	Faricy	Kahn	Luther
Adams, S.	Cassery	Fjoslien	Kaley	Mangan
Albrecht	Clark	Forsythe	Kalis	Mann
Anderson, G.	Clawson	Friedrich	Kelly, R.	McCarron
Anderson, I.	Corbid	Fudro	Kelly, W.	McCauley
Arlandson	Dahl	George	Kempe, A.	McCollar
Beauchamp	Dean	Hanson	Kempe, R.	McEachern
Begich	DeGroat	Haugerud	Ketola	Menning
Berg	Dieterich	Heinitz	Knickerbocker	Metzen
Berglin	Doty	Hokanson	Knoll	Moe
Biersdorf	Eckstein	Jacobs	Kostohryz	Munger
Birnstihl	Eken	Jaros	Kraening	Neisen
Braun	Enebo	Jensen	Kvam	Nelsen
Brinkman	Erickson	Johnson, C.	Laidig	Nelson
Byrne	Esau	Johnson, D.	Langseth	Niehaus
Carlson, A.	Evans	Jopp	Lenmke	Norton

Novak	Prahl	Schumacher	Smith	Volk
Osthoff	Reding	Searle	Smogard	Voss
Parish	Rice	Setzepfandt	Spanish	Wenstrom
Patton	St. Onge	Sherwood	Stanton	Wenzel
Pehler	Samuelson	Sieben, H.	Suss	White
Peterson	Sarna	Sieben, M.	Swanson	Wieser
Petrafeso	Savelkoul	Sieloff	Ulland	Williamson
Philbrook	Schreiber	Simoneau	Vanasek	Zubay
Pleasant	Schulz	Skoglund	Vento	Speaker Sabo

The bill was passed, as amended, and its title agreed to.

H. F. No. 2413, A bill for an act relating to railroads; allowing reduced rates for transportation of solid waste material for re-processing; amending Minnesota Statutes 1974, Section 218.021, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kahn	Moe	Searle
Adams, L.	Doty	Kaley	Munger	Setzepfandt
Adams, S.	Eckstein	Kalis	Neisen	Sherwood
Albrecht	Eken	Kelly, R.	Nelsen	Sieben, H.
Anderson, G.	Enebo	Kelly, W.	Nelson	Sieben, M.
Anderson, I.	Erickson	Kempe, A.	Niehaus	Sieloff
Arlandson	Esau	Kempe, R.	Norton	Simoneau
Beauchamp	Evans	Ketola	Novak	Skoglund
Egich	Ewald	Knickerbocker	Osthoff	Smith
Berg	Faricy	Knoll	Parish	Smogard
Berglin	Fjoslien	Kostohryz	Patton	Spanish
Biersdorf	Forsythe	Kroening	Pehler	Stanton
Birnstihl	Friedrich	Kvam	Peterson	Suss
Braun	Fudro	Laidig	Petrafeso	Swanson
Brinkman	George	Langseth	Philbrook	Ulland
Byrne	Hanson	Lemke	Pleasant	Vanasek
Carlson, A.	Haugerud	Lindstrom	Prahl	Vento
Carlson, L.	Heinitz	Luther	Reding	Volk
Carlson, R.	Hokanson	Mangan	Rice	Voss
Casserly	Jacobs	Mann	St. Onge	Wenstrom
Clark	Jaros	McCarron	Samuelson	Wenzel
Clawson	Jensen	McCauley	Sarna	White
Corbid	Johnson, C.	McCollar	Savelkoul	Wieser
Dahl	Johnson, D.	McEachern	Schreiber	Williamson
Dean	Jopp	Menning	Schulz	Zubay
DeGroat	Jude	Metzen	Schumacher	Speaker Sabo

The bill was passed and its title agreed to.

S. F. No. 1862, A bill for an act relating to motor vehicles; registration and taxation; removing certain requirements for notarization; amending Minnesota Statutes, 1975 Supplement, Section 168.10, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 3, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kalis	Neisen	Sieben, H.
Adams, L.	Doty	Kelly, R.	Nelson	Sieben, M.
Adams, S.	Eckstein	Kelly, W.	Neison	Sieloff
Albrecht	Eken	Kempe, A.	Niehaus	Simoneau
Anderson, G.	Enebo	Kempe, R.	Norton	Skoglund
Anderson, I.	Erickson	Ketola	Novak	Smith
Arlandson	Esau	Knickerbocker	Osthoff	Smogard
Beauchamp	Evans	Knoll	Parish	Spanish
Begich	Ewald	Kostohryz	Patton	Stanton
Berg	Fjoslien	Kroening	Pehler	Suss
Berglin	Forsythe	Kvam	Peterson	Swanson
Biersdorf	Friedrich	Laidig	Petrafeso	Ulland
Birnstihl	Fudro	Langseth	Philbrook	Vanasek
Braun	George	Lemke	Pleasant	Vento
Brinkman	Haugerud	Lindstrom	Reading	Volk
Byrne	Heinitz	Luther	Rice	Voss
Carlson, A.	Hokanson	Mangan	St. Onge	Wenstrom
Carlson, L.	Jacobs	Mann	Samuelson	Wenzel
Carlson, R.	Jaros	McCarron	Sarna	White
Casserly	Jensen	McCauley	Savelkoul	Wieser
Clark	Johnson, C.	McCollar	Schreiber	Williamson
Clawson	Johnson, D.	McEachern	Schulz	Zubay
Corbid	Jopp	Menning	Schumacher	Speaker Sabo
Dahl	Jude	Metzen	Searle	
Dean	Kahn	Moe	Setzepfandt	
DeGroat	Kaley	Munger	Sherwood	

Those who voted in the negative were:

Faricy                  Hanson                  Prahl

The bill was passed and its title agreed to.

H. F. No. 2012, A bill for an act relating to retirement; volunteer firemen's lump sum and monthly benefits; amending Minnesota Statutes 1974, Section 69.06.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Anderson, I.	Berglin	Byrne	Clawson
Adams, L.	Arlandson	Biersdorf	Carlson, A.	Corbid
Adams, S.	Beauchamp	Birnstihl	Carlson, L.	Dahl
Albrecht	Begich	Braun	Carlson, R.	Dean
Anderson, G.	Berg	Brinkman	Clark	DeGroat

Dieterich	Jensen	Lindstrom	Pehler	Simoneau
Doty	Johnson, C.	Luther	Peterson	Skoglund
Eckstein	Johnson, D.	Mangan	Petrafero	Smith
Eken	Jopp	Mann	Philbrook	Smogard
Enebo	Jude	McCarron	Pleasant	Spanish
Erickson	Kahn	McCaulley	Prahl	Stanton
Esau	Kaley	McCollar	Reding	Suss
Evans	Kalis	McEachern	Rice	Swanson
Ewald	Kelly, R.	Menning	St. Onge	Tomlinson
Faricy	Kelly, W.	Metzen	Samuelson	Ulland
Fjoslien	Kempe, A.	Moe	Sarna	Vanasek
Forsythe	Kempe, R.	Munger	Savelkoul	Vento
Friedrich	Ketola	Neisen	Schreiber	Volk
Fudro	Knickerbocker	Nelsen	Schulz	Voss
George	Knoll	Nelson	Schumacher	Wenstrom
Hanson	Kostohryz	Niehaus	Searle	Wenzel
Haugerud	Kroening	Norton	Setzepfandt	White
Heinitz	Kvam	Novak	Sherwood	Wieser
Hokanson	Laidig	Osthoff	Sieben, H.	Williamson
Jacobs	Langseth	Parish	Sieben, M.	Zubay
Jaros	Lemke	Patton	Steloff	Speaker Sabo

The bill was passed and its title agreed to.

Birnstihl was excused for the remainder of today's session.

H. F. No. 2115, A bill for an act relating to retirement; service credit for teachers on parental or maternity leave; authorizing the employment of retired teachers as substitutes; elections to receive a combined service annuity; amending Minnesota Statutes 1974, Chapter 354, by adding a section; and Minnesota Statutes, 1975 Supplement, Sections 354.44, Subdivision 1a; and 354A.21.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Clark	Fudro	Kempe, A.	Menning
Adams, L.	Clawson	George	Kempe, R.	Metzen
Albrecht	Corbid	Hanson	Ketola	Moe
Anderson, G.	Dahl	Haugerud	Knickerbocker	Munger
Anderson, I.	Dean	Heinitz	Knoll	Neisen
Arlandson	DeGroat	Hokanson	Kostohryz	Nelsen
Beauchamp	Dieterich	Jacobs	Kroening	Nelson
Begich	Doty	Jaros	Kvam	Niehaus
Berg	Eckstein	Jensen	Laidig	Norton
Berglin	Eken	Johnson, C.	Lemke	Novak
Biersdorf	Enebo	Johnson, D.	Lindstrom	Osthoff
Braun	Erickson	Jopp	Luther	Parish
Brinkman	Esau	Jude	Mangan	Patton
Byrne	Evans	Kahn	Mann	Pehler
Carlson, A.	Ewald	Kaley	McCarron	Peterson
Carlson, L.	Faricy	Kalis	McCaulley	Petrafero
Carlson, R.	Fjoslien	Kelly, R.	McCollar	Philbrook
Casserly	Forsythe	Kelly, W.	McEachern	Pleasant

Prahl	Schumacher	Skoglund	Ulland	Wieser
Reding	Searle	Smith	Vanasek	Williamson
St. Onge	Setzepfandt	Smogard	Vento	Zubay
Samuelson	Sherwood	Spanish	Volk	Speaker Sabo
Sarna	Sieben, H.	Stanton	Voss	
Savelkoul	Sieben, M.	Suss	Wenstrom	
Schreiber	Sieloff	Swanson	Wenzel	
Schulz	Simoneau	Tomlinson	White	

The bill was passed and its title agreed to.

Kalis was excused for the remainder of today's session.

H. F. No. 2157, A bill for an act relating to public welfare; providing for administrative and judicial review of certain actions and decisions of local welfare agencies; repealing Minnesota Statutes 1974, Sections 256.77; 256B.10; 256B.11; 256D.12; and 256D.40.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 10, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Neisen	Sieben, H.
Adams, L.	Eken	Kelly, R.	Nelsen	Sieben, M.
Anderson, G.	Enebo	Kelly, W.	Nelson	Simoneau
Anderson, I.	Erickson	Kempe, A.	Norton	Skoglund
Arlandson	Esau	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Faricy	Knoll	Parish	Spanish
Berg	Fjoslien	Kostohryz	Patton	Stanton
Berglin	Forsythe	Kroening	Pehler	Suss
Eiersdorf	Fudro	Laidig	Peterson	Swanson
Brinkman	Fugina	Langseth	Petraleso	Tomlinson
Byrne	George	Lemke	Philbrook	Ulland
Carlson, A.	Hanson	Lindstrom	Pleasant	Vanasek
Carlson, L.	Haugerud	Luther	Prahl	Vento
Carlson, R.	Heinitz	Mangan	Reding	Volk
Casserly	Jacobs	Mann	St. Onge	Voss
Clark	Jaros	McCarron	Samuelson	Wenstrom
Clawson	Jensen	McCauley	Sarna	Wenzel
Corbid	Johnson, C.	McCollar	Schulz	White
Dahl	Johnson, D.	McEachern	Schumacher	Wieser
Dean	Jopp	Menning	Searle	Williamson
Dieterich	Jude	Moe	Setzepfandt	Zubay
Doty	Kahn	Munger	Sherwood	Speaker Sabo

Those who voted in the negative were:

Adams, S.	Evans	Hokanson	Kvam	Schreiber
Albrecht	Friedrich	Knickerbocker	Niehaus	Sieloff

The bill was passed and its title agreed to.

H. F. No. 2230, A bill for an act relating to retirement; approval of benefits and contributions of teachers' retirement associations in cities of the first class; benefits and contributions in the city of Minneapolis; extending social security coverage to and establishing a coordinated retirement program for teachers covered by the Minneapolis teachers retirement fund association; amending Minnesota Statutes 1974, Chapter 355, by adding sections; and Minnesota Statutes, 1975 Supplement, Section 354A.12.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kelly, R.	Nelsen	Sherwood
Adams, L.	Eckstein	Kelly, W.	Nelson	Sieben, H.
Adams, S.	Eken	Kempe, A.	Niehaus	Sieben, M.
Albrecht	Enebo	Kempe, R.	Norton	Sieloff
Anderson, G.	Erickson	Ketola	Novak	Simoneau
Anderson, I.	Esau	Knickerbocker	Osthoff	Skoglund
Arlandson	Evans	Knoll	Parish	Smith
Beauchamp	Ewald	Kostohryz	Patton	Smogard
Begich	Faricy	Kroening	Pehler	Spanish
Berg	Fjoslien	Laidig	Peterson	Stanton
Berglin	Forsythe	Langseth	Petraleso	Suss
Biersdorf	Fudro	Lemke	Philbrook	Swanson
Braun	George	Lindstrom	Pleasant	Tomlinson
Brinkman	Hanson	Luther	Prahl	Ulland
Byrne	Haugerud	Mangan	Reding	Vanasek
Carlson, A.	Heinitz	Mann	Rice	Vento
Carlson, L.	Hokanson	McCarron	St. Onge	Volk
Carlson, R.	Jacobs	McCauley	Samuelson	Voss
Casserly	Jaros	McCollar	Sarna	Wenstrom
Clark	Jensen	McEachern	Savelkoul	Wenzel
Clawson	Johnson, C.	Menning	Schreiber	White
Corbid	Johnson, D.	Metzen	Schulz	Wieser
Dahl	Jude	Moe	Schumacher	Williamson
Dean	Kahn	Munger	Searle	Zubay
DeGroat	Kaley	Neisen	Setzepfandt	Speaker Sabo

The bill was passed and its title agreed to.

### SPECIAL ORDERS

Abeln was excused at 3:35 p.m. Haugerud was excused at 4:40 p.m.

H. F. No. 1909 was reported to the House.

Erickson moved to amend H. F. No. 1909 as follows:

Page 1, line 9, strike all of the language and insert in lieu thereof "in excess of 0.1 parts per million of".

Page 1, line 10, before the period insert "(TCDD)".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 66, and nays 57, as follows:

Those who voted in the affirmative were:

Adams, S.	Eken	Kroening	Novak	Stanton
Albrecht	Erickson	Kvam	Peterson	Suss
Anderson, G.	Esau	Laidig	Pleasant	Swanson
Anderson, I.	Evans	Langseth	Prahl	Ulland
Beauchamp	Ewald	Lemke	St. Onge	Volk
Biersdorf	Fjoslien	Lindstrom	Samuelson	Wenstrom
Braun	Forsythe	Mann	Savelkoul	Wenzel
Brinkman	Friedrich	McCauley	Schreiber	White
Carlson, R.	Heinitz	McEachern	Schulz	Wieser
Corbid	Johnson, C.	Menning	Schumacher	Zubay
Dean	Johnson, D.	Metzen	Searle	
DeGroat	Kaley	Neisen	Setzepfandt	
Doty	Kelly, W.	Nelsen	Smith	
Eckstein	Ketola	Niehau	Smogard	

Those who voted in the negative were:

Adams, L.	Farcy	Kempe, R.	Osthoff	Simoneau
Arlandson	Fudro	Knickerbocker	Parish	Skoglund
Berg	George	Knoll	Patton	Spanish
Berglin	Hanson	Kostohryz	Pehler	Tomlinson
Byrne	Hokanson	Luther	Petrafeso	Vanasek
Carlson, A.	Jacobs	Mangan	Philbrook	Vento
Carlson, L.	Jaros	McCarron	Reding	Voss
Casserly	Jensen	McCollar	Sarna	Williamson
Clark	Jude	Moe	Sherwood	Speaker Sabo
Dahl	Kahn	Munger	Sieben, H.	
Dieterich	Kelly, R.	Nelson	Sieben, M.	
Enebo	Kempe, A.	Norton	Sieloff	

The motion prevailed and the amendment was adopted.

Lemke was excused for the remainder of today's session.

H. F. No. 1909, A bill for an act relating to health; prohibiting sale and use of certain chemicals; providing penalties.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 97, and nays 22, as follows:

Those who voted in the affirmative were:

Adams, L.	Begich	Byrne	Clark	Doty
Adams, S.	Berg	Carlson, A.	Dahl	Eckstein
Anderson, I.	Berglin	Carlson, L.	Dean	Enebo
Arlandson	Biersdorf	Carlson, R.	DeGroat	Erickson
Beauchamp	Braun	Casserly	Dieterich	Ewald

Faricy	Kelly, R.	McCollar	Philbrook	Stanton
Fjoslien	Kempe, A.	McEachern	Pleasant	Suss
Fudro	Kempe, R.	Metzen	Prahl	Swanson
George	Ketola	Moe	Reding	Tomlinson
Hanson	Knickerbocker	Munger	Sarna	Ulland
Heinitz	Knoll	Neisen	Savelkoul	Vanasek
Hokanson	Kostohryz	Nelsen	Schreiber	Vento
Jacobs	Kroening	Nelson	Setzepfandt	Voss
Jaros	Laidig	Norton	Sherwood	Wenstrom
Jensen	Langseth	Novak	Sieben, H.	Wenzel
Johnson, C.	Lindstrom	Osthoff	Sieben, M.	Williamson
Johnson, D.	Luther	Parish	Sieloff	Speaker Sabo
Jude	Mangan	Patton	Simoneau	
Kahn	McCarron	Pehler	Skoglund	
Kaley	McCauley	Petrafaso	Spanish	

Those who voted in the negative were:

Albrecht	Esau	Mann	Schulz	Wieser
Anderson, G.	Evans	Menning	Schumacher	Zubay
Brinkman	Friedrich	Niehaus	Smith	
Corbid	Kelly, W.	Peterson	Smogard	
Eken	Kvam	St. Onge	White	

The bill was passed, as amended, and its title agreed to.

H. F. No. 2165, A bill for an act relating to education; encouraging post-secondary institutions to grant comparable credit for comparable work at another institution; directing the higher education coordinating board to perform certain duties.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 118, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, L.	DeGroat	Johnson, D.	McCarron	Pleasant
Adams, S.	Dieterich	Jopp	McCauley	Prahl
Albrecht	Doty	Jude	McCollar	Reding
Anderson, G.	Eckstein	Kahn	McEachern	St. Onge
Anderson, I.	Eken	Kaley	Menning	Samuelson
Arlandson	Enebo	Kelly, R.	Metzen	Sarna
Beauchamp	Erickson	Kelly, W.	Moe	Savelkoul
Begich	Esau	Kempe, A.	Munger	Schreiber
Berg	Ewald	Kempe, R.	Neisen	Schulz
Berglin	Faricy	Ketola	Nelsen	Schumacher
Braun	Fjoslien	Knickerbocker	Nelson	Sherwood
Brinkman	Friedrich	Knoll	Niehaus	Sieben, H.
Byrne	Fudro	Kostohryz	Norton	Sieben, M.
Carlson, A.	George	Kroening	Novak	Sieloff
Carlson, L.	Hanson	Kvam	Osthoff	Simoneau
Carlson, R.	Heinitz	Laidig	Parish	Skoglund
Cassery	Hokanson	Langseth	Patton	Smogard
Clark	Jacobs	Lindstrom	Pehler	Spanish
Corbid	Jaros	Luther	Peterson	Stanton
Dahl	Jensen	Mangan	Petrafaso	Suss
Dean	Johnson, C.	Mann	Philbrook	Swanson

Tomlinson	Vento	Wenstrom	Wieser	Speaker Sabo
Ulland	Volk	Wenzel	Williamson	
Vanasek	Voss	White	Zubay	

The bill was passed and its title agreed to.

H. F. No. 2491, A bill for an act relating to insurance; establishing a temporary joint underwriting association for medical malpractice insurance; requiring membership; setting standards; providing for appeals, recovery of contributions and reporting of financial conditions; establishing an expiration date.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, L.	Eckstein	Kelly, W.	Nelson	Simoneau
Adams, S.	Eken	Kempe, A.	Niehaus	Skoglund
Albrecht	Enebo	Kempe, R.	Norton	Smith
Anderson, G.	Erickson	Ketola	Novak	Smogard
Anderson, I.	Esau	Knickerbocker	Osthoff	Spanish
Arlandson	Evans	Knoll	Parish	Stanton
Beauchamp	Ewald	Kostohryz	Patton	Suss
Begich	Faricy	Kroening	Pehler	Swanson
Berg	Fjoslien	Kvam	Peterson	Tomlinson
Berglin	Friedrich	Laidig	Petrafeso	Ulland
Biersdorf	Fudro	Langseth	Philbrook	Vanasek
Braun	George	Lindstrom	Pleasant	Vento
Brinkman	Hanson	Luther	Prahl	Volk
Byrne	Heinitz	Mangan	Reding	Voss
Carlson, A.	Hokanson	Mann	St. Onge	Wenstrom
Carlson, L.	Jacobs	McCarron	Samuelson	Wenzel
Carlson, R.	Jaros	McCaughey	Sarna	White
Casserly	Jensen	McCollar	Savelkoul	Wieser
Clark	Johnson, C.	McEachern	Schulz	Williamson
Corbid	Johnson, D.	Menning	Schumacher	Zubay
Dahl	Jopp	Metzen	Setzepfandt	Speaker Sabo
Dean	Jude	Moe	Sherwood	
DeGroat	Kahn	Munger	Sieben, H.	
Dieterich	Kaley	Neisen	Sieben, M.	
Doty	Kelly, R.	Nelsen	Sieloff	

The bill was passed and its title agreed to.

H. F. No. 2019 was reported to the House.

There being no objection, H. F. No. 2019 was continued on Special Orders for one day.

H. F. No. 1581 was reported to the House.

There being no objection, H. F. No. 1581 was returned to General Orders.

H. F. No. 1955, A bill for an act relating to crimes; exempting prison guards from pistol permit requirements when on duty; amending Minnesota Statutes, 1975 Supplement, Section 624.714 by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, L.	Eckstein	Kelly, W.	Niehaus	Simoneau
Adams, S.	Eken	Kempe, A.	Norton	Skoglund
Albrecht	Enebo	Kempe, R.	Novak	Smith
Anderson, G.	Erickson	Ketola	Osthoff	Smogard
Anderson, I.	Esau	Knickerbocker	Parish	Spanish
Arlandson	Evans	Knoll	Patton	Stanton
Beauchamp	Ewald	Kostohryz	Pehler	Suss
Begich	Faricy	Kroening	Peterson	Swanson
Berg	Fjoslien	Kvam	Petrafaso	Tomlinson
Berglin	Friedrich	Laidig	Philbrook	Ulland
Biersdorf	Fudro	Langseth	Pleasant	Vanasek
Braun	George	Lindstrom	Prahl	Vento
Brinkman	Hanson	Luther	Reding	Volk
Byrne	Heinitz	Mangan	St. Onge	Voss
Carlson, A.	Hokanson	Mann	Samuelson	Wenstrom
Carlson, L.	Jacobs	McCarron	Sarna	Wenzel
Carlson, R.	Jaros	McCauley	Savelkoul	White
Casserly	Jensen	McCollar	Schreiber	Wieser
Clark	Johnson, C.	McEachern	Schulz	Williamson
Corbid	Johnson, D.	Menning	Schumacher	Zubay
Dahl	Jopp	Metzen	Setzepfandt	Speaker Sabo
Dean	Jude	Moe	Sherwood	
DeGroat	Kahn	Neisen	Sieben, H.	
Dieterich	Kaley	Nelsen	Sieben, M.	
Doty	Kelly, R.	Nelson	Sieloff	

The bill was passed and its title agreed to.

H. F. No. 1994 was reported to the House.

There being no objection, H. F. No. 1994 was continued on Special Orders for one day.

H. F. No. 1865 was reported to the House.

Kempe, A. moved to amend H. F. No. 1865 as follows:

Page 2, line 32, strike "two" and insert "five".

The motion prevailed and the amendment was adopted.

H. F. No. 1865, A bill for an act relating to crimes; providing increased sentences for persons convicted of certain second or subsequent violations of theft; prescribing penalties; amending Minnesota Statutes 1974, Section 609.52, Subdivision 3.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 102, and nays 14, as follows:

Those who voted in the affirmative were:

Adams, L.	Evans	Kempe, R.	Osthoff	Simoneau
Adams, S.	Ewald	Ketola	Parish	Smith
Albrecht	Faricy	Knickerbocker	Patton	Smogard
Anderson, G.	Fjoslien	Kostohryz	Pehler	Spanish
Anderson, I.	Friedrich	Kroening	Peterson	Stanton
Beauchamp	Fudro	Kvam	Petrafeso	Suss
Begich	George	Laidig	Philbrook	Swanson
Biersdorf	Hanson	Langseth	Pleasant	Tomlinson
Braun	Heinitz	Lindstrom	Prahl	Ulland
Brinkman	Hokanson	Luther	Reding	Vanasek
Carlson, A.	Jacobs	Mangan	St. Onge	Vento
Carlson, L.	Jaros	Mann	Sarna	Voss
Carlson, R.	Jensen	McCarron	Savelkoul	Wenstrom
Dahl	Johnson, C.	McCauley	Schreiber	Wenzel
Dean	Johnson, D.	McCollar	Schulz	White
DeGroat	Jopp	McEachern	Schumacher	Wieser
Doty	Jude	Menning	Setzepfandt	Williamson
Eckstein	Kaley	Neisen	Sherwood	Zubay
Eken	Kelly, R.	Nelsen	Sieben, H.	
Enebo	Kelly, W.	Niehaus	Sieben, M.	
Esau	Kempe, A.	Novak	Sieloff	

Those who voted in the negative were:

Arlandson	Casserly	Kahn	Nelson	Volk
Berg	Clark	Knoll	Norton	Speaker Sabo
Byrne	Dieterich	Moe	Skoglund	

The bill was passed, as amended, and its title agreed to.

Setzepfandt was excused for the remainder of today's session.

H. F. No. 1372, A bill for an act relating to waters and drainage; drainage systems; authorizing reconsideration of engineers' and viewers'; reports in certain instances; allowing consideration of changed circumstances due to inflation; amending Minnesota Statutes 1974, Section 106.241.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 119, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, L.	Doty	Kaley	Nelsen	Sieben, M.
Adams, S.	Dekstein	Kelly, R.	Nelson	Sieloff
Albrecht	Eken	Kelly, W.	Niehaus	Simoneau
Anderson, G.	Enebo	Kempe, A.	Norton	Skoglund
Anderson, I.	Erickson	Kempe, R.	Novak	Smith
Arlandson	Esau	Ketola	Osthoff	Smogard
Beauchamp	Evans	Knickerbocker	Parish	Spanish
Begich	Ewald	Knoll	Patton	Stanton
Berg	Faricy	Kostohryz	Pehler	Suss
Berglin	Fjoslien	Kroening	Peterson	Swanson
Biersdorf	Friedrich	Kvam	Petrafero	Tomlinson
Braun	Fudro	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Hanson	Lindstrom	Prahl	Vento
Carlson, A.	Heinitz	Luther	Reding	Volk
Carlson, L.	Hokanson	Mangan	St. Onge	Voss
Carlson, R.	Jacobs	Mann	Samuelson	Wenstrom
Casserly	Jaros	McCarron	Sarna	Wenzel
Clark	Jensen	McCauley	Savelkoul	White
Corbid	Johnson, C.	McCollar	Schreiber	Wieser
Dahl	Johnson, D.	McEachern	Schulz	Williamson
Dean	Jopp	Menning	Schumacher	Zubay
DeGroat	Jude	Moe	Sherwood	Speaker Sabo
Dieterich	Kahn	Neisen	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 2489 was reported to the House.

Schreiber moved to amend H. F. No. 2489 as follows:

Page 3, after line 14, insert new sections 3 and 4 as follows:

"Sec. 3. [REPEALER.] *Minnesota Statutes 1974, Section 169.831, is repealed.*

Sec. 4. *This act is effective the day following final enactment.*"

Further amend the title:

Page 1, line 9, after "5" insert "; repealing Minnesota Statutes 1974, Section 169.831".

The motion prevailed and the amendment was adopted.

H. F. No. 2489, A bill for an act relating to highway traffic regulations; special permits for oversize and overweight vehicles; authorizing an annual permit for refuse compactor vehicles and prescribing maximum loads thereon; providing a fee therefor; redefining farm trucks; amending Minnesota Statutes 1971, Section 168.011, Subdivision 17, as amended; and Minnesota Statutes 1974, Section 169.86, Subdivision 5; repealing Minnesota Statutes 1974, Section 169.831.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 116, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, L.	Eckstein	Kelly, W.	Niehaus	Skogiund
Adams, S.	Eken	Kempe, A.	Norton	Smith
Anderson, G.	Enebo	Kempe, R.	Novak	Smogard
Anderson, I.	Erickson	Ketola	Osthoff	Spanish
Arlandson	Esau	Knickerbocker	Parish	Stanton
Beauchamp	Evans	Knoll	Patton	Suss
Begich	Ewald	Kostohryz	Pehler	Swanson
Berg	Faricy	Kroening	Peterson	Tomlinson
Berglin	Fjoshien	Kvam	Petrafeso	Ulland
Biersdorf	Friedrich	Laidig	Philbrook	Vanasek
Braun	Fudro	Langseth	Pleasant	Vento
Brinkman	George	Lindstrom	Prahl	Volk
Byrne	Hanson	Luther	Reding	Voss
Carlson, A.	Heinitz	Mann	St. Onge	Wenstrom
Carlson, L.	Hokanson	McCarron	Samuelson	Wenzel
Carlson, R.	Jacobs	McCauley	Saveikoul	White
Casserly	Jaros	McCollar	Schreiber	Wieser
Clark	Jensen	McEachern	Schulz	Williamson
Corbid	Johnson, D.	Menning	Schurmacher	Zubay
Dahl	Jopp	Metzen	Sherwood	Speaker Sabo
Dean	Jude	Moe	Sieben, H.	
DeGroat	Kahn	Neisen	Sieben, M.	
Dieterich	Kaley	Nelsen	Sieloff	
Doty	Kelly, R.	Nelson	Simoneau	

Those who voted in the negative were:

Albrecht.            Sarna

The bill was passed, as amended, and its title agreed to.

H. F. No. 2204, A bill for an act relating to collection and dissemination of data; providing definitions; requiring a public document on data collection; authorizing audits of data collection practices and policies; providing for emergency classification in certain situations; amending Minnesota Statutes 1974, Section 15.17, Subdivision 4; and Minnesota Statutes, 1975 Supplement, Sections 15.162, Subdivisions 2a, 4, 5a and 8; 15.163, Subdivisions 1 and 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 119, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, L.	Berglin	Clark	Enebo	George
Adams, S.	Biersdorf	Corbid	Erickson	Hanson
Albrecht	Braun	Dahl	Esau	Heinitz
Anderson, G.	Brinkman	Dean	Evans	Hokanson
Anderson, I.	Byrne	DeGroat	Ewald	Jacobs
Arlandson	Carlson, A.	Dieterich	Faricy	Jaros
Beauchamp	Carlson, L.	Doty	Fjoshien	Jensen
Begich	Carlson, R.	Eckstein	Friedrich	Johnson, C.
Berg	Casserly	Eken	Fudro	Johnson, D.

Jopp	Langseth	Norton	Savelkoul	Swanson
Jude	Lindstrom	Novak	Schreiber	Tomlinson
Kahn	Luther	Osthoff	Schulz	Ulland
Kaley	Mann	Parish	Schumacher	Vanasek
Kelly, R.	McCarron	Patton	Sherwood	Vento
Kelly, W.	McCauley	Pehler	Sieben, H.	Volk
Kempe, A.	McCollar	Peterson	Sieben, M.	Voss
Kempe, R.	McEachern	Petraffeso	Sieloff	Wenstrom
Ketola	Menning	Philbrook	Simoneau	Wenzel
Knickerbocker	Metzen	Pleasant	Skoglund	White
Knoll	Moe	Prahl	Smith	Wieser
Kostohryz	Neisen	Reding	Smogard	Williamson
Kroening	Nelsen	St. Onge	Spanish	Zubay
Kvam	Nelson	Samuelson	Stanton	Speaker Sabo
Laidig	Niehaus	Sarna	Suss	

The bill was passed and its title agreed to.

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders for Tuesday, March 16, 1976, immediately following the Consent Calendar. The motion prevailed.

#### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

Amend the permanent Rules of the House as they appear in the Journal of the House for the fifth day, Thursday, January 16, 1975, as follows:

Page 66, Rule 3.4, strike the last paragraph and insert in lieu thereof, the following:

"The notice of intention to move reconsideration shall not be in order after March 18, 1976."

The report was adopted and the permanent Rules of the House for the Sixty-ninth session were amended.

#### GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued until Tuesday, March 16, 1976.

#### MOTIONS AND RESOLUTIONS

Ketola moved that the name of Carlson, R., be added as an author on H. F. No. 1542. The motion prevailed.

Anderson, I., moved that the following bills be unofficially engrossed and printed for the House:

S. F. No. 429, to include committee amendments.

S. F. No. 916, to include committee amendments.

S. F. No. 1120, to include committee amendments.

S. F. No. 1296, to include committee amendments.

S. F. No. 1636, to include committee amendments.

S. F. No. 1865, to include committee amendments.

S. F. No. 1552, to include committee amendments.

S. F. No. 1740, to include committee amendments.

S. F. No. 161, to include committee amendments.

The motion prevailed.

#### ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Tuesday, March 16, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## NINETY-FIRST DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 16, 1976

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kelly, R.	Nelson	Sieben, M.
Adams, L.	Eckstein	Kelly, W.	Niehaus	Sieloff
Adams, S.	Eken	Kempe, A.	Norton	Simoneau
Albrecht	Enebo	Kempe, R.	Novak	Skoglund
Anderson, G.	Erickson	Ketola	Osthoff	Smith
Anderson, I.	Esau	Knickerbocker	Parish	Smogard
Arlandson	Evans	Knoll	Patton	Spanish
Beauchamp	Ewald	Kostohryz	Pehler	Stanton
Begich	Faricy	Kroening	Peterson	Suss
Berg	Fjoslien	Kvam	Petrafeso	Swanson
Berglin	Forsythe	Laidig	Philbrook	Tomlinson
Biersdorf	Friedrich	Langseth	Pleasant	Ulland
Braun	Fudro	Lindstrom	Prahl	Vanasek
Brinkman	George	Luther	Reding	Vento
Byrne	Hanson	Mangan	Rice	Volk
Carlson, A.	Haugerud	Mann	St. Onge	Voss
Carlson, L.	Heinitz	McCarron	Samuelson	Wenstrom
Carlson, R.	Hokanson	McCauley	Sarna	Wenzel
Casserly	Jacobs	McCollar	Savelkoul	White
Clark	Jaros	McEachern	Schreiber	Wieser
Clawson	Jensen	Menning	Schulz	Wigley
Corbid	Johnson, C.	Metzen	Schumacher	Williamson
Dahl	Jopp	Moe	Searle	Zubay
Dean	Jude	Munger	Setzepfandt	Speaker Sabo
DeGroat	Kahn	Neisen	Sherwood	
Dieterich	Kaley	Nelsen	Sieben, H.	

A quorum was present.

Birnstihl, Fugina, Graba, Kalis and Lemke were excused. Johnson, D., was excused until 2:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Esau the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2503, 2608, 1342, 1944, 2201, 2214, 2233, 1444, 1130, 1865, 1997, 1548, 1909, 2489, 2535 and 2356 and S. F. Nos. 1753, 1776, 1821, 1858, 2011, 2037, 2147, 2151, 612, 1624, 1927, 1932, 2056, 2152, 2232, 2251, 100, 175, 1050, 1051, 1570, 1587, 556, 1499, 1619, 1884, 2180, 975, 1786, 1874, 1920, 2379, 1097, 1957, 2078, 2175, 2469, 1191, 2252, 2355, 1792, 1872, 1944, 1998, 2195, 2208, 2365, 2373, 1456, 1615, 1780, 2100, 2174, 2328, 2330, 2370, 1788, 2327, 2381, 1956, 1576, 1822, 429, 916, 1120, 1296, 1636, 1865, 1552, 1740 and 161 have been placed in the members' files.

S. F. No. 2152 and H. F. No. 2305, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

White moved that S. F. No. 2152 be substituted for H. F. No. 2305 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1576 and H. F. No. 1592, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Corbid moved that S. F. No. 1576 be substituted for H. F. No. 1592 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 612 and H. F. No. 518, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Philbrook moved that S. F. No. 612 be substituted for H. F. No. 518 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2147 and H. F. No. 2219, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Jaros moved that S. F. No. 2147 be substituted for H. F. No. 2219 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1792 and H. F. No. 2063, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Parish moved that S. F. No. 1792 be substituted for H. F. No. 2063 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2232 and H. F. No. 2295, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

St. Onge moved that S. F. No. 2232 be substituted for H. F. No. 2295 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 556 and H. F. No. 1377, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except H. F. 1377, page 2, lines 14 to 16 reads:

*"Subd. 2. The words, terms, and phrases defined in clauses 1, 2, 3, 4, 5 and 6, shall, for purposes of section 47.20, be given the meanings subjoined to them;"*

Whereas S. F. No. 556, page 2, lines 15 and 16, reads:

*"Subd. 2. For the purposes of section 47.20 the terms defined in this subdivision have the meanings given them:"*

H. F. No. 1377, page 2, line 22, contains a semicolon, whereas S. F. No. 556, page 2, line 22, contains a period.

S. F. No. 556, page 2, line 23, after "Abstracting" contains a comma, whereas H. F. No. 1377, page 2, line 23, does not.

H. F. No. 1377, page 2, line 24, contains a semicolon, whereas S. F. No. 556, page 2, line 24, contains a period.

H. F. No. 1377, page 2, line 27, contains a semicolon, whereas S. F. No. 556, page 2, line 27, contains a period.

H. F. No. 1377, page 2, line 29, contains a semicolon, whereas S. F. No. 556, page 2, line 29, contains a period.

S. F. No. 556, page 2, lines 31 and 32, the term "actual closing cost" is in quotes, whereas, H. F. No. 1377, page 2, lines 31 and 32 it is not.

H. F. No. 1377, page 3, line 10, contains "; and" whereas S. F. No. 556, page 3, line 10 contains a period.

S. F. No. 556, page 4, line 31, after "amended" contains a comma, whereas H. F. No. 1377 does not.

H. F. No. 1377, page 5, line 23, contains "such" whereas S. F. No. 556, page 5, line 23, does not.

H. F. No. 1377, page 5, line 24, contains "loan" whereas S. F. No. 556, page 5, line 24, contains "loans".

H. F. No. 1377, page 6, line 6, contains "*such*" whereas S. F. No. 556, page 6, line 6, contains "*the*".

H. F. No. 1377, page 8, lines 9 and 10, contains "*residence or multi-family residential building*" whereas S. F. No. 556, page 8, lines 9 and 10, contains "*one to four family, owner occupied residence*".

H. F. No. 1377, page 9, lines 32 to page 10, line 2, contains the language:

"(6) *If any provision of this subdivision is found to be unconstitutional and void, the remaining provisions are expressly made severable.*" whereas S. F. No. 556, does not contain this language.

H. F. No. 1377, page 10, line 3, contains "(7)" whereas S. F. No. 556, page 9, line 32, contains "(6)".

H. F. No. 1377, page 10, line 4, contains "*subdivision 8*" whereas S. F. No. 556, page 10, line 1, contains "*this subdivision*".

H. F. No. 1377, page 10, line 32, reads:

"Sec. 4. *This act is effective on April 1, 1976.*" whereas S. F. No. 556, page 10, lines 29 to 31, reads:

"Sec. 4. *Section 2, subdivision 8, is effective on June 1, 1976. The remainder of sections 1 to 3 is effective on April 1, 1976.*"

In the title, S. F. 556, lines 3 to 6, contains the language "*modifying the maximum interest rate that may be charged on certain loans; requiring interest to be paid on certain escrow accounts; providing penalties;*" whereas H. F. No. 1377 does not contain this language.

#### SUSPENSION OF RULES

George moved that the rules be so far suspended that S. F. No. 556 be substituted for H. F. No. 1377 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2251 and H. F. No. 2350, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 2350, page 2, line 5, contains the word "*reasonably*" after "*not*".

Whereas, S. F. No. 2251 does not contain that word.

H. F. No. 2350, page 2, line 8, contains the word "*reasonably*" before the word "*have*".

Whereas, S. F. No. 2251 does not contain that word .

#### SUSPENSION OF RULES

Bryne moved that the rules be so far suspended that S. F. No. 2251 be substituted for H. F. No. 2350 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2011 and H. F. No. 2148, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 2148, page 1, lines 12 and 15 read:

“Subdivision 1. Weasel, wild cat, (LYNX,) wolves other than timber wolves, foxes, gophers, porcupines, badgers, and all other quadrupeds for which no closed season or other protection is accorded by chapters 97 to 102, are”.

Whereas, S. F. No. 2011, page 1, lines 12 to 15 read:

“Subdivision 1. Weasel, (WILD CAT, LYNX, WOLVES OTHER THAN TIMBER WOLVES, FOXES, GOPHERS, PORCUPINES, BADGERS) *bobcat, coyote (brush wolf), fox, gopher, porcupine, badger*, and all other quadrupeds for which no closed season or”.

#### SUSPENSION OF RULES

Skoglund moved that the rules be so far suspended that S. F. No. 2011 be substituted for H. F. No. 2148 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1874 and H. F. No. 1970, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except H. F. No. 1970, page 9, lines 13 and 14 reads:

“Sec. 4 [EFFECTIVE DATE.] This act is effective the day after final enactment.”.

Whereas S. F. No. 1874, page 9, lines 13 and 14, reads:

“Sec. 4. This act is effective the day following its final enactment.”.

#### SUSPENSION OF RULES

Parish moved that the rules be so far suspended that S. F. No. 1874 be substituted for H. F. No. 1970 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2373 and H. F. No. 2443, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except H. F. No. 2443, page 5, line 1, reads "(OF THE COURT), *if there by one*, assigning the same," whereas S. F. No. 2373, page 5, line 1, reads in part "of the court assigning the same,".

H. F. No. 2443, page 14, lines 29 to 32, to page 19, line 16, contains the language.

"Sec. 11. Minnesota Statutes, 1975 Supplement, Section 524.3-715, is amended to read:

524.3-715. [TRANSACTIONS AUTHORIZED FOR PERSON REPRESENTATIVES; EXCEPTIONS.] Except as restricted or otherwise provided by the will or by an order in a formal proceeding and subject to the priorities stated in section 524.3-902, a personal representative, acting reasonably for the benefit of the interested persons, may properly:

(1) retain assets owned by the decedent pending distribution or liquidation including those in which the representative is personally interested or which are otherwise improper for trust investment;

(2) receive assets from fiduciaries, or other sources;

(3) perform, compromise or refuse performance of the decedent's contracts that continue as obligations of the estate, as he may determine under the circumstances. In performing enforceable contracts by the decedent to convey or lease land, the personal representative, among other possible courses of action, may:

(i) execute and deliver a deed of conveyance for cash payment of all sums remaining due or the purchaser's note for the sum remaining due secured by a mortgage or deed of trust on the land; or

(ii) deliver a deed in escrow with directions that the proceeds, when paid in accordance with the escrow agreement, be paid to the successors of the decedent, as designated in the escrow agreement;

(4) satisfy written charitable pledges of the decedent irrespective of whether the pledges constituted binding obligations of the decedent or were properly presented as claims, if in the judgment of the personal representative the decedent would have wanted the pledges completed under the circumstances;

(5) if funds are not needed to meet debts and expenses currently payable and are not immediately distributable, deposit

or invest liquid assets of the estate, including moneys received from the sale of other assets, in federally insured interest-bearing accounts, readily marketable secured loan arrangements or other prudent investments which would be reasonable for use by trustees generally;

(6) acquire or dispose of an asset, including land in this or another state, for cash or on credit, at public or private sale; and manage, develop, improve, exchange, partition, change the character of, or abandon an estate asset;

(7) make ordinary or extraordinary repairs or alterations in buildings or other structures, demolish any improvements, raze existing or erect new party walls or buildings;

(8) subdivide, develop or dedicate land to public use; make or obtain the vacation of plats and adjust boundaries; or adjust differences in valuation on exchange or partition by giving or receiving considerations; or dedicate easements to public use without consideration;

(9) enter for any purpose into a lease as lessor or lessee, with or without option to purchase or renew, for a term within or extending beyond the period of administration;

(10) enter into a lease or arrangement for exploration and removal of minerals or other natural resources or enter into a pooling or unitization agreement;

(11) abandon property when, in the opinion of the personal representative, it is valueless, or is so encumbered, or is in condition that it is of no benefit to the estate;

(12) vote stocks or other securities in person or by general or limited proxy;

(13) pay calls, assessments, and other sums chargeable or accruing against or on account of securities, unless barred by the provisions relating to claims;

(14) hold a security in the name of a nominee or in other form without disclosure of the interest of the estate but the personal representative is liable for any act of the nominee in connection with the security so held;

(15) insure the assets of the estate against damage, loss and liability and himself against liability as to third persons;

(16) borrow money with or without security to be repaid from the estate assets or otherwise; and advance money for the protection of the estate;

(17) effect a fair and reasonable compromise with any debtor or obligor, or extend, renew or in any manner modify the terms of any obligation owing to the estate. If the personal representative holds a mortgage, pledge or other lien upon property of another person, he may, in lieu of foreclosure, accept a conveyance or transfer of encumbered assets from the owner thereof in satisfaction of the indebtedness secured by lien;

(18) pay in compliance with section 524.3-805, but without the presentation of a claim, the reasonable and necessary last illness expenses of the decedent (except as provided in section 524.3-806(a)), reasonable funeral expenses, debts and taxes with preference under federal or state law, and other taxes, assessments, compensation of the personal representative and his attorney, and all other costs and expenses of administration although the same may be otherwise barred under section 524.3-803;

(19) sell or exercise stock subscription or conversion rights; consent, directly or through a committee or other agent, to the reorganization, consolidation, merger, dissolution, or liquidation of a corporation or other business enterprise;

(20) allocate items of income or expense to either estate income or principal, as permitted or provided by law;

(21) employ persons, including attorneys, auditors, investment advisors, or agents, even if they are associated with the personal representative, to advise or assist the personal representative in the performance of his administrative duties; act without independent investigation upon their recommendations; and instead of acting personally, employ one or more agents to perform any act of administration, whether or not discretionary;

(22) prosecute or defend claims, or proceedings in any jurisdiction for the protection of the estate and of the personal representative in the performance of his duties;

(23) sell, mortgage, or lease any real or personal property of the estate or any interest therein for cash, credit, or for part cash and part credit, and with or without security for unpaid balances (, PROVIDED, HOWEVER, THAT THE HOME-STEAD OF A DECEDENT WHEN THE SPOUSE TAKES ANY INTEREST THEREIN SHALL NOT BE SOLD, MORTGAGED OR LEASED UNLESS THE WRITTEN CONSENT OF THE SPOUSE HAS BEEN OBTAINED);

(24) continue any unincorporated business or venture in which the decedent was engaged at the time of his death (i) in the same business form for a period of not more than four months from the date of appointment of a general personal representative if continuation is a reasonable means of preserving

the value of the business including good will, (ii) in the same business form for any additional period of time that may be approved by order of the court in a formal proceeding to which the persons interested in the estate are parties; or (iii) throughout the period of administration if the business is incorporated by the personal representative and if none of the probable distributees of the business who are competent adults object to its incorporation and retention in the estate;

(25) incorporate any business or venture in which the decedent was engaged at the time of his death;

(26) provide for exoneration of the personal representative from personal liability in any contract entered into on behalf of the estate;

(27) satisfy and settle claims and distribute the estate as provided in this chapter;

(28) foreclose a mortgage, lien, or pledge or collect the debts secured thereby, or complete any such proceeding commenced by the decedent;

(29) exercise all powers granted to guardians and conservators by sections 525.67 and 525.68."

Whereas S. F. No. 2373, does not contain this language.

In the title, H. F. No. 2443, line 16 contains "524.3-715" whereas S. F. No. 2373 does not.

#### SUSPENSION OF RULES

Lindstrom moved that the rules be so far suspended that S. F. No. 2373 be substituted for H. F. No. 2443 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2174 and H. F. No. 1946, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 1946, page 1, line 13, after "liquor" contains "*or fermented malt beverages*".

Whereas, S. F. No. 2174 does not contain this language.

H. F. No. 1946, page 2, line 8 reads:

"Sec. 2. *This act is effective on June 1, 1976.*"

Whereas, S. F. No. 2174, page 2, line 8 reads:

"Sec. 2. *This act takes effect on June 1, 1976.*"

## SUSPENSION OF RULES

Anderson, I., moved that the rules be so far suspended that S. F. No. 2174 be substituted for H. F. No. 1946 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2355 and H. F. No. 2503, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except S. F. No. 2355, page 1, lines 11 and 12 contains "(351.12) 43.223" whereas H. F. No. 2503, page 1, line 11, contains "351.12".

H. F. No. 2503, page 1, line 13, contains "*popularly*" whereas S. F. No. 2355 does not.

S. F. No. 2355, page 1, lines 14 and 15, contains the language "*, with the exception of elected employees of the legislature,*" whereas H. F. No. 2503 does not contain this language.

## SUSPENSION OF RULES

Metzen moved that the rules be so far suspended that S. F. No. 2355 be substituted for H. F. No. 2503 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1872 and H. F. No. 2093, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except H. F. No. 2093, page 1, line 17, contains "*this chapter*" whereas S. F. No. 1872, page 1, lines 18 and 19, contains "*sections 256D.01 to 256D.19*".

S. F. No. 1872, page 1, line 20, contains "(FOR THE DELIVERY)" whereas H. F. No. 2093, page 1, line 18, contains "for the delivery".

S. F. No. 1872, page 2, line 1, contains "(AND REGULATIONS)" whereas H. F. No. 2093, page 2, line 1, contains "and regulations".

S. F. No. 1872, page 2, line 4, contains "(AND REGULATIONS)" whereas H. F. No. 2093, page 2, line 4, contains "and regulations".

S. F. No. 1872, page 2, line 19, to page 4, line 5, contains the language

"Sec. 2. Minnesota Statutes, 1975 Supplement, Section 261-21, Subdivision 2, is amended to read:

Subd. 2. (THE COUNTY BOARD MAY SELECT THE HOSPITAL AT WHICH THE) An indigent person (SHALL)

*eligible to receive care under this section shall have free choice in the selection of a hospital for the delivery of medical care.*

Sec. 3. Minnesota Statutes, 1975 Supplement, Section 261.22, Subdivision 2, is amended to read:

Subd. 2. [DUTIES OF COUNTY BOARD.] If upon filing of (SUCH) *the* report and a full investigation of the application the county board shall be satisfied that the case is one which could be remedied by hospital treatment (AND), that (SUCH) *the* afflicted person is financially unable to secure or provide the same for himself and that the persons legally charged with the support and maintenance of (SUCH) *that* person, if any there be, are financially unable to provide (SUCH) hospitalization, the county board may grant or approve (SAID) *the* application. If the county board is not so satisfied, it may take additional testimony or make (SUCH) *any* further investigation (AS) it (SHALL DEEM) *deems* proper and it shall reject any application if it finds that the facts do not merit the expenditure of public money for the relief of (SUCH AFFLICTED) *the* person. Upon (THE APPROVING AND GRANTING SUCH) *approval of the* application (AND THE RELIEF THEREIN PRAYED FOR), the chairman of (SUCH) *the* county board shall arrange for the hospitalization of (SUCH AFFLICTED) *the* person, in a hospital selected by the (COUNTY) *person to be hospitalized*. If the county board shall find that the applicant or the person legally responsible for his support and maintenance is not able to pay in full but is able to pay in part for (SUCH) *the* hospitalization at (SUCH) *the* hospital, the county board may approve (SUCH) *the* application of (SUCH AFFLICTED) *the* person on (SUCH) *any* terms of division of hospital charges and costs as it may deem equitable and just. The county board shall provide for (TAKING SUCH AFFLICTED) *transportation of the* person to the hospital. When a physician certifies that an emergency exists in any case and that he believes that the person suffering is unable to pay for hospitalization (SUCH), *that* person shall be admitted to any (SUCH) hospital *he selects* upon the order of the chairman of the county board or upon the order of the county commissioner of the district in which (SUCH) *the* alleged indigent person resides; and thereafter an investigation shall be made in the manner hereinbefore provided. When a physician certifies in a case of an injury ( ) or an emergency ( ) that immediate surgical or medical treatment is necessary, the patient shall forthwith be admitted to any (SUCH) hospital *he selects* (UPON SAID CERTIFICATE) for a period not to exceed 72 hours; and thereafter an investigation shall be certified and made in the manner provided in sections 261.21 to 261.23.”.

Whereas H. F. No. 2093, does not contain this language.

In the title; S. F. No. 1872, page 1, lines 6 and 7 contains “261.-21, Subdivision 2; and 261.22, Subdivision 2.” whereas H. F. No. 2093, line 6, contains “and 261.21, Subdivision 2.”.

## SUSPENSION OF RULES

Berglin moved that the rules be so far suspended that S. F. No. 1872 be substituted for H. F. No. 2093 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1624 and H. F. No. 1656, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 1656, page 1, lines 22 and 23 read in part: "*may set the term of office*". Whereas, S. F. No. 1624, page 1, lines 24 and 25 read in part: "*may set the terms of office*".

H. F. No. 1656, page 4, lines 4 to 6 read: "income for admission of families any maximum which is (LESS THAN) either: (a) the maximum net family income computed under this subdivision; (OR) (b) the maximum net family income". Whereas, S. F. No. 1624, page 4, lines 3 to 5 read: "income for admission of families any maximum which is less than either: (a) the maximum net family income computed under this subdivision; or (b) the maximum net family income".

Further, the title of H. F. No. 1656, line 4, after "legislation;" reads: "making loans and grants and renting housing to tenants;". Whereas, S. F. No. 1624 does not contain this language in its title.

S. F. No. 1624, page 1, line 2 of the title, after "redevelopment;" reads: "permitting coinciding terms of office for city council members of a municipality who are appointed commissioners of a municipal housing and redevelopment authority;". Whereas, H. F. No. 1656 does not contain this language in its title.

## SUSPENSION OF RULES

Kroening moved that the rules be so far suspended that S. F. No. 1624 be substituted for H. F. No. 1656 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1932 and H. F. No. 2224, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 2224, page 1, lines 10 to 12 read:

"[47.096] *If a deposit including a savings certificate and a certificate of deposit other than a demand deposit, as defined in section 48.51, is automatically renewable by its*".

Whereas, S. F. No. 1932, page 1, lines 10 to 12 read:

"[47.096] *If a deposit for a term of one year or more, including a saving certificate and a certificate of deposit, is automatically renewable by its own terms if not*".

H. F. No. 2224, page 1, line 22, after "renewal." contains the following language: "Failure to give the prescribed notice invalidates any automatic renewal provision. This notice procedure applies to all nondemand deposits created or renewed from and after July 1, 1976."

Whereas, S. F. No. 1932 does not contain this language.

#### SUSPENSION OF RULES

Luther moved that the rules be so far suspended that S. F. No. 1932 be substituted for H. F. No. 2224 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1920 and H. F. No. 2257, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except H. F. No. 2257, page 1, lines 21 to 25, and page 2, lines 1 and 2, contains the language

*"(b) Direct public agencies to offer appropriate human services to the child or to any member of the child's family if that family member is amenable to receiving these human services. For the purposes of this clause, "member of the child's family" or "family member" means the child's relative, guardian, or custodian living in the same household with the child;"*

Whereas S. F. No. 1920 does not contain this language.

H. F. No. 2257, page 2, line 3, contains "*((B)) (c)*" whereas S. F. No. 1920, page 1, line 18, contains "*(b)*".

H. F. No. 2257, page 2, line 12, contains "*((C)) (d)*" whereas S. F. No. 1920, page 2, line 3, contains "*(c)*".

H. F. No. 2257, page 2, line 28, contains "*((D)) (e)*" whereas S. F. No. 1920, page 2, line 19, contains "*(d)*".

H. F. No. 2257, page 3, line 3, contains "*((E)) (f)*" whereas S. F. No. 1920, page 2, line 26, contains "*(e)*".

H. F. No. 2257, page 3, line 7, contains "*((F)) (g)*" whereas S. F. No. 1920, page 2, line 30 contains "*(f)*".

H. F. No. 2257, page 3, line 12, contains "*((G)) (h)*" whereas S. F. No. 1920, page 3, line 3, contains "*(g)*".

H. F. No. 2257, in the title, lines 2 to 5, contains the language "authorizing the court to direct public agencies to offer appropriate social services under certain circumstances to members of the child's family," whereas S. F. No. 1920, in the title, does not contain this language.

## SUSPENSION OF RULES

Nelson moved that the rules be so far suspended that S. F. No. 1920 be substituted for H. F. No. 2257 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1998 and H. F. No. 2086, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 2086, page 1, line 15, contains the words "*by precinct*" after "*lists*".

Whereas, S. F. No. 1998 does not contain that language.

S. F. No. 1998, page 2, line 9, contains the word "*precinct*" before "*list*".

Whereas, H. F. No. 2086 does not contain that word.

S. F. No. 1998, page 2, line 21, after "*cost*" contains "*to the auditor*".

Whereas, H. F. No. 2086 does not contain that language.

## SUSPENSION OF RULES

Tomlinson moved that the rules be so far suspended that S. F. No. 1998 be substituted for H. F. No. 2086 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1957 and H. F. No. 2037, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 2037, page 1, lines 21 and 22 read: "*department of public welfare a claim for reimbursement, cost report or rate application which he knows to be false in*".

Whereas, S. F. No. 1957, page 1, lines 22 and 23 read: "*state agency a claim for reimbursement, a cost report, or a rate application which he knows to be false in whole or in*".

S. F. No. 1957, page 2, line 3, contains "*of medical care*" after "*vendor*".

Whereas, H. F. No. 2037 does not contain that language.

S. F. No. 1957, page 2, lines 6 to 18 contains the following language:

"Sec. 2. Minnesota Statutes, 1975 Supplement, Section 256B.12, is amended to read:

256B.12 [LEGAL REPRESENTATION.] The attorney general or the appropriate county attorney appearing at the di-

reaction of the attorney general shall be the attorney for the state agency, and the county attorney of the appropriate county shall be the attorney for the local agency in all matters pertaining hereto. *To prosecute under this chapter or sections 5 and 6 of this act, or to recover payments wrongfully made under this chapter, the attorney general or the appropriate county attorney, acting independently or at the direction of the attorney general may institute a criminal or civil action.*"

Whereas, H. F. No. 2037 does not contain this language.

H. F. No. 2037, page 2, lines 14 to 16 read:

*"Subd. 2. All reports as to the costs of operations or health care services provided submitted by medical vendors for use in determining their rates or reimbursement shall be"*.

Whereas, S. F. No. 1957, page 2, lines 27 to 29 read:

*"Subd. 2. All reports as to the costs of operations or of medical care provided which are submitted by vendors of medical care for use in determining their rates or"*.

H. F. No. 2037, page 2, lines 20 to 23 read:

*"Subd. 3. The commissioner of public welfare shall be allowed access to all medical records of medical assistance recipients solely for the purposes of investigating whether or not: (a) a vendor of medical care actually provided the"*.

Whereas, S. F. No. 1957, page 3, lines 1 to 8 read:

*"Subd. 3. The commissioner of public welfare may have access to medical records of medical assistance recipients only with the written consent of the recipient who is the subject of the records or his guardian, if one has been appointed. Such consent may not be a condition of eligibility for medical assistance under this chapter. Access to the records shall be solely for the purposes of investigating whether or not: (a) a vendor of medical care"*.

H. F. No. 2037, page 2, lines 25 to 27 read in part: *"necessary; or (c) a vendor has submitted a claim for reimbursement, cost report or rate application which he knows to be false in whole or"*.

Whereas, S. F. No. 1957, page 3, lines 11 to 13 read: *"necessary; or (c) a vendor of medical care has submitted a claim for reimbursement, a cost report, or a rate application which he knows to be false in whole or in part."*

H. F. No. 2037, page 2, line 29, has quotation marks around the words *"review organization"* whereas, S. F. No. 1957 does

not have these quotation marks around those same words.

H. F. No. 2037, page 2, line 32 to page 3, line 3 reads: "*Notwithstanding any other law to the contrary, a vendor of medical care shall not be subject to any civil or criminal liability for providing access to medical records to the commissioner of public welfare pursuant to this subdivision.*"

Whereas, S. F. No. 1957, page 3, lines 17 to 22 read in part: "*Access to the medical records of medical assistance recipients solely for the purposes specified under this subdivision shall not affect the status of the records as confidential records within the meaning of Minnesota Statutes, Section 15.162, Subdivision 2a.*"

H. F. No. 2037, page 3, lines 14 and 15 read: "*awarded shall include three times the payments which result from the false representation together with costs and*"

Whereas, S. F. No. 1957, page 4, lines 1 and 2 read: "*awarded shall include three times the payments which resulted from the false representation, together with costs*"

H. F. No. 2037, page 3, line 22, reads in part: "*cost report or rate application,*"

Whereas, S. F. No. 1957, page 4, line 9, reads in part: "*cost report or a rate application,*"

H. F. No. 2037, page 3, lines 24 and 25 read in part: "*Chapter 256B, to the department of public welfare,*"

Whereas, S. F. No. 1957, page 4, line 11 reads in part: "*Chapter 256B, to the state agency,*"

H. F. No. 2037, page 4, line 30 reads: "*reimbursement, cost report or rate application used to*"

Whereas, S. F. No. 1957, page 5, line 17 reads: "*reimbursement, a rate application, or a cost report used to*"

H. F. No. 2037, page 4, line 31, has the word "*services*" after "*medical*".

Whereas, S. F. No. 1957, page 5, line 18, has the word "*care*" following "*medical*".

S. F. No. 1957, page 5, line 20, has the word "*and*" following "*intentionally*"; whereas H. F. No. 2037 does not contain that word.

Further, the title of S. F. No. 1957, page 1, line 6, contains "providing for a penalty;" ; whereas, H. F. No. 2037 does not contain that language in its title.

Page 1, lines 8 to 10 of H. F. No. 2037 read: "Chapters 256B, by adding a section; and 609, by adding a section; Minnesota Statutes, 1975 Supplement, Section 609.52, Subdivision 2."

Whereas, lines 8 to 11 of the title of S. F. No. 1957 read in part: "Chapters 256B and 609, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 256B.12 and 609.52, Subdivision 2."

#### SUSPENSION OF RULES

Swanson moved that the rules be so far suspended that S. F. No. 1957 be substituted for H. F. No. 2037 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1456 and H. F. No. 1342, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 1342, page 1, line 11, the headnote reads: "[SOIL AND WATER COMMISSION.]" ; whereas, S. F. No. 1456, page 1, line 12, the headnote reads: [SOIL AND WATER CONSERVATION COMMISSION.]".

H. F. No. 1342, page 3, lines 27 and 28 read in part: "*resources shall in agreement with the state soil*"; whereas, S. F. No. 1456, page 3, lines 29 and 30 read in part: "*resources shall, subject to approval of the state soil*".

S. F. No. 1456, page 3, line 31 contains a comma after the word "*commission*"; whereas, H. F. No. 1342 does not contain this comma.

H. F. No. 1342, page 5, line 7 reads in part: "*(1) To prepare and present*"; whereas, S. F. No. 1456, page 5, line 9 reads in part: "*(1) Prepare and present*".

H. F. No. 1342, page 6, lines 2 and 3 read: "*(5) To require annual reports from districts and other special reports as requested by the commission*"; ; whereas, S. F. No. 1456 does not contain this language.

H. F. No. 1342, page 6, line 4 reads in part: "*(6) To approve or disapprove*"; ; whereas, S. F. No. 1456, page 6, line 4 reads in part: "*(5) Approve or disapprove*".

Accordingly, because H. F. No. 1342 has an additional clause in this section, it has 9 clauses; whereas, S. F. No. 1456 has 8.

## SUSPENSION OF RULES

Wenstrom moved that the rules be so far suspended that S. F. No. 1456 be substituted for H. F. No. 1342 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1499 and H. F. No. 1548, which had been referred to the Chief Clerk for comparison, were examined and found identical except S. F. No. 1499, page 1, lines 25 and 26, contains "*to make rules, regulations or general policy.*" whereas H. F. No. 1548, page 1, line 28, contains "*to make rules.*"

S. F. No. 1499, page 1, line 28, contains "*regulations or policies in specific instances,*" whereas H. F. No. 1548, page 1, line 30, does not contain this language.

S. F. No. 1499, page 2, line 19 to page 4, line 3 contains the language:

"Sec. 3. Minnesota Statutes 1974, Section 10A.01, Subdivision 7, is amended to read:

Subd. 7. "Contribution" means:

(a) A gift, subscription, loan, advance, the providing of supplies, materials or equipment, or deposit of money or anything else of value made to influence the nomination for election or election of a candidate to office *except a loan of money by a national or state bank made in accordance with applicable banking laws and regulations and in the ordinary course of business, which shall be considered a loan by each endorser or guarantor in that proportion of the unpaid balance thereof that each endorser or guarantor bears to the total number of endorsers or guarantors;*

(b) A transfer of funds between political committees or political funds; or

(c) The payment of compensation for the personal services of another person which are rendered to a candidate, political committee or political fund to influence the nomination for election or election of a candidate to office by any person other than that candidate, political committee or political fund.

"Contribution" does not include services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee or political fund, or coverage by news media, but only while acting in the ordinary course of business of publishing or broadcasting news items, editorials or other comments.

Sec. 4. Minnesota Statutes 1974, Section 10A.01, Subdivision 10, is amended to read:

## Subd. 10. "Expenditure" means:

(a) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made for the purpose of influencing the nomination for election or election of any candidate to office *except a loan of money by a national or state bank made in accordance with applicable banking laws and regulations and in the ordinary course of business*; or

(b) A transfer of funds between political committees or political funds.

"Expenditure" does not include: (a) Services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee, or political fund; or (b) expenses incurred by a member of the legislature or a person holding constitutional office in the executive branch, in performing services for constituents. The commission shall have the power to determine whether the expense was incurred primarily for the purpose of providing a constituent service or is an expenditure within the meaning of this subdivision.

Whereas H. F. No. 1548 does not contain this language.

H. F. No. 1548, page 2, line 20 to page 4, line 11 reads:

"Sec. 3. Minnesota Statutes 1974, Section 10A.01, Subdivision 11, is amended to read:

## Subd. 11. "Lobbyist" means any:

(a) Individual who is engaged for pay or other consideration or is authorized by another person to spend money for the purpose of attempting to influence legislative or administrative action by communicating with public officials;

(b) Officially designated (REPRESENTATIVES) *representative* of any person or association which has as a major purpose the influencing of legislative or administrative action who attempt to influence an action by communicating with public officials; or

(c) Individual *acting on his own behalf* who spends more than \$250, not including traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating with public officials:

"Lobbyist" does not include *any*:

(a) (A) public official or employee of the state or any of its political subdivisions or public bodies acting in his official capacity;

(b) (PARTIES AND THEIR REPRESENTATIVES) *Party or his representative* appearing in a proceeding before a state board, commission or agency of the executive branch unless the board, commission or agency is (ACTING IN A NON-MINISTERIAL CAPACITY) *taking administrative action*;

(c) (INDIVIDUALS) *Individual* in the course of selling goods or services to be paid for by public funds; (OR)

(d) News media or their employees or agents (, BUT ONLY WHILE) acting in the ordinary course of business of publishing or broadcasting news items, editorials or other comments or paid advertisements which directly or indirectly urge official action;

(e) Paid expert (WITNESSES) *witness* whose testimony is requested *either* by the body before which (THEY ARE) *he* is appearing or one of the parties to a proceeding, but only (WHILE ACTING IN THE ORDINARY COURSE) *to the extent* of preparing or delivering testimony;

(f) *Stockholder of a family farm corporation as defined in section 500.24, subdivision 1, who does not spend over \$250, excluding travel expenses, in any year in communicating with public officials; or*

(g) *Officer or employee of any corporation, cooperative, partnership, or other business who is not engaged as or officially designated as its lobbyist and who spends not over five hours in any month or not over \$250 excluding travel time and expense in any year in communicating with public officials.*

Sec. 4. Minnesota Statutes 1974, Section 10A.01, is amended by adding a subdivision to read:

*Subd. 19. "Office holder" means an individual who holds any statewide or legislative office, except a federal office for which candidates are required to report under federal laws, state supreme court justice or district court judge."*

Whereas S. F. No. 1499, page 4, line 4 to page 5, line 29, reads: "Sec. 5. Minnesota Statutes 1974, Section 10A.01, Subdivision 11, is amended to read:

*Subd. 11. "Lobbying" means any attempt to influence legislative or administrative action by communicating with public officials or by urging others to communicate with public officials.*

"Lobbyist" (MEANS) *includes any:*

(a) (INDIVIDUAL) *Person, including any public official except a member of the legislature, who (IS ENGAGED) en-*

*gages in lobbying (i) in the course of his regular employment, or (ii) for pay or other consideration, or (iii) when such person is authorized by another person to spend money for (THE PURPOSE OF ATTEMPTING TO INFLUENCE LEGISLATIVE OR ADMINISTRATIVE ACTION BY COMMUNICATING WITH PUBLIC OFFICIALS) lobbying purposes;*

((B) OFFICIALLY DESIGNATED REPRESENTATIVES OF ANY PERSON OR ASSOCIATION WHICH HAS AS A MAJOR PURPOSE THE INFLUENCING OF LEGISLATIVE OR ADMINISTRATIVE ACTION WHO ATTEMPT TO INFLUENCE AN ACTION BY COMMUNICATING WITH PUBLIC OFFICIALS; OR)

((C)) (b) (INDIVIDUAL) *Person who engages in lobbying and spends more than \$250 in any year for lobbying purposes, not including traveling expenses and membership dues. (, IN ANY YEAR FOR THE PURPOSE OF ATTEMPTING TO INFLUENCE LEGISLATIVE OR ADMINISTRATIVE ACTION BY COMMUNICATING WITH PUBLIC OFFICIALS.)*

"Lobbyist" does not include:

((A) A PUBLIC OFFICIAL OR EMPLOYEE OF THE STATE OR ANY OF ITS POLITICAL SUBDIVISIONS OR PUBLIC BODIES ACTING IN HIS OFFICIAL CAPACITY;)

((B)) (a) Parties and their representatives appearing in a proceeding before a state board, commission or agency of the executive branch unless the board, commission or agency is (ACTING IN A NON-MINISTERIAL CAPACITY) *taking administrative action;*

((C)) (b) Individuals in the course of selling goods or services to be paid for by public funds; (OR)

((D)) (c) News media or their employees or agents, but only while acting in the ordinary course of business of publishing or broadcasting news items, editorials or other comments or paid advertisements which directly or indirectly urge official action. ;

((E)) (d) Paid expert witnesses whose testimony is requested by the body before which they are appearing or one of the parties to a proceeding, but only while acting in the ordinary course of preparing or delivering testimony; or

(e) *Any person who engages in lobbying and spends less than \$250 for lobbying purposes in any year, and whose total costs in connection with lobbying in any year are less than \$500, including compensation and reimbursed expenses received by such person.*

Sec. 6. Minnesota Statutes 1974, Section 10A.01, is amended by adding a subdivision to read:

*Subd. 19. "Officeholder" means an individual who holds any elected statewide office or elected legislative office, other than a federal office for which candidates are required to report under federal laws, or is a supreme court or district court judge of the state."*

S. F. No. 1499, page 6, line 22 to page 7, line 5 contains the language:

"Sec. 8. Minnesota Statutes 1974, Section 10A.02, Subdivision 5, is amended to read:

Subd. 5. The commission shall appoint an executive director who shall be in the unclassified service. The commission may also employ and prescribe the duties of other permanent or temporary employees in the unclassified service as may be necessary to administer sections 10A.01 to 10A.34, subject to appropriation. The executive director and all other employees shall serve at the pleasure of the commission. (ALL ADMINISTRATIVE SERVICES SUCH AS SUPPLIES, OFFICE SPACE AND FURNISHINGS, PAYROLL PREPARATION AND ACCOUNTING SERVICES SHALL BE PROVIDED TO THE COMMISSION BY THE SECRETARY OF STATE.) Expenses of the commission shall be approved by the chairman or such other member as the rules of the commission may provide and the expenses shall then be paid in the same manner as other state expenses are paid."

Whereas H. F. No. 1548 does not contain this language.

H. F. No. 1548, page 6, line 14, contains "(OR OTHER CAMPAIGN LAWS)"; whereas S. F. No. 1499, page 8, line 16, contains "or other campaign laws".

H. F. No. 1548, page 6, lines 17 to 22 reads: "guilty of a gross misdemeanor. *The commission shall make a finding within 30 days of receipt of a written complaint unless a majority of the commission agrees to extend the time limit.* After determination of its findings the commission shall report any finding of probable cause to the appropriate law enforcement authorities."

Whereas S. F. No. 1499, page 8, lines 19 to 24 reads: "guilty of a gross misdemeanor. (AFTER DETERMINATION OF ITS FINDINGS) *The commission shall make a finding within 30 days of receipt of a written complaint unless a majority of the members agrees to extending the time limit, and shall report any finding of probable cause to the appropriate law enforcement authorities.*"

H. F. No. 1548, page 6, lines 25 to 28 reads:

"Subd. 4. The report shall include (ALL) *such* information (REQUIRED ON) *as the commission may require* from the registration form and the following information for the reporting period:"

Whereas S. F. No. 1499, page 8, lines 27 to 29 reads:

"Subd. 4. The report shall include all information required on the registration form and the following information for the reporting period:"

H. F. No. 1548, page 7, lines 4 to 6 reads:

"(b) *The amount and nature of each honorarium, gift (OR), loan, item or benefit, excluding contributions to a candidate, equal in value to \$20 or more, given or paid to*"

Whereas S. F. No. 1499, page 9, lines 5 to 8 reads in part:

"(b) Each honorarium, gift (OR), loan, *item or benefit* excluding contributions to a candidate, equal in value to \$20 or more, given or paid *and the amount and nature of each honorarium, gift, loan, item or benefit to*"

H. F. No. 1548, page 7, lines 17 to 29 contains the language:

"Sec. 9. Minnesota Statutes 1974, Section 10A.04, is amended by adding a subdivision to read:

*Subd. 4a. If in any reporting period the lobbyist's reportable disbursements total not over \$100 and no honorarium, gift, loan, item or benefit equal in value to \$20 or more was given or paid to any public official, a statement to that effect in lieu of the report may be filed for that period. The unreported disbursements shall be included in the report for the following period, unless the total for that period, including the carryover, is not over \$100. The October 15 report shall include all previously unreported disbursements, even though the total for the year is not over \$100."*

Whereas S. F. No. 1499, does not contain this language. S. F. No. 1499, page 9, line 19 to page 10, line 11 contains the language:

"Sec. 12. Minnesota Statutes 1974, Section 10A.07, Subdivision 1, is amended to read:

10A.07 [CONFLICTS OF INTEREST.] Subdivision 1. Any public official who in the discharge of his official duties would be required to take an action or make a decision which would substantially affect his financial interests or those of a business with which he is associated *other than solely as an employee,*

unless the effect on him is no greater than on other members of his business classification, profession or occupation, shall take the following actions:

(a) (HE SHALL) Prepare a written statement describing the matter requiring action or decision and the nature of his potential conflict of interest;

(b) (HE SHALL) Deliver copies of the statement to the commission and to his immediate superior, if any;

(c) If he is a legislator, (HE SHALL) deliver a copy of the statement to the presiding officer of the house in which he serves; and

(d) If a potential conflict of interest presents itself and there is insufficient time to comply with the provisions of clauses (a) to (c), the public official shall verbally inform his superior or the official body, or committee thereof, in which he serves of the potential conflict. He shall file a written statement with the commission within one week after the potential conflict presents itself."

Whereas H. F. No. 1548 does not contain this language.

H. F. No. 1548, page 8, lines 12 to 15 reads: "of \$2,500. The filing shall indicate *the street address and the municipality* (, IF ANY) *or the section, township, range and approximate acreage, whichever applies*, and the county wherein the property is located."

Whereas S. F. No. 1499, page 10, lines 26 to 29 reads: "of \$2,500. The filing shall indicate the (MUNICIPALITY, IF ANY) *street address and the city or town, or if there is no street address, the section, township and range*, and the county wherein the property is located."

S. F. No. 1499, page 10, line 30 to page 11, line 4 contains:

"Sec. 14. Minnesota Statutes 1974, Section 10A.11, Subdivision 6, is amended to read:

Subd. 6. Except for transfers of funds between political committees and transfers from the state election campaign fund, a political committee shall be financed solely through voluntary (DONATIONS) *contributions* by natural persons or political funds."

Whereas H. F. No. 1548, does not contain this language.

S. F. No. 1499, page 11, line 5 to page 18, line 32 reads:

"Sec. 15. Minnesota Statutes 1974, Section 10A.14, Subdivision 2, is amended to read:

Subd. 2. The statement of organization shall include:

(a) The name and address of the political committee or political fund;

(b) The names and addresses of the supporting associations of a political fund;

(c) The geographic area in which it will operate and the purpose of the political committee or political fund;

(d) The name (,) *and* address (AND POSITION) of the custodian of books and accounts *if other than the treasurer*;

(e) The name and address of the chairman, the treasurer, and any (OTHER PRINCIPAL OFFICERS INCLUDING) deputy treasurers (, IF ANY);

((F) THE NAME, ADDRESS, OFFICE SOUGHT, AND PARTY AFFILIATION, IF ANY, OF EACH CANDIDATE WHOM THE COMMITTEE OR POLITICAL FUND IS SUPPORTING, OR, IF THE COMMITTEE OR POLITICAL FUND IS SUPPORTING THE ENTIRE TICKET OF ANY PARTY, THE NAME OF THE PARTY;)

((G) A STATEMENT AS TO WHETHER THE COMMITTEE OR POLITICAL FUND IS A CONTINUING ONE;)

((H)) (f) A listing of all depositories or safety deposit boxes used; and

((I)) (g) A statement as to whether the committee is a principal campaign committee.

Sec. 16. Minnesota Statutes 1974, Section 10A.19, Subdivision 1, is amended to read:

10A.19 [PRINCIPAL CAMPAIGN COMMITTEE.] Subdivision 1. Every candidate shall designate and cause to be formed a single principal campaign committee *no later than 14 days after filing an affidavit of candidacy or petition to appear on the ballot.*

Sec. 17. Minnesota Statutes 1974, Section 10A.20, Subdivision 1, is amended to read:

10A.20 [CAMPAIGN REPORTS.] Subdivision 1. *The treasurer of every principal campaign committee shall file the reports required by this section in the year in which the candi-*

*date being supported stands for election. (EVERY) The treasurer of (A) every political committee (OR) and political fund shall file the reports required by this section in any year it receives contributions or makes expenditures in excess of \$100.*

Sec. 18. Minnesota Statutes 1974, Section 10A.20, Subdivision 2, is amended to read:

Subd. 2. The reports shall be filed with the commission (BY THE FOLLOWING DATES:)

((A) IN YEARS IN WHICH ANY CANDIDATE BEING SUPPORTED DOES NOT STAND FOR ELECTION:)

((1) JANUARY 7; AND)

((2) JULY 7;)

((B) IN YEARS IN WHICH ANY CANDIDATE BEING SUPPORTED DOES STAND FOR ELECTION:)

((1) JANUARY 7;)

((2) JULY 7;)

((3) FIVE DAYS BEFORE ANY PRIMARY ELECTION IN WHICH THE CANDIDATE STANDS FOR ELECTION;)

((4) FIVE DAYS BEFORE ANY GENERAL ELECTION IN WHICH THE CANDIDATE STANDS FOR ELECTION; AND)

((5) 30 DAYS AFTER THE LAST ELECTION IN WHICH A CANDIDATE STANDS FOR ELECTION;)

((C) IN SPECIAL OR SPECIAL PRIMARY ELECTIONS IN WHICH A CANDIDATE STANDS FOR ELECTION:)

((1) 30 DAYS BEFORE THE ELECTION; AND)

((2) FIVE DAYS BEFORE THE ELECTION.) *on January 31 of every year and, in years in which the candidate being supported stands for election, ten days before any primary or special primary election and ten days before any general or special election and 30 days after the last election in which the candidate's name appears on the ballot. The January 31 report shall cover the time from the last day of the period covered by the last report through December 31 of the previous calendar year. All other reports shall cover the time from the last day of the period covered by the last report to five days prior to the filing date.*

*If a scheduled filing date falls on a Saturday, Sunday or legal holiday, the filing date shall be the next regular business day.*

Sec. 19. Minnesota Statutes 1974, Section 10A.20, Subdivision 3, is amended to read:

Subd. 3. Each report under this section shall disclose:

(a) The amount of liquid assets on hand at the beginning of the reporting period;

(b) The name, address and employer, or, if self-employed, occupation of each person, political committee or political fund who has made one or more contributions to or for the political committee or political fund including the purchase of tickets for dinners, luncheons, rallies, and similar fund raising events within the year in an aggregate amount or value in excess of \$50 for legislative candidates and in excess of \$100 for statewide candidates, together with the amount and date of the contributions, and the aggregate amount of contributions within the year of each contributor so disclosed. The lists of contributors shall be in alphabetical order;

(c) The total sum of individual contributions made to or for the political committee or political fund during the reporting period and not reported under clause (b);

((D) THE NAME AND ADDRESS OF EACH POLITICAL COMMITTEE, POLITICAL FUND OR CANDIDATE FROM WHICH THE REPORTING COMMITTEE OR FUND RECEIVED, OR TO WHICH THAT COMMITTEE MADE, ANY TRANSFER OF FUNDS, TOGETHER WITH THE AMOUNTS AND DATES OF ALL TRANSFERS. THE LISTS SHALL BE IN ALPHABETICAL ORDER;)

((E) (d) Each loan to or from any person within the year in an aggregate amount or value in excess of \$100, together with the full names and mailing address, occupations and the principal places of business, if any, of the lender or endorsers, if any, and the date and amount of the loans;

((F) (e) Each receipt in excess of \$100 not otherwise listed under clauses (b) to ((E) (d);

((G) (f) The total sum of all receipts by or for the political committee or political fund during the reporting period;

((H) (g) The name(,) and address (, OCCUPATION AND THE PRINCIPAL PLACE OF BUSINESS, IF ANY,) of each person to whom expenditures have been made by the political committee or political fund or on its behalf within the

year in an aggregate amount in excess of \$100, the amount, date and purpose of each expenditure and the name and address of, and office sought by, each candidate on whose behalf the expenditure was made;

((I)) (h) The sum of individual expenditures which is not otherwise reported under clause ((H)) (g);

((J)) THE NAME, ADDRESS, OCCUPATION AND THE PRINCIPAL PLACE OF BUSINESS, IF ANY, OF EACH PERSON TO WHOM AN EXPENDITURE FOR PERSONAL SERVICES, SALARIES, AND REIMBURSABLE EXPENSES IN EXCESS OF \$100 HAS BEEN MADE, AND WHICH IS NOT OTHERWISE REPORTED, INCLUDING THE AMOUNT, DATE AND PURPOSE OF THE EXPENDITURE;)

((K)) THE SUM OF INDIVIDUAL EXPENDITURES FOR PERSONAL SERVICES, SALARIES AND REIMBURSABLE EXPENSE WHICH IS NOT OTHERWISE REPORTED UNDER (J);)

((L)) (i) The total expenditures made by the political committee or political fund during the reporting period;

((M)) (j) The amount and nature of (DEBTS AND OBLIGATIONS) *any debt or obligation* owed by or to the political committee or political fund, and a continuous reporting of their debts and obligations after the election until the debts and obligations are extinguished;

((N)) (k) The amount and nature of any contract, promise or agreement, in writing, whether or not legally enforceable, to make a contribution or expenditure; *and*

((O)) (l) *For principal campaign committees only:* The name of each person, committee or political fund, which has been authorized by the treasurer to make expenditures on behalf of the candidate and the nature and amount of each authorized expenditure.

Sec. 20. Minnesota Statutes 1974, Section 10A.20, is amended by adding a subdivision to read:

*Subd. 12. The ethical practices board shall notify any person who fails to file a statement required by this section. A person who knowingly fails to file the statement within seven days after receiving notice from the commission is guilty of a misdemeanor.*

Sec. 21. Minnesota Statutes 1974, Section 10A.21, Subdivision 1, is amended to read:

10A.21 [REPORTS TO COUNTY AUDITOR.] Subdivision 1. *An identical copy of all reports or statements that must be filed with the commission by the principal campaign committee of legislative candidates shall also be filed on the same day with the county auditor of each county in which the legislative district lies.*

Sec. 22. Minnesota Statutes 1974, Section 10A.22, Subdivision 5, is amended to read:

Subd. 5. A political committee or political fund making an expenditure, other than a transfer of funds, for or on behalf of more than one candidate for state or legislative office shall allocate the expenditure among the candidates on a reasonable cost basis and report this allocation for each candidate. The treasurer shall retain for audit any documents supporting the allocation.

*Provided that expenditures by a state or local committee of a political party to pay the cost of preparation, display or distribution of a sample ballot, printed slate card or other printed list of three or more candidates for public office for which election is held shall be deemed expenditures of the candidate or committee incurring them and shall not be allocated. Provided further that expenditures by any candidate or committee to pay the cost of preparing for display or displaying any list of candidates on broadcasting stations or billboards or in newspapers, magazines or other public advertising media shall be allocated among the candidates named on the list.*

Sec. 23. Minnesota Statutes 1974, Section 10A.23, is amended to read:

10A.23 [CHANGES AND CORRECTIONS.] Any material changes in information previously submitted and any corrections to a report or statement shall be reported in writing to the commission within ten days following the date of the event prompting the change or the date upon which the person filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph containing the information to be changed or corrected. Any person who wilfully fails to report a material change or correction is guilty of a gross misdemeanor.

Sec. 24. Minnesota Statutes 1974, Section 10A.25, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding subdivision 2, clause (a), a candidate for the endorsement for the office of lieutenant governor at the convention of a political party may spend \$30,000 or five percent of the amount in subdivision 2, clause (a) (, PRIOR TO THE TIME OF) to seek endorsement. This money shall be in addition to the money which may be expended pursuant to subdivision 2, clause (a).

Sec. 25. Minnesota Statutes 1974, Section 10A.25, Subdivision 6, is amended to read:

Subd. 6. In a year in which (A CANDIDATE DOES NOT STAND FOR ELECTION) *an election does not occur for an office held or sought*, no expenditures shall be made and no obligations to make expenditures shall be incurred by a candidate or officeholder or by a political committee, political fund or individual which makes expenditures with the authorization, express or implied, and under the control, direct or indirect, of the candidate or officeholder or his agents which shall result in the aggregate expenditure on behalf of the candidate or officeholder in that year of an amount in excess of 20 percent of the amount of the aggregate expenditure permitted by subdivision 2. Expenditures permitted by this subdivision shall be in addition to expenditures permitted by subdivision 2.

Sec. 26. Minnesota Statutes 1974, Section 10A.25, Subdivision 7, is amended to read:

Subd. 7. On or before January 15 of each year, the (COMMISSIONER OF HEALTH) *state demographer* shall certify to the commission the *estimated* population of the state of Minnesota for the last (CALENDAR) year ending before the date of certification. In determining the per capita amounts for each office in *section 10A.25*, subdivision 2, the commission shall use:

(a) In the case of the elections for governor and lieutenant governor, attorney general, secretary of state, state treasurer and state auditor, the total *estimated* population of the state;

(b) In the case of the elections for state senator, 1/67 of the total *estimated* population of the state;

(c) In the case of elections for state representative, 1/134 of the total *estimated* population of the state.

Sec. 27. Minnesota Statutes 1974, Section 10A.27, Subdivision 3, is amended to read:

Subd. 3. Expenditures by a political party on behalf of candidates of that party generally, without referring to any of them specifically in any advertisement published or posted, on any broadcast, or in any telephone conversation, if that conversation mentions three or more (CANDIDATES) *persons appearing on the ballot*, shall not be subject to the limitations of *section 10A.25*, subdivision 2.

Sec. 28. *Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; 10A.20, Subdivision 4; and 10A.22, Subdivisions 2 and 8, are repealed.*

Sec. 29. *This act is effective July 1, 1976.*"

Whereas H. F. No. 1548, page 8, line 16 to page 23, line 9 reads:

"Sec. 11. Minnesota Statutes 1974, Section 10A.14, Subdivision 2 is amended to read:

Subd. 2. The statement of organization shall include:

(a) The name and address of the political committee or political fund;

(b) The names and addresses of the supporting associations of a political fund;

((C) THE GEOGRAPHIC AREA IN WHICH IT WILL OPERATE AND THE PURPOSE OF THE POLITICAL COMMITTEE OR POLITICAL FUND;)

((D) THE NAME, ADDRESS AND POSITION OF THE CUSTODIAN OF BOOKS AND ACCOUNTS;)

((E)) (c) The name and address of the chairman, the treasurer, and any (OTHER PRINCIPAL OFFICERS INCLUDING) deputy treasurers (, IF ANY);

((F) THE NAME, ADDRESS, OFFICE SOUGHT, AND PARTY AFFILIATION, IF ANY, OF EACH CANDIDATE WHOM THE COMMITTEE OR POLITICAL FUND IS SUPPORTING, OR, IF THE COMMITTEE OR POLITICAL FUND IS SUPPORTING THE ENTIRE TICKET OF ANY PARTY; THE NAME OF THE PARTY;)

((G) A STATEMENT AS TO WHETHER THE COMMITTEE OR POLITICAL FUND IS A CONTINUING ONE;)

((H)) (d) A listing of all depositories or safety deposit boxes used; and

((I)) (e) A statement as to whether the committee is a principal campaign committee.

Sec. 12. Minnesota Statutes 1974, Section 10A.19, Subdivision 1, is amended to read:

10A.19 [PRINCIPAL CAMPAIGN COMMITTEE.] Subdivision 1. Every candidate shall designate and cause to be formed a single principal campaign committee *which shall be responsible for reporting contributions and authorized expenditures on behalf of the candidate.*

Sec. 13. Minnesota Statutes 1974, Section 10A.20, Subdivision 1, is amended to read:

10A.20 [CAMPAIGN REPORTS.] Subdivision 1. [EVERY) *The treasurer of (A) every political committee (OR) and political fund shall begin to file the reports required by this section in (ANY) the first year it receives contributions or makes expenditures in excess of \$100 and shall continue to file until the committee or fund is terminated.*

Sec. 14. Minnesota Statutes 1974, Section 10A.20, Subdivision 2, is amended to read:

Subd. 2. The reports shall be filed with the commission (BY THE FOLLOWING DATES:)

((A) IN YEARS IN WHICH ANY CANDIDATE BEING SUPPORTED DOES NOT STAND FOR ELECTION:)

((1) JANUARY 7; AND)

((2) JULY 7;)

((B) IN YEARS IN WHICH ANY CANDIDATE BEING SUPPORTED DOES STAND FOR ELECTION:)

((1) JANUARY 7;)

((2) JULY 7;)

((3) FIVE) *on or before January 7 of each year, and in each year in which the name of the candidate being supported is on the ballot, ten days before (ANY) the primary (ELECTION IN WHICH THE CANDIDATE STANDS FOR ELECTION;)*

((4) FIVE DAYS BEFORE ANY) *or special primary and general or special election (IN WHICH THE CANDIDATE STANDS FOR ELECTION; AND)*

((5) 30 DAYS AFTER THE LAST ELECTION IN WHICH A CANDIDATE STANDS FOR ELECTION;)

((C) IN SPECIAL OR SPECIAL PRIMARY ELECTIONS IN WHICH A CANDIDATE STANDS FOR ELECTION:)

((1) 30 DAYS BEFORE THE ELECTION; AND)

((2) FIVE DAYS BEFORE THE ELECTION).

*If a scheduled filing date falls on a Saturday, Sunday or legal holiday, the filing date shall be the next regular business day.*

Sec. 15. Minnesota Statutes 1974, Section 10A.20, Subdivision 3, is amended to read:

Subd. 3. Each report under this section shall disclose:

(a) The amount of liquid assets on hand at the beginning of the reporting period;

(b) The name(,) *and* address (AND EMPLOYER, OR, IF SELF-EMPLOYED, OCCUPATION) of each person, political committee or political fund who has made one or more contributions to or for the political committee or political fund including the purchase of tickets for dinners, luncheons, rallies, and similar fund raising events within the year in an aggregate amount or value in excess of \$50 for legislative candidates and in excess of \$100 for statewide candidates, together with the amount and date of the contributions, and the aggregate amount of contributions within the year (OF) *from* each contributor so disclosed. The lists of contributors shall be in alphabetical order;

(c) The total sum of individual contributions made to or for the political committee or political fund during the reporting period and not reported under clause (b);

((D)) THE NAME AND ADDRESS OF EACH POLITICAL COMMITTEE, POLITICAL FUND OR CANDIDATE FROM WHICH THE REPORTING COMMITTEE OR FUND RECEIVED, OR TO WHICH THAT COMMITTEE MADE, ANY TRANSFER OF FUNDS, TOGETHER WITH THE AMOUNTS AND DATES OF ALL TRANSFERS. THE LISTS SHALL BE IN ALPHABETICAL ORDER;)

((E)) (d) Each loan to or from any person within the year in an aggregate amount or value in excess of \$100, together with the (FULL NAMES) *name* and (MAILING) address, (OCCUPATIONS) *occupation* and the principal (PLACES) *place* of business, if any, of the lender or (ENDORSEES, IF ANY,) *any endorser* and the date and amount of the (LOANS) *loan*;

((F)) (e) Each receipt in excess of \$100 not otherwise listed under clauses (b) to ((E)) (d);

((G)) (f) The total sum of all receipts by or for the political committee or political fund during the reporting period;

((H)) (g) The name(,) *and* address (, OCCUPATION AND THE PRINCIPAL PLACE OF BUSINESS, IF ANY,) of each person to whom expenditures have been made by the political committee or political fund or on its behalf within the year in an aggregate amount in excess of \$100, the amount, date and purpose of each expenditure and the name and address of,

and office sought by, each candidate on whose behalf the expenditure was made;

((I)) (h) The sum of individual expenditures (WHICH IS) not otherwise reported under clause ((H)) (g);

((J)) THE NAME, ADDRESS, OCCUPATION AND THE PRINCIPAL PLACE OF BUSINESS, IF ANY, OF EACH PERSON TO WHOM AN EXPENDITURE FOR PERSONAL SERVICES, SALARIES, AND REIMBURSABLE EXPENSES IN EXCESS OF \$100 HAS BEEN MADE, AND WHICH IS NOT OTHERWISE REPORTED, INCLUDING THE AMOUNT, DATE AND PURPOSE OF THE EXPENDITURE;)

((K)) THE SUM OF INDIVIDUAL EXPENDITURES FOR PERSONAL SERVICES, SALARIES AND REIMBURSABLE EXPENSE WHICH IS NOT OTHERWISE REPORTED UNDER (J);)

((L)) (i) The total expenditures made by the political committee or political fund during the reporting period;

((M)) (j) The amount and nature of (DEBTS AND OBLIGATIONS) *any debt or obligation* owed by or to the political committee or political fund, and (A CONTINUOUS REPORTING OF THEIR DEBTS AND OBLIGATIONS AFTER THE ELECTION UNTIL THE DEBTS AND OBLIGATIONS ARE EXTINGUISHED);)

((N)) THE AMOUNT AND NATURE OF) *any written* contract, promise or agreement (, IN WRITING, WHETHER OR NOT LEGALLY ENFORCEABLE,) to make a contribution or expenditure; *and*

((O)) (k) *For principal campaign committees only:* The name of each person, committee or political fund, which has been authorized by the treasurer to make expenditures on behalf of the candidate and the nature and amount of each authorized expenditure.

Sec. 16. Minnesota Statutes 1974, Section 10A.20, is amended by adding a subdivision to read:

*Subd. 12. The commission shall notify any person who fails to file a statement required by this section. A person who knowingly fails to file the statement within seven days after receiving notice from the commission is guilty of a misdemeanor.*

Sec. 17. Minnesota Statutes 1974, Section 10A.21, Subdivision 1, is amended to read:

10A.21 [REPORTS TO COUNTY AUDITOR.] Subdivision 1. All reports or statements that must be filed with the commission by the principal campaign committee of legislative candidates shall (ALSO) be *duplicated and filed by the commission with the county auditor of each county in which the legislative district lies within 72 hours of the date the report or statement is required to be filed or, if the report or statement is delinquent, within 72 hours of the time the report is actually filed.*

Sec. 18. Minnesota Statutes 1974, Section 10A.23, is amended to read:

10A.23 [CHANGES AND CORRECTIONS.] Any material changes in information previously submitted and any corrections to a report or statement shall be reported in writing to the commission within ten days following the date of the event prompting the change or the date upon which the person filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph containing the information to be changed or corrected. Any person who wilfully fails to report a material change or correction is guilty of a gross misdemeanor.

Sec. 19. Minnesota Statutes 1974, Section 10A.25, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding subdivision 2, clause (a), a candidate for the endorsement for the office of lieutenant governor at the convention of a political party may spend \$30,000 or five percent of the amount in subdivision 2, clause (a) (, PRIOR TO THE TIME OF) to seek endorsement. This (MONEY) amount shall be in addition to the (MONEY) amount which may be expended pursuant to subdivision 2, clause (a).

Sec. 20. Minnesota Statutes 1974, Section 10A.25, Subdivision 6, is amended to read:

Subd. 6. In a year in which (A CANDIDATE DOES NOT STAND FOR ELECTION) *an election does not occur for an office held or sought*, no expenditures shall be made and no obligations to make expenditures shall be incurred by a candidate or officeholder or by a political committee, political fund or individual which makes expenditures with the authorization, express or implied, and under the control, direct or indirect, of the candidate or officeholder or his agents which shall result in the aggregate expenditure on behalf of the candidate or officeholder in that year of an amount in excess of 20 percent of the amount of the aggregate expenditure permitted by subdivision 2. Expenditures permitted by this subdivision shall be in addition to expenditures permitted by subdivision 2.

Sec. 21. Minnesota Statutes 1974, Chapter 10A, is amended by adding a section to read:

[10A.261] *Nothing in chapter 10A shall be construed as abridging the right of an association to communicate with its members.*

Sec. 22. Minnesota Statutes 1974, Section 10A.27, Subdivision 3, is amended to read:

Subd. 3. Expenditures by (A) *the state or local committee of any political party on behalf of candidates of that party generally, without referring to any of them specifically in any advertisement published (OR), posted, (ON ANY) or broadcast, or (IN) any sample ballot or telephone conversation (, IF THAT CONVERSATION MENTIONS) listing three or more (CANDIDATES) persons whose names are to appear on the ballot, shall not be allocated to any candidate or subject to the limitations of section 10A.25, subdivision 2.*

Sec. 23. Minnesota Statutes 1974, Section 10A.27, is amended by adding a subdivision to read:

*Subd. 5. Nothing in chapter 10A shall be construed as limiting expenditures by a political committee, political fund, or individual which are made without the written authorization of the candidate, provided that the political committee, political fund, or individual is in compliance with the provisions of section 10A.17, subdivision 5.*

Sec. 24. Minnesota Statutes 1974, Section 10A.30, Subdivision 2, is amended to read:

Subd. 2. Within the state elections campaign fund account there shall be maintained (SEPARATE ACCOUNTS) *a separate account for the candidates of each political party and a general account.*

Sec. 25. Minnesota Statutes 1974, Section 10A.31, Subdivision 3, is amended to read:

Subd. 3. The commissioner of the department of revenue shall on the first page of the income tax form notify the taxpayer of his right to allocate \$1 of his taxes (\$2 if filing a joint return) to finance the election campaigns of state candidates. The form shall also contain language prepared by the commissioner which permits the taxpayer to direct the state to allocate the \$1 (or \$2 if filing a joint return) to (ONE OF THE FOLLOWING): (i) *one of the major political parties; (ii) (THE NAME OF) any minor political party (PROVIDED THAT IF) for which a petition is filed to qualify as a minor political party (IT BE FILED) by June 1 of that taxable year; (AND) or (iii) (DISTRIBUTION TO) all qualifying candidates as provided by this section.*

Sec. 26. Minnesota Statutes 1974, Section 10A.31, Subdivision 5, is amended to read:

Subd. 5. ((A) IN EACH FISCAL YEAR, 40 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATEWIDE OFFICE.)

((B) OF THE AMOUNT SET ASIDE IN CLAUSE (A), 40 PERCENT SHALL BE DISTRIBUTED TO THE CANDIDATES FOR GOVERNOR AND LIEUTENANT GOVERNOR JOINTLY; 24 PERCENT SHALL BE DISTRIBUTED TO THE CANDIDATE FOR ATTORNEY GENERAL; AND 12 PERCENT EACH SHALL BE DISTRIBUTED TO THE CANDIDATES FOR SECRETARY OF STATE, STATE TREASURER AND STATE AUDITOR. IF THERE IS NO NOMINEE OF THAT PARTY FOR ONE OF THE OFFICES, THE SHARE SET ASIDE FOR THAT OFFICE SHALL BE DISTRIBUTED TO THE OTHER STATEWIDE CANDIDATES OF THAT PARTY IN THE SAME PROPORTIONS AS THE ORIGINAL AMOUNT.)

((C) WITHIN TWO WEEKS OF THE CERTIFICATION BY THE STATE CANVASSING BOARD OF THE RESULTS OF THE PRIMARY ELECTION, THE STATE TREASURER SHALL DISTRIBUTE AVAILABLE FUNDS IN EACH ACCOUNT, OTHER THAN THE GENERAL ACCOUNT, OF THE STATE ELECTIONS FUND TO THE APPROPRIATE CANDIDATES WHO ARE TO APPEAR ON THE BALLOT FOR THE GENERAL ELECTION AS PRESCRIBED IN CLAUSES (A) AND (B).)

((D) WITHIN TWO WEEKS OF THE CERTIFICATION BY THE STATE CANVASSING BOARD OF THE RESULTS OF THE GENERAL ELECTION, THE STATE TREASURER SHALL DISTRIBUTE THE AVAILABLE FUNDS IN THE GENERAL ACCOUNT IN THE SAME PROPORTIONS AS PROVIDED IN CLAUSE (B), IN AN EQUAL AMOUNT TO EACH CANDIDATE WHO RECEIVED AT LEAST FIVE PERCENT OF THE VOTE CAST IN THE GENERAL ELECTION FOR THE OFFICE FOR WHICH HE WAS A CANDIDATE.) *In each calendar year the moneys in each party account and the general account shall be allocated to candidates as follows:*

(a) *16 percent for the offices of governor and lieutenant governor jointly;*

(b) *9.6 percent for the office of attorney general;*

(c) *4.8 percent each for the offices of secretary of state, state auditor and state treasurer;*

(d) in each calendar year during the period in which state senators serve a four year term, 20 percent for the office of state senator and 40 percent for the office of state representative;

(e) in each calendar year during the period in which state senators serve a two year term, and in 1975 and 1976, 30 percent for the office of state senator and 30 percent for the office of state representative;

(f) all candidates of one party for the state senate and state house of representatives whose names are to appear on the ballot in the general election shall share equally in the funds allocated to their respective offices from their party account, except that any candidate may refuse his share, which shall then be divided equally among the remaining candidates of his party for the same office.

If a candidate elects to refuse moneys from the state elections campaign fund, he shall not be subject to the expenditure limitations imposed by section 10A.25 or limited in the amount he may contribute to his own campaign.

Sec. 27. Minnesota Statutes 1974, Section 10A.31, Subdivision 6, is amended to read:

Subd. 6. ((A) IN EACH OF THE FISCAL YEARS DURING THE PERIOD IN WHICH THE STATE SENATE SERVES A FOUR YEAR TERM WHICH COMMENCES AFTER APRIL 13, 1974, 20 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATE SENATE. IN EACH OF THE FISCAL YEARS DURING THE PERIOD IN WHICH THE STATE SENATE SERVES A TWO YEAR TERM, AND IN 1975 AND 1976, 30 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATE SENATE.)

((B) THE AMOUNT SET ASIDE IN CLAUSE (A) SHALL BE DISTRIBUTED IN EQUAL SHARES TO EACH OF THE CANDIDATES FOR STATE SENATE OF THAT PARTY.)

((C)) Within two weeks (OF THE) after certification by the state canvassing board of the results of the primary (ELECTION), the state treasurer shall distribute the available funds in each party account, (OTHER THAN THE GENERAL ACCOUNT TO THE APPROPRIATE CANDIDATES WHO) as certified by the commissioner of revenue on September 15, to the candidates of that party who have signed the agreement as provided in section 10A.32, subdivision 3, and whose names are to appear on the ballot (FOR) in the general election (AS PRESCRIBED IN CLAUSES (A) AND (B)), according to the allocations set forth in subdivision 5. If there is no candidate of

*a party for any one office designated in subdivision 5 in any year in which that office appears on the ballot, the allocation for that office shall be distributed to all other candidates of that party in proportion to their shares as set forth in subdivision 5.*

**((D) WITHIN TWO WEEKS OF THE CERTIFICATION BY THE STATE CANVASSING BOARD OF THE RESULTS OF THE GENERAL ELECTION, THE STATE TREASURER SHALL DISTRIBUTE THE AVAILABLE FUNDS IN THE GENERAL ACCOUNT IN AN EQUAL AMOUNT TO EACH CANDIDATE WHO RECEIVED AT LEAST TEN PERCENT OF THE VOTES CAST IN THE GENERAL ELECTION FOR THE OFFICE FOR WHICH HE WAS A CANDIDATE.)**

Sec. 28. Minnesota Statutes 1974, Section 10A.31, Subdivision 7, is amended to read:

Subd. 7. **((A) IN EACH OF THE FISCAL YEARS DURING THE PERIOD IN WHICH THE STATE SENATE SERVES A FOUR YEAR TERM WHICH COMMENCES AFTER APRIL 13, 1974, 40 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATE REPRESENTATIVE. IN EACH OF THE FISCAL YEARS DURING THE PERIOD IN WHICH THE STATE SENATE SERVES A TWO YEAR TERM, AND IN 1975 AND 1976, 30 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATE REPRESENTATIVES.)**

**((B) THE AMOUNT SET ASIDE IN CLAUSE (A) SHALL BE DISTRIBUTED IN EQUAL SHARES TO EACH OF THE CANDIDATES FOR STATE REPRESENTATIVE OF THAT PARTY.)**

**((C) WITHIN TWO WEEKS OF THE CERTIFICATION BY THE STATE CANVASSING BOARD OF THE RESULTS OF THE PRIMARY ELECTION, THE STATE TREASURER SHALL DISTRIBUTE AVAILABLE FUNDS IN EACH ACCOUNT, OTHER THAN THE GENERAL ACCOUNT, TO THE APPROPRIATE CANDIDATES WHO ARE TO APPEAR ON THE BALLOT FOR THE GENERAL ELECTION AS PRESCRIBED IN CLAUSES (A) AND (B).)**

**((D))** Within two weeks **(OF THE)** *after* certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account, *as certified by the commissioner of revenue on November 15 and according to the allocations set forth in subdivision 5, in (AN) equal (AMOUNT) amounts to (EACH CANDIDATE) all candidates for each statewide office who received at least five percent of the votes cast in the general election for that office, and to all candidates for legislative office who*

received at least ten percent of the votes cast in the general election for the *specific* office for which (HE WAS A CANDIDATE) *they were candidates.*

Sec. 29. Minnesota Statutes 1974, Section 10A.31, is amended by adding a subdivision to read:

*Subd. 8. Within one week after certification by the state canvassing board of the results of the primary, the commission shall certify to the state treasurer the name of each candidate who has signed the agreement as provided in section 10A.32, subdivision 3, and the amount he is to receive from the available funds in his party account.*

Sec. 30. Minnesota Statutes 1974, Section 10A.31, is amended by adding a subdivision to read:

*Subd. 9. Within one week after certification by the state canvassing board of the results of the general election, the commission shall certify to the state treasurer the name of each candidate who is qualified to receive funds from the general account, together with the amount he is to receive from the available funds in the general account.*

Sec. 31. Minnesota Statutes 1974, Section 10A.31, is amended by adding a subdivision to read:

*Subd. 10. Within one week after all the tax returns have been processed, the commissioner of revenue shall certify to the commission the amount accumulated in each account since the previous certification. Within one week thereafter, the commission shall certify to the state treasurer the amount to be distributed to each candidate according to the allocations as provided in subdivision 5. As soon as practicable thereafter, the state treasurer shall distribute the amounts to the candidates.*

Sec. 32. Minnesota Statutes 1974, Section 10A.32, is amended to read:

10A.32 [LIMITATIONS UPON THE STATE ELECTION CAMPAIGN FUND.] Subdivision 1. No candidate shall be entitled to receive from the state elections campaign fund an amount greater than the total amount of expenditures which may be made by *him* or on *his* behalf (OF THE CANDIDATE) under sections 10A.25 and 10A.27. *The amount by which the expenditure limit is exceeded shall be distributed to all other candidates of the same party whose shares do not exceed their expenditure limits in proportion to their shares as set forth in section 10A.31.*

Subd. 2. No candidate shall be entitled to receive from the state election campaign fund an amount greater than the total amount actually expended by *him* or on *his* behalf (OF THE

CANDIDATE DURING HIS CAMPAIGN) in the year of the election. If the report required to be filed on or before January 7 in the year following the general election indicates that the amount received by the candidate is greater than the amount expended on his behalf, the treasurer of his principal campaign committee shall refund to the state treasurer an amount equal to the difference. The refund in the form of a check or money order shall be submitted with such report and the commission shall forward the refund to the state treasurer.

Subd. 3. As a condition of receiving any funds from the state elections campaign fund, any candidate, prior to receipt of the funds, shall agree by stating in writing to the commission on or before September 1 that expenditures on his behalf shall not exceed the expenditure limits as set forth in section 10A.25 and that his principal campaign committee shall not accept contributions (EXCEEDING) for the period beginning with the registration of his principal campaign committee and ending December 31 of the election year which exceed 105 percent of the difference between the amount which may legally be expended by him or on his behalf (OF THAT CANDIDATE), and the amount which (THE CANDIDATE) he receives from the state elections campaign fund. Any amount by which his total contributions exceed 105 percent of the difference shall be refunded to the state treasurer. The refund in the form of a check or money order shall be submitted in the same manner as provided in subdivision 2.

For the purposes of this subdivision only, the total amount to be distributed to each candidate is his share of the total estimated funds in his party account as provided in subdivision 3a, plus the total amount estimated as provided in subdivision 3a to be in the general account and set aside for that office divided by the number of candidates whose names are to appear on the general election ballot for that office. If the amount actually received by the candidate is greater by reason of a lesser number of qualifying candidates sharing in the funds in each account, and his contributions thereby exceed 105 percent of the difference, the agreement shall not be considered violated.

Subd. 3a. The commissioner of revenue shall certify to the commission on or before the last day for filing for office his estimate of the total to be accumulated in each account in the state elections campaign fund after 100 percent of the tax returns have been processed. Within seven days after the last day for filing for office the secretary of state shall certify to the state treasurer and the commission the name, address, office sought, and party affiliation of each candidate. Within seven days thereafter the commission shall estimate the minimum amount to be received by each candidate who qualifies as provided in section 10A.31, subdivisions 6 and 7, and notify all candidates on or before August 15 of the applicable amount.

Subd. 4. If a political party for whose candidates funds have been accumulated in the state elections campaign fund does not have a candidate for (STATEWIDE) any office (, STATE REPRESENTATIVE OR STATE SENATOR), the moneys (WHICH WOULD BE USED FOR DISTRIBUTION TO THAT CATEGORY OR CATEGORIES) shall be (TRANSFERRED TO THE GENERAL) *maintained in that account until the year of the next general election. If in two successive general election years that political party does not have a candidate for any office, the accumulated funds shall be transferred to the general fund.*

Sec. 33. *Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; and 10A.22, Subdivisions 2 and 8, are repealed.*

Sec. 34. *This act is effective the day following final enactment."*

In the title H. F. No. 1548 reads "relating to the conduct of public officials and campaigns for public office; redefining certain terms; providing for the filing of certain reports and statements; providing for distribution of moneys in the state elections campaign fund; providing penalties; amending Minnesota Statutes 1974, Chapter 10A, by adding a section; Sections 10A.01, Subdivisions 2, 5, and 11, and by adding a subdivision; 10A.02, Subdivisions 1, 8 and 11; 10A.04, Subdivision 4, and by adding a subdivision; 10A.09, Subdivision 5; 10A.14, Subdivision 2; 10A.19, Subdivision 1; 10A.20, Subdivisions 1, 2, and 3, and by adding a subdivision; 10A.21, Subdivision 1; 10A.23; 10A.25, Subdivisions 3 and 6; 10A.27, Subdivision 3, and by adding a subdivision; 10A.30, Subdivision 2; 10A.31, Subdivisions 3, 5, 6, and 7, and by adding subdivisions; and 10A.32; repealing Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; 10A.22, Subdivisions 2 and 8."

Whereas S. F. No. 1499 in the title reads "relating to the conduct of public officials and campaigns for public office; defining "lobbying"; redefining "lobbyist" and certain other terms; providing for the filing of certain reports and statements; providing penalties; amending Minnesota Statutes 1974, Sections 10A.01, Subdivisions 2, 5, 7, 10 and 11, and by adding a subdivision; 10A.02, Subdivisions 1, 5, 8 and 11; 10A.04, Subdivision 4; 10A.07, Subdivision 1; 10A.09, Subdivision 5; 10A.11, Subdivision 6; 10A.14, Subdivision 2; 10A.19, Subdivision 1; 10A.20, Subdivisions 1, 2, and 3, and by adding a subdivision; 10A.21, Subdivision 1; 10A.22, Subdivision 5; 10A.23; 10A.25, Subdivisions 3, 6 and 7; 10A.27, Subdivision 3; repealing Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; 10A.20, Subdivision 4; 10A.22, Subdivisions 2 and 8."

## SUSPENSION OF RULES

Vento moved that the rules be so far suspended that S. F. No. 1499 be substituted for H. F. No. 1548 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1788 and H. F. No. 2084, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except H. F. No. 2084 after the enacting clause reads:

“Section 1. [POLICY.] It is the public policy of this state that:

(1) Funds transfer facilities should provide reliable service to consumers with full protection of privacy of personal financial information;

(2) Funds transfer facilities should not impair the safety and soundness of a person's funds;

(3) Services of funds transfer facilities should be offered in competitive markets at fair prices in a nondiscriminatory manner;

(4) A person or group of persons should not dominate or monopolize the market for services of funds transfer facilities to the detriment or the public interest; and

(5) Regulation of funds transfer facilities should be fair and not unduly impede the development of new technologies which benefit the public.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 15, the following terms shall have the meanings given them.

Subd. 2. “Automated teller machine” means an unattended free standing information processing device, located separate and apart from a financial institution's principal office, branch or detached facility, by which, through, or by means of electronic, automated, or mechanical signals or impulses generated through the use of electronic, automated, or mechanical equipment, a customer of a financial institution may complete financial transactions pursuant to an existing contractual agreement.

Subd. 3. “Banking transaction” means disbursing funds under a preauthorized credit agreement, withdrawing or depositing funds from a customer's account, receiving cash or checks, disbursing cash, and transferring funds to or from one or more accounts in financial institutions. A banking transaction may take place either off-line or on-line.

Subd. 4. "Commissioner" means the commissioner of banks.

Subd. 5. "Consumer banking facility" means either an automated teller machine or a point-of-sale terminal.

Subd. 6. "Financial institution" means a national banking association having its main office in this state or a bank, a savings bank, a savings and loan association, or credit union established and operating under the laws of this state.

Subd. 7. "Funds transfer facility" means an automated teller machine, a point-of-sale terminal or a transmission facility.

Subd. 8. "Funds transfer organization" means a person who establishes, operates, or makes available in this state one or more transmission facilities.

Subd. 9. "Municipality" means the geographical area within the legal boundaries of any city or organized town located in Minnesota.

Subd. 10. "Person" means an individual, a corporation, a partnership, an association, a joint stock company, a trust, an unincorporated organization, or a financial institution. Person shall not mean a federally chartered credit union or federally chartered savings and loan association.

Subd. 11. "Point-of-sale terminal" means a manned electronic information processing device other than a telephone which is established to either transfer funds to or from one or more accounts in financial institutions or segregate funds in one or more accounts in financial institutions for future transfer, or both; provided, a point-of-sale terminal shall include an electronic information processing device which can be physically attached to a standard telephone and which transfers funds in accordance with the foregoing.

Subd. 12. "Transmission facility" means an information processing facility or device used to receive and retransmit or clear financial transactions which originate from a consumer banking facility and which result in either transferring funds to or from one or more accounts in financial institutions or segregating funds in one or more accounts in financial institutions for future transfer, or both.

Sec. 3. [AUTHORIZATION.] Subdivision 1. Any financial institution may establish and maintain at a specific location with the approval of the commissioner one or more consumer banking facilities for use by its customers, and any person may establish and maintain at a specific location with the approval of the commissioner one or more point-of-sale terminals. Any financial institution may provide for its customers the use of a

consumer banking facility by entering into agreement with any person who has been authorized to establish and maintain one or more consumer banking facilities.

Subd. 2. Before installation and operation, or change of location, a consumer banking facility application shall be submitted to the commissioner on a form provided by the commissioner. The application shall state: the location where the consumer banking facility will be installed and operated; the ownership of the business entity for whose sales transactions the consumer banking facility is installed, if applicable; the ownership of the consumer banking facility; and all other information necessary for the commissioner to determine a reasonable fee based upon actual expenditures and a reasonable return on investment. In an application for a point-of-sale terminal if the commissioner finds that the point-of-sale terminal will be properly and safely managed and that the applicant is financially sound and that all information required of the applicant has been furnished, he shall approve the application within 45 days. In an application for an automated teller machine, if the commissioner finds that: (a) the automated teller machine will be properly and safely managed; (b) the applicant is financially sound; (c) reasonable public demand exists for the terminal; and (d) all information required of the applicant has been furnished, he shall approve the application within 45 days. Failure to approve or disapprove any application within 45 days shall be deemed approval of the application. For each application, a \$100 fee shall be paid to the commissioner. If the \$100 fee is less than the costs actually incurred by the commissioner in approving or disapproving the application, the fee shall be equal to those costs.

Subd. 3. Subject to the procedures in subdivisions 1 and 2, a consumer banking facility may be established and maintained anywhere within a municipality in which no financial institutions or detached facilities are located, or anywhere within a municipality in which at least one financial institution is located; provided a financial institution in that municipality, pursuant to the provisions of this section, has established and maintains or provides the use of one or more consumer banking facility located within that municipality. The location and placement of consumer banking facilities shall not be designed to give or promote an unfair competitive advantage to any financial institution in Minnesota.

Sec. 4. [FUNCTIONS OF A CONSUMER BANKING FACILITY.] Subdivision 1. Consumer banking facilities are limited to the performance of banking transactions and shall not be used to open accounts.

Subd. 2. The methods by which a consumer banking facility performs banking transactions shall be limited to the use of electronic based systems which utilize devices capable of processing electronic information through or by means of which in-

formation relating to financial services rendered to the public is stored and transmitted, whether instantaneously or otherwise, to a financial institution and which devices, for activation and account access, are dependent upon the use of a machine readable instrument in the possession and control of the holder of an account with a financial institution. Any customer of a financial institution who has lost or has had stolen his or her machine readable instrument shall not be liable for any unauthorized use of the instrument which occurs after the financial institution has been notified of its disappearance. The financial institution shall be liable for its customer's losses caused by such use to the extent that they exceed the lesser of \$50 or the amount of money obtained thereby within the period of time equal to the financial institution's statement period.

Subd. 3. A point-of-sale terminal shall be operated exclusively by a person who is not employed by any financial institution, any financial institution holding company, or subsidiary thereof. Persons assisting customers of financial institutions at the site of the point-of-sale terminal may be trained by employees of a financial institution, financial institution holding company, or subsidiary thereof. Nothing in this section shall be construed to prohibit periodic servicing of a point-of-sale terminal by an employee of a financial institution, financial institution holding company, or subsidiary thereof.

Sec. 5. [TRANSMISSION FACILITY.] Subdivision 1. A person may establish a transmission facility in this state upon approval by the commissioner. A transmission facility which is used by or made available to any kind of financial institution shall be made available to all other financial institutions upon request of other financial institutions and agreement by the financial institutions to pay reasonable fees based upon actual expenditures in establishing and maintaining the transmission facility and a reasonable return on investment as determined by the commissioner.

Subd. 2. Before installation and operation, a transmission facility application shall be submitted to the commissioner on a form provided by the commissioner. The application shall state the location at which the transmission facility will be operated, the ownership of the transmission facility, and all other information necessary for the commissioner to determine a reasonable fee based upon actual expenditures and a reasonable return on investment. If the commissioner finds that the facility will be properly and safely managed, the applicant is financially sound, and all information required by the commissioner has been furnished by the applicant, he shall approve the application within 120 days. Otherwise, the commissioner shall disapprove the application within 120 days. Failure by the commissioner to act within 120 days shall be deemed approval of the application. For each application, a \$500 fee shall be paid to the commissioner. If the \$500 fee is less than the costs actually incurred by the com-

missioner in approving or disapproving the application, the fee shall be equal to those costs.

Sec. 6. [ESTABLISHMENT, MAINTENANCE AND USE OF A CONSUMER BANKING FACILITY.] Subdivision 1. The person holding legal title to a consumer banking facility located in Minnesota, exclusive of any supporting equipment, structure or system, shall limit its use to the performance of banking transactions for customers of Minnesota financial institutions. The authority of third parties referred to in this act is limited to ownership, operation and maintenance of consumer banking facilities and any supporting equipment, structures or systems, and nothing in sections 3 to 14 shall be construed to authorize any person, other than a financial institution, to engage in the business authorized to financial institutions. Any service corporation that affords to a financial institution the use of a consumer banking facility may be examined whenever the commissioner deems it necessary. The service corporation shall pay examination fees as determined by the commissioner.

Subd. 2. A consumer banking facility which is used by or made available to any financial institution shall be made available to all other financial institutions upon request of other financial institutions and agreement by the financial institutions to pay reasonable fees based upon actual expenditures in establishing and maintaining the consumer banking facility and a reasonable return on investment as determined by the commissioner. Any financial institution requesting to share a consumer banking facility shall conform to reasonable technical operation standards established by the facility provider and approved by the commissioner.

Sec. 7. [ADVERTISING.] No advertisement by a person which relates to a consumer banking facility may be inaccurate or misleading with respect to such a facility. Except with respect to direct mailings by financial institutions to their customers, the advertising of rate of interest paid on accounts in connection with consumer banking facilities is prohibited. Any advertisement, either on or off the site of a consumer banking facility, promoting the use or identifying the location of a consumer banking facility, which identifies any financial institution, group or combination of financial institutions, or third parties as owning or providing for the use of its services, is prohibited. The following shall be expressly permitted:

(1) A simple directory listing placed at the site of a consumer banking facility identifying the particular financial institution using its services;

(2) The use of a generic name, either on or off the site of a consumer banking facility, which does not promote or identify any particular financial institution, group or combination of financial institutions, or any third parties; and

(3) Media advertising or direct mailing of information by a financial institution identifying locations of consumer banking facilities and promoting their usage.

Sec. 8. [CONSUMER PRIVACY.] Subdivision 1. To protect the privacy of people using funds transfer facilities, information received by or processed through such facilities shall be treated and used only in accordance with applicable law relating to the dissemination and disclosure of such information. The person operating a funds transfer facility shall take such steps as are reasonably necessary to safeguard the confidentiality of any information received or obtained about a customer or his account by any person manning a funds transfer facility.

Subd. 2. Every person operating pursuant to sections 3 to 13 shall supply information to customers using funds transfer facilities regarding the consumer protection policies of the person, including the rights and liabilities of the customer and the customer's protection against wrongful or accidental disclosure of confidential information.

Subd. 3. Every person operating pursuant to sections 3 to 14 shall maintain reasonable procedures to minimize losses to financial institution customers from unauthorized withdrawals from the customers' accounts by use of a funds transfer facility.

Subd. 4. Any customer of a financial institution may bring a civil action against any person violating the provisions of this section in district court in the county in which the alleged violator resides or has his principal place of business, or in the county wherein the alleged violation occurred. Upon adverse adjudication, the defendant shall be liable for actual damages, or \$500, whichever is greater, together with court costs and reasonable attorneys' fees incurred by the plaintiff. The court may provide such equitable relief as it deems necessary or proper, including enjoining the defendant from further violations of this section.

Sec. 9. [EXAMINATION.] A funds transfer organization or a person establishing a consumer banking facility may be examined when the commissioner deems it necessary. The examination shall include a determination of whether the person being examined discriminates against any financial institution, directly by limiting access to shared systems and their use, or indirectly by charging unreasonable fees. For each examination, a fee in an amount determined by rule shall be paid to the commissioner.

Sec. 10. [FUNDS TRANSFER ORGANIZATION REPORT.] A funds transfer organization shall report its financial condition at least annually before March 15 for the previous calendar year on forms provided by, or acceptable to, the commissioner. The commissioner may require more frequent or additional reports as he deems necessary. Agreements relating to the use of funds

transfer facilities entered into between a funds transfer organization and a person establishing a consumer banking facility or commercial business, or between a person establishing a consumer banking facility and any other financial institution or commercial business, including fee and rental agreement, and amendments, modifications, and extensions thereof, shall be filed with the commissioner within 30 days after their respective dates of execution. A funds transfer organization or person who fails to file a report or document when due, unless excused for cause by the commissioner, shall be fined \$100 for each day of delinquency.

Sec. 11. [ANTI-TRUST.] No person or funds transfer organization engaged in funds transfer facility activities shall contract, combine, or conspire to restrain trade in the market for funds transfer facilities, or engage in anti-competitive practices to the detriment of the public interest. Notwithstanding Minnesota Statutes, Section 325.8017, Subdivision 2, the provisions of sections 325.8011 to 325.8028 shall apply to persons and funds transfer organizations engaged in funds transfer facility activities.

Sec. 12. [RULES AND REGULATIONS.] The commissioner may promulgate such rules and regulations as are reasonably necessary to carry out and make effective the provisions and purposes of sections 3 to 15 pursuant to Minnesota Statutes, Chapter 15.

Sec. 13. [SECURITY.] Every owner of a consumer banking facility and every financial institution using a consumer banking facility shall adopt and maintain safeguards to insure the safety of funds, items and other information, which safeguards shall include security devices consistent with the minimum requirements specified under the Federal Bank Protection Act or such alternative security precautions as are approved by the commissioner.

Sec. 14. [APPLICATION TO PERSONS WHO SELL GOODS OR SERVICES AT RETAIL.] Subdivision 1. Notwithstanding the foregoing, nothing in sections 3 to 15 shall be deemed to prohibit a person primarily engaged in the business of selling goods or services at retail who operates a point-of-sale terminal or transmission facility from limiting his contractual agreement with any financial institution to only one or more types of banking transaction which, except in the case of any open-end type of consumer credit sales plan, agreement and arrangement, such person shall make available upon request to any other financial institution on a nondiscriminatory basis.

Subd. 2. Nothing in sections 3 to 15 shall prohibit a person primarily engaged in the business of selling goods or services at retail from establishing or operating a point-of-sale terminal or transmission facility to perform any internal business activities, including the extension of credit as authorized by law.

Subd. 3. A point-of-sale terminal or transmission facility operated by a person primarily engaged in the business of selling goods or services at retail may be examined by the commissioner as to any banking transaction by, with or involving a financial institution solely for the purpose of reconciling accounts and verifying the security and accuracy of such point-of-sale terminal or transmission facility, and all facts and information obtained in the course of such examination shall not be disclosed except as otherwise provided by law.

Sec. 15. [VIOLATIONS; PENALTIES; HEARING.] A violation of sections 3 to 14 shall be subject to penalties applicable to violations of laws affecting financial institutions. In addition, violations of sections 3 to 14 may be enjoined by a civil action by any aggrieved financial institution or by the commissioner. Unsafe, unsound, unfair, or discriminatory practices in connection with funds transfer facilities shall be deemed a violation of sections 3 to 14. If a violation continues 15 days after service of a notice by the commissioner of his intention to revoke a person's approval to operate a funds transfer facility, the commissioner may revoke such approval. Any party aggrieved by a revocation may request a hearing. Within 45 days the commissioner shall hold a hearing pursuant to Minnesota Statutes, Chapter 15.

No revocation shall be effective until after a hearing if a hearing is requested. Notwithstanding Minnesota Statutes, Section 15.052, Subdivision 6, all costs of the hearing shall be paid by the aggrieved party.

Sec. 16. [EFFECTIVE DATE.] This act shall become effective October 1, 1976."

Whereas S. F. No. 1788 after the enacting clause reads:

"Section 1. [PURPOSE.] *It is the purpose of this act to authorize and provide a more convenient method of implementing and performing the functions which banks are authorized to perform. Nothing in this act shall be construed to enlarge the powers, services, or activities which banks are authorized to perform or engage in by applicable law except as specifically authorized by this act.*

Sec. 2. [DEFINITIONS.] *Subdivision 1. For the purposes of this act the terms defined in this section have the following meanings.*

Subd. 2. "Bank" means a bank or savings bank organized under the laws of this state as defined in Minnesota Statutes, Section 47.02, or any national banking association having its principal office and place of business in this state.

Subd. 3. "Consumer banking facility" means any manned or unmanned device located separate and apart from a bank's principal office or detached facility, as authorized by Minnesota Statutes, Sections 47.51 to 47.57, which is capable of effecting banking transactions.

Subd. 4. "Municipality" means the geographical area within the legal boundaries of any city or organized town located in Minnesota.

Subd. 5. "Commissioner" means the commissioner of banks.

Subd. 6. "Savings and loan association" means an association subject to the provisions of sections 51A.01 to 51A.57 and an association organized and existing under the laws of the United States and having its principal office in this state.

Subd. 7. "Credit union" means a credit union subject to the provisions of sections 52.01 to 52.22 and a credit union organized and existing under the laws of the United States and having its principal office in this state.

Subd. 8. "Financial institution" means a bank, saving and loan association and credit union.

Sec. 3. [AUTHORIZATION.] Subdivision 1. Any bank may establish and maintain at a specific location, one or more consumer banking facilities for use by its customers, or may provide for its customers the use of such facility by entering into agreement with any person or persons maintaining one or more consumer banking facilities. No such consumer banking facility shall be established or used by a bank unless 30 days' written notice of its intention to establish or use such facility has been given to the commissioner. The commissioner shall adopt rules and regulations specifying the contents of such notice. Written notification shall not be deemed filed until all information required by the commissioner has been received by his office, which shall make such information available to any other bank requesting the use of any or all consumer banking facilities which are the subject of such notice.

Subd. 2. Subject to the notification procedures adopted by the commissioner, a consumer banking facility may be established and maintained anywhere within a municipality in which no banks or detached facilities are located, or anywhere within a municipality in which at least one bank is located, provided a bank in that municipality, pursuant to the provisions of this section, has established and maintains or provides the use of one or more consumer banking facilities located in one or more municipalities. The location and placement of consumer banking facilities shall not be designed to give or promote an unfair competitive advantage to any bank in Minnesota.

Sec. 4. [FUNCTIONS OF A CONSUMER BANKING FACILITY.] *Subdivision 1. Pursuant to a preexisting contractual agreement, banking transactions which may be performed by a consumer banking facility shall be limited to the disbursement of funds under a pre-authorized credit agreement, the withdrawal of funds from a customer's account, the deposit of funds in a customer's account, the receiving of cash or checks, the disbursement of cash, the payment of loan payments and the transfer of funds to or from one or more accounts in financial institutions. Accounts may not be opened at such facilities. Any person may also operate a device which is capable of performing the functions of a consumer banking facility for any internal business activity of that person.*

*Subd. 2. The method by which a consumer banking facility performs banking transactions may include, but are not limited to, the use of electronic based systems which utilize devices capable of processing electronic information through or by means of which information relating to financial services rendered to the public is stored and transmitted, whether instantaneously or otherwise, to a bank and which, for activation and account access, is dependent upon the use of a machine readable instrument in the possession and control of the holder of an account with a bank.*

*Subd. 3. A consumer banking facility may be operated exclusively by bank customers or it may perform banking transactions through the assistance of any person provided that person is not employed by any bank, bank holding company or subsidiary. Such assistance shall not be deemed to be engaging in the business of banking. Persons assisting bank customers at the site of a consumer banking facility may be trained by bank employees. Nothing in this section shall be construed to prohibit periodic servicing of a consumer banking facility by a bank employee.*

Sec. 5. [ESTABLISHMENT, MAINTENANCE AND USE OF A CONSUMER BANKING FACILITY.] *Subdivision 1. One or more consumer banking facilities may be established and maintained by a bank, or a group or combination of banks or by a third party; provided, the person or persons holding legal title to a consumer banking facility, exclusive of any supporting equipment, structure or system, limits its use in the performance of banking transactions to transactions for customers of Minnesota banks. The authority of third parties referred to in this act is limited to ownership, operation and maintenance of consumer banking facilities and any supporting equipment, structures or systems, and nothing in this act shall be construed to authorize any person, other than a bank, to engage in the business of banking. Provided, a person that affords to any financial institution the use of a consumer banking facility may be examined by the commissioner as to any banking transaction by, with or involving a financial institution solely for the purpose of reconciling ac-*

counts and verifying the security and accuracy of such consumer banking facility including any supporting equipment, structures or systems, and all facts and information obtained in the course of such examination shall not be disclosed except as otherwise provided by law. The person examined shall pay examination fees as determined by the commissioner.

Subd. 2. All banks shall comply with the notification procedures adopted by the commissioner prior to acquiring ownership or the use of a consumer banking facility.

Subd. 3. A bank, group or combination of banks or any person establishing and maintaining a consumer banking facility shall, upon written request, make its services available to any requesting bank on a fair, equitable and nondiscriminatory basis approved by the commissioner which shall include a pricing structure limited to the owner's direct costs, including a reasonable return on the capital expenditures incurred by the owner in establishing and maintaining consumer banking facilities and which shall be based on a per transaction cost. Subject to the provisions of this act, any person establishing and maintaining a consumer banking facility may make the same available for use by one or more savings and loan associations and credit unions and the customers thereof. A bank may participate upon contractual agreement in the use of a device which is capable of performing the functions of a consumer banking facility and is owned or operated by one or more savings and loan associations or credit unions. Any financial institution requesting use of a consumer banking facility shall be permitted its use if the financial institution conforms to reasonable technical operation standards which have been established by the facility provider as approved by the commissioner; provided that the requesting party agrees to grant reciprocal use of all similar devices owned or maintained by it.

For the purposes of this subdivision consumer banking facility shall include all facilities used for transmitting information from the consumer banking facility to a financial institution.

Subd. 4. A person primarily engaged in the business of selling goods or services at retail who operates a consumer banking facility including any supporting equipment, structures or systems may limit his contractual agreement with any financial institution to only one or more types of banking transactions which agreement and arrangement such person shall make available upon request to any other financial institution on a nondiscriminatory basis.

Subd. 5. Any advertisement, either on or off a consumer banking facility, promoting the use or the location of a consumer banking facility which identifies any bank, group or combination of banks or any person or other financial institution owning or providing for the use of its services, is prohibited except as

provided in this subdivision. The following shall be expressly permitted:

(a) A simple directory listing placed at the site of a consumer banking facility identifying the particular financial institutions using its services;

(b) The use of a name, either on or off the consumer banking facility; which does not promote or identify any particular bank, person or other financial institution;

(c) Media advertising or a direct mailing of any information from a financial institution identifying the location and use of any consumer banking facility and promoting their usage.

**Sec. 6. [BANK SECURITY.]** Every owner of a consumer banking facility and every bank using a consumer banking facility shall adopt and maintain safeguards to insure the safety of funds, items and other information, which safeguards shall include security devices consistent with the appropriate requirements specified under the Federal Bank Protection Act or such alternative security precautions as are approved by the commissioner.

**Sec. 7. [CONSUMER PRIVACY.]** Subdivision 1. To protect the privacy of customers using consumer banking facilities, including any supporting equipment, structures or systems, information received by or processed through such facilities supporting equipment, structures or systems shall be treated and used only in accordance with applicable law relating to the dissemination and disclosure of such information. Provided, further, that the person operating a consumer banking facility including any supporting equipment, structures or systems shall take such steps as are reasonably necessary to safeguard any information received or obtained about a customer or his account from misuse by any person manning a consumer banking facility including any supporting equipment, structures or systems.

Subd. 2. The commissioner shall have the authority by rule to require each bank operating pursuant to this act to supply information to customers using consumer banking facilities of the banks' consumer protection policies including the rights and liabilities of the consumer and protection against wrongful or accidental disclosure of confidential information.

Subd. 3. Every bank using a consumer banking facility shall maintain reasonable procedures to minimize losses from unauthorized withdrawals from its customers' accounts by use of a consumer banking facility. A bank shall be liable for all unauthorized withdrawals unless the unauthorized withdrawal was (a) due to the negligent conduct or the intentional misconduct of the operator of a consumer banking facility or his agent in

which case the operator shall be liable, or (b) due to the loss or theft of the customer machine readable card in which case the customer shall be liable for those unauthorized withdrawals made prior to the time the financial institution is notified of the loss or theft subject to a maximum liability of \$50. Transactions which involve deposits or payments by a customer to a financial institution at a consumer banking facility are completed when the deposit or payment is made and the customer receives his receipt at the consumer banking facility. Any loss due to theft or other reason subsequent to that time is a loss by the financial institution. For purposes of this subdivision, "unauthorized withdrawal" means a withdrawal by a person other than the customer who does not have actual, implied, or apparent authority for such withdrawal, and from which withdrawal the customer receives no benefit.

Subd. 4. No person's social security number shall be used as the personal identification number or as any code to activate any consumer banking facility.

Subd. 5. Any customer of a bank may bring a civil action against any person violating the provisions of this section in district court in the county in which the alleged violator resides or has his principal place of business or in the county wherein the alleged violation occurred. Upon adverse adjudication, the defendant shall be liable for actual damages, or \$500, whichever is greater, together with the court costs and reasonable attorneys' fees incurred by the plaintiff. The court may provide such equitable relief as it deems necessary or proper, including enjoining the defendant from further violations. If it appears to the court that the suit brought by the plaintiff was illfounded, or brought for the purpose of harassment, the plaintiff shall be liable for court costs and reasonable attorneys' fees incurred by the defendant.

Sec. 8. [ANTI-TRUST.] No person engaged in consumer banking facility activities shall contract, combine or conspire to restrain trade in the market for consumer banking facilities or engage in anti-competitive practices to the detriment of the public interest.

Sec. 9. [ORGANIZATION OF NEW BANK.] In considering any application for authority to organize a new bank or to move an existing bank, the commissioner and commerce commission shall disregard the existence of consumer banking facilities in considering and determining the need for banking facilities in the community where the proposed new bank is to be located, in considering the adequacy of existing banking facilities and the need for other banking facilities in the locality and in considering the present and future ability of the community to support the proposed new bank.

Sec. 10. [RULES AND REGULATIONS.] The commissioner may promulgate such rules and regulations as are rea-

*sonably necessary to carry out and make effective the provisions and purposes of this act pursuant to Minnesota Statutes, Chapter 15.*

Sec. 11. [VIOLATIONS; PENALTIES.] *A violation of sections 2 to 8 shall be subject to penalties applicable to violations of laws affecting financial institutions. In addition, a violation of sections 2 to 8 may be enjoined by a civil action for injunction by any aggrieved financial institution.*

Sec. 12. Minnesota Statutes 1974, Chapter 52, is amended by adding a section to read:

[52.041] *Subdivision 1. [DEFINITIONS.] (a) A "credit union" means a cooperative association organized in accordance with the provisions of this chapter or Title 12 of the United States Code. (b) A "credit union consumer facility" means any manned or unmanned electronic based system, device or machine located separate and apart from the credit union offices through which a credit union member may communicate and obtain from his credit union any authorized service pursuant to terms of an existing contractual arrangement between a credit union and its member. The device may receive or dispense cash or transfer funds for a member's benefit, subject to verification of the credit union.*

*Subd. 2. [CREDIT UNION CONSUMER FACILITY; AUTHORITY.] A credit union having its principal office in this state may own, establish, maintain or use one or more credit union consumer facilities.*

*Subd. 3. [SHARED FACILITIES.] A credit union may participate in the ownership, establishment, maintenance or use of one or more credit union consumer facilities with one or more credit unions. A credit union may share upon contractual agreement with one or more federal or state charter commercial banks, mutual savings bank or savings and loan association having its principal office in this state. Approval to own, establish, maintain or use a credit union consumer facility shall be given by the commissioner of banks upon application of a credit union if it shall appear that the facility will benefit the members of the credit union and is consistent with purposes of Minnesota Statutes, Chapter 52.*

*Subd. 4. [RULES AND REGULATIONS.] Pursuant to Minnesota Statutes, Chapter 15, the commissioner of banks shall promulgate rules and regulations consistent with all applicable provisions of this act that are reasonably necessary to carry out and make effective the provisions and purposes of this section."*

In the title H. F. No. 2084 reads "relating to financial institutions; authorizing funds transfer facilities; providing penalties."

Whereas S. F. No. 1788 reads "relating to banks and banking; authorizing consumer banking facilities and credit union facilities; providing penalties; amending Minnesota Statutes 1974, Chapter 52, by adding a section."

#### SUSPENSION OF RULES

Hanson moved that the rules be so far suspended that S. F. No. 1788 be substituted for H. F. No. 2084 and that the House File be indefinitely postponed. The motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

S. F. No. 2030, A bill for an act relating to elections; providing for the affidavits of candidacy of candidates for judicial office; amending Laws 1975, Chapter 5, Section 12, Subdivision 1.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2042, A bill for an act relating to nursing homes; providing for the licensing and inspection of nursing homes; providing for the licensing of nursing home administrators; reorganizing various laws relating to nursing homes and nursing home administrators; clarifying language and making necessary revisions; prescribing civil and criminal penalties; amending Minnesota Statutes 1974, Sections 144.053, Subdivision 3; 144.49, Subdivisions 6 and 7; 144.50; 144.51; 144.55; 144.572; 144.63, Subdivision 2; 144.652; 144.653, Subdivision 1; 144.654; 144.655; 144.656; 144.657; 144.68, Subdivisions 2 and 3; 145.61, Subdivision 4; 145.75; 145.862, Subdivision 4; 245.691, Subdivision 3; 256.12, Subdivision 19; 256B.02, Subdivision 2; 256B.30; 256D.18, Subdivision 2; 299F.39, Subdivision 1; 609.231; 626.555, Subdivisions 1, 2 and 7; and Minnesota Statutes, 1975 Supplement, Sections 144.53; 144.571; 145.72, Subdivision 2; 145.74; and 214.01, Subdivision 2; repealing Minnesota Statutes 1974, Sections 144.584; 144.951; 144.953; 144.954; 144.955; 144.9555; 144.956; 144.957; 144.958; 144.959; 144.96; 144.961; 144.962; 144.963; 144.964; and 144.965; and Minnesota Statutes, 1975 Supplement, Section 144.952.

Reported the same back with the following amendments:

Page 2, line 4, after "officer," insert "nursing home administrator, or".

Page 2, line 4, delete "or managerial employee".

Page 2, delete lines 24 and 25 and insert:

"(b) An individual state official or state employee, or a member or employee of".

Page 2, line 28, after "officer" delete the comma and insert "or".

Page 2, line 28, delete "or managerial".

Page 2, line 29, delete "employee".

Page 2, line 29, after the comma insert "receives any remuneration from a nursing home,".

Page 3, line 1, after "officer" delete the comma and insert "or".

Page 3, line 1, delete "or".

Page 3, line 2, delete "employee".

Page 3, line 11, delete "or boarding care".

Page 3, line 16, delete "and" insert "or".

Page 3, delete lines 18 to 30 and insert:

"Subd. 6. "Nursing care" means health evaluation and treatment of patients and residents who are not in need of an acute care facility but who require nursing supervision on an inpatient basis. The board of health may by rule establish levels of nursing care.

Subd. 7. "Uncorrected violation" means a violation of a statute or rule or any other deficiency for which a notice of non-compliance has been issued and fine assessed pursuant to section 10, subdivision 6.

Subd. 8. "Managerial employee" means an employee of a nursing home whose duties include the direction of some or all of the management or policies of the nursing home."

Renumber the remaining subdivision.

Page 4, line 1, delete "such" and insert "the".

Page 4, line 8, delete "boarding care or".

Page 4, line 9, delete "for the type of care to be provided" and insert "as a nursing home".

Page 4, line 19, delete "shall" and insert "may".

Page 4, line 19, delete "whether".

Page 4, delete lines 20 and 21 and insert: "the level or levels of nursing care which the facility is licensed to provide and shall".

Page 4, line 24, delete "who violates" and insert "of a nursing home in violation of".

Page 4, line 28, delete "as" and insert "related".

Page 4, line 29, delete "which incurred the uncorrected violations".

Page 5, line 27, delete "as agents on whom personal".

Page 5, delete lines 28 to 31 and insert "or managerial employees as agents:

(a) Who shall be responsible for dealing with the board of health on all matters provided for in sections 1 to 17 of this act; and

(b) On whom personal service of all notices and orders shall be made, and who shall be authorized to accept service on behalf of all of the controlling persons of the facility, in proceedings under section 10, subdivisions 4, 5, and 7; section 11, subdivision 3; and section 15 of this".

Page 6, line 3, after "persons" insert "or managerial employees":

Page 6, line 4, delete "those provisions" and insert "section 10, subdivisions 4 and 5; section 11, subdivision 3; and section 15".

Page 6, line 5, after "act" insert a comma.

Page 6, line 6, after "person" insert "or managerial employee".

Page 6, delete lines 24 to 32 and insert:

"(b) A controlling person on behalf of all other controlling persons:

(1) *Has entered into a contract to obtain the materials or labor necessary to meet the standard set by the board of health, but the supplier or other contractor has failed to perform the terms of the contract and the inability of the nursing home to meet the standard is due solely to that failure; or*

(2) *Is otherwise making a diligent good faith effort to meet the standard."*

Renumber remaining subdivisions in sequence.

Page 7, line 1, delete "*the facility*" and insert "*a nursing home*".

Page 7, line 2, delete the first "*controlling*".

Page 7, line 3, delete "*facility*" and insert "*nursing home*".

Page 7, line 4, after "*which*" delete "*two year period*" and insert "*time of control*".

Page 7, line 5, delete "*facility*" and insert "*other nursing home*".

Page 7, line 5, delete "*violations of*".

Page 7, delete line 6 and insert "*uncorrected violations*".

Page 7, line 14, delete "*as*" and insert "*related*".

Page 7, line 18, delete "*Two*".

Page 7, delete lines 19 to 26 and insert: "*In any nursing home of less than 25 beds, the director of nursing services may also serve as the licensed nursing home administrator. Two nursing homes having a total of 100 beds or less and located within 50 miles of each other may share the services of a licensed administrator if the administrator divides his full time work week between the two facilities in proportion to the number of beds in each facility. Every nursing home shall have a person-in-charge on the premises at all times in the absence of the licensed*".

Page 7, line 32, delete "*or person-in-charge*".

Page 8, line 1, after the period, insert "*A nursing home which is located in a facility licensed as a hospital pursuant to Minnesota Statutes, Sections 144.50 to 144.56, may employ as its administrator the registered administrator of the hospital if the individual meets minimum education and long term care experience criteria set by rule of the board of health.*".

Page 8, line 2, delete "*The facility*" and insert "*A nursing home*".

Page 8, line 6, after "*which*" delete "*two year period*" and insert "*time of employment*".

Page 8, line 6, delete "*facility*" and insert "*other nursing home*".

Page 8, line 7, delete "*violations of section 10 of*".

Page 8, delete line 8 and insert "*uncorrected violations, which violations were in*".

Page 8, line 10, before "*administrator*" insert "*the*".

Page 8, line 31, delete "*consolidated*".

Page 9, line 10, delete "*seven*" and insert "*14*".

Page 9, delete lines 14 to 19 and insert: "*transferred beneficial interest exceeds ten percent of the total beneficial interest in the nursing home facility, the structure in which the facility is located, or the land upon which the structure is located, it may, and if it determines that the transferred beneficial interest exceeds 50 percent of the total beneficial interest in the facility, the structure in which the facility is located, or the land upon which the structure is located, it shall, require that the license of the nursing home expire 90*".

Page 9, line 30, delete "*of rule or*".

Page 9, line 31, delete "*statute for which a fine was assessed*".

Page 10, delete lines 5 to 10 and insert:

(b) *A controlling person on behalf of all other controlling persons:*

(1) *Has entered into a contract to obtain materials or labor necessary to correct the violation, but the supplier or other contractor has failed to perform the terms of the contract and the liability of the nursing home to correct the violation is due solely to that failure; or*

(2) *Is otherwise making a diligent good faith effort to correct the violation.*"

Page 10, line 17, delete "*The*".

Page 10, delete lines 18 to 21.

Page 10, line 30, delete "*promptly*" and insert "*within 14 days of the occurrence*".

Page 11, line 3, delete "in".

Page 11, delete line 4 and insert "*which incurs the following number of uncorrected violations, in any two year period, for which violations a fine was assessed and allowed to be recovered:*

(a) *Two or more uncorrected violations which created an imminent risk of harm to a nursing home resident; or*

(b) *Ten or more uncorrected violations of any nature, is".*

Page 11, delete lines 29 to 32.

Page 12, delete line 1 and insert:

"Subd. 2. [INSPECTIONS.] *The board of health shall annually inspect each nursing home to assure compliance with sections 1 to 17 of this act and the rules promulgated thereunder. The annual inspection shall be a full inspection of the nursing home. If upon a reinspection provided for in subdivision 5 the representative of the board of health finds one or more uncorrected violations, a second inspection of the facility shall be conducted during the remainder of its license year. The second inspection need not be a full inspection.*"

Page 12, line 8, delete "*life safety code or similar*".

Page 12, line 11, delete "*inspections*" and insert "*reinspections*".

Page 12, line 12, after the period, insert "*Nothing in this subdivision shall be construed to prohibit the board of health from making more than one unannounced inspection of any nursing home during its license year.*"

Page 12, line 13, after "*inspection*" insert "*or reinspection*".

Page 12, delete line 15.

Page 12, line 16, delete the first "*the report*" and insert "*shall, by certified mail, send copies of any correction order or notice of noncompliance*".

Page 12, line 16, delete the second "*the report*" and insert "*each correction order and notice of noncompliance*".

Page 12, line 18, after "*welfare*" insert "*under sections 3 or 5 of this act*".

Page 12, line 21, delete "*the most recent summary of the*" and insert "*each correction order and notice of noncompliance received by the nursing home after its most recent*".

Page 12, line 22, delete "*report*".

Page 13, line 16, delete "*deficiencies*" and insert "*violations*".

Page 13, line 25, delete "*or deficiency*".

Page 13, line 29, delete "*deficiency*" and insert "*violation*".

Page 14, line 10, after "*15.*" insert "*Recovery of the resumed fine shall be stayed if a controlling person or his legal representative on behalf of the nursing home makes a written request for a hearing on the resumption within 15 days of the resumption.*".

Page 14, line 14, delete "*delivery*".

Page 14, line 15, delete "*or mailing*" and insert "*receipt*".

Page 14, line 24, after the comma insert "*or on the resumption of the fine,*".

Page 14, line 32, after the period, insert "*The hearings provided for in subdivisions 7 and 8 shall be held within 30 days after the request for the hearing. If a consolidated hearing is held, it shall be held within 30 days of the request which occurred last.*".

Page 15, line 6, delete "*leading to a*".

Page 15, line 7, delete "*suspension or revocation of*" and insert "*to suspend or revoke*".

Page 15, line 20, delete "*leading to the suspension*" and insert "*to suspend*".

Page 15, line 21, delete "*revocation of*" and insert "*revoke*".

Page 15, line 23, after "*of*" insert "*uncorrected*".

Page 15, delete line 24.

Page 15, line 25, delete "*thereunder*".

Page 16, line 9, delete "*before the board of health*".

Page 17, line 11, after "*ordered*" insert "*by the court*".

Page 17, line 22, after "*costs*" insert "*of persons subpoenaed by the board of health*".

Page 22, line 9, after "*shall*" insert "*be selected from both urban and rural areas of the state, and shall*".

Page 22, line 10, delete "*Six*" and insert "*Five*".

Page 22, line 11, after "*a*" insert "*currently registered*".

Page 22, line 12, delete "*dentist,*".

Page 22, delete lines 14 and 15.

Renumber the subsequent clauses in sequence.

Page 22, line 16, delete "*One*" and insert "*Two*".

Page 22, line 16, delete "*person*" and insert "*persons*".

Page 22, line 20, delete "*Two*" and insert "*Three*".

Page 23, line 8, after "*and*" start a new paragraph and insert "*(c)*".

Page 23, line 10, delete "*(c)*" and insert "*(1)*".

Page 23, line 12, delete "*(d)*" and insert "*(2)*".

Page 23, line 14, delete "*(e)*" and insert "*(3)*".

Page 23, line 16, delete "*(f)*" and insert "*(4)*".

Page 23, line 18, delete "*(g)*" and insert "*(5)*".

Page 23, line 31, delete "*, of good moral*".

Page 23, line 32, delete "*character, sound physical and mental health*".

Page 25, line 27, before "*The*" insert "*Except as provided in section 4, subdivision 6,*".

Page 30, line 3, before "*The*" insert "*In addition to its discretionary authority to initiate proceedings under sections 24 and 25 of this act,*".

Page 30, line 4, delete "*leading to the*".

Page 30, line 5, delete "*suspension or revocation of*" and insert "*to suspend or revoke*".

Page 30, line 7, delete "*years*" and insert "*year period*".

Page 30, line 8, after "*which*" insert "*during the period of his employment*".

Page 30, line 8, delete "*during the two year period*".

Page 30, line 9, before "*violations*" insert "*uncorrected*".

Page 30, line 9, delete "*of section 10 of this act or*".

Page 30, line 10, delete "*the rules promulgated thereunder*".

Page 33, strike line 13 and in line 14 strike "*six months*".

Page 33, delete lines 16 to 23 and insert "*for the institutional care of human beings*".

Page 33, strike lines 31 and 32.

Page 34, strike lines 1 to 3.

Page 34, after line 13, insert "*The term "hospital" includes the term "sanatorium" unless the context clearly indicates otherwise.*".

Page 35, line 19, strike "*such*".

Page 36, line 12, strike "*such*" and insert "*the*".

Page 36, line 17, strike "*such*".

Page 36, line 20, strike "*such*" and insert "*the*".

Page 36, line 22, after "*at*" strike "*such*" and insert "*the*".

Page 36, line 22, after the period strike "*Such*" and insert "*The*".

Page 36, line 25, strike "*such*" and insert "*the*".

Page 36, line 27, strike "*such*" and insert "*the*".

Page 37, line 5, strike "*and regulations*" and insert "*promulgated*".

Page 37, line 5, strike "*or hereinafter*".

Page 37, line 6, strike "*provided*".

Page 37, line 20, delete the new language, strike "*members*" and insert "*whom*".

Page 37, line 24, strike "*and*" and insert a period.

Page 37, line 29, strike "the"; delete "seventh" and insert "a".

Page 37, line 31, strike "the"; delete "eighth" and insert "a".

Page 37, line 32, after the period, insert "*The ninth member of the council shall be a public member as defined in section 214.02, and shall be appointed by the governor to serve at his pleasure.*"

Page 38, line 21, strike the semicolon and insert a period.

Page 38, line 21, strike "said" and insert "these".

Page 38, line 23, strike "said" and insert "these".

Page 38, line 25, after the semicolon insert "and".

Page 38, line 25, strike "said" and insert "these".

Page 38, line 26, strike the semicolon and insert a period.

Page 38, line 29, strike the semicolon and insert a period.

Page 40, line 1, strike "such" and insert "the".

Page 40, line 14, strike "Such" and insert "The".

Page 40, line 15, strike "and regulations".

Page 40, line 18, strike "such" and insert "the".

Page 40, line 22, strike "such" and insert "the".

Page 40, line 32, strike "such" and insert "the".

Page 41, line 21, strike "such" and insert "the".

Page 41, line 21, strike "as" and insert "that".

Page 41, line 29, strike "such" and insert "the".

Page 42, line 9, strike "as such".

Page 45, delete lines 24 to 31.

Page 46, line 13, strike "such" and insert "the".

Page 46, line 14, strike "regulations" and insert "rules".

Page 46, line 16, strike "Such regulations" and insert "*The rules*".

Page 49, line 12, delete "act" and insert "section".

Renumber the sections in sequence.

Further amend the title:

Line 16, delete "256.12, Subdivision 19;"

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2269, A bill for an act relating to employment services; unemployment compensation; defining wages; determining employer contribution rates; amending Minnesota Statutes, 1975 Supplement, Sections 268.04, Subdivision 25; and 268.06, Subdivision 8.

Reported the same back with the following amendments:

Page 1, after line 7, insert sections to read:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 268.04, Subdivision 12, is amended to read:

Subd. 12. "Employment" means: (1) Subject to the other provisions of this subdivision "employment" means service performed prior to January 1, 1945, which was employment as defined in this section prior to such date, and any service performed after December 31, 1944, including service in interstate commerce, by an individual who is a servant under the law of master and servant or who performs services for any employing unit, unless such services are performed by an independent contractor. Any service performed, including service in interstate commerce, by

(a) any officer of a corporation; or

(b) any individual other than an individual who is an employee under clause (a) who performs services for remuneration for any person as an agent-driver or commission-driver engaged in distributing meat products, vegetable products, fruit products, bakery products, beverages (other than milk), or laundry or dry-cleaning services, for his principal, or as a traveling or city salesman, other than as an agent-driver or commission-driver, engaged upon a fulltime basis in the solicitation on behalf of, and the transmission to, his principal (except for sideline sales

activities on behalf of some other person) of orders from wholesalers, retailers, contractors, or operators of hotels, restaurants, or other similar establishments for merchandise for resale or supplies for use in their business operations;

Provided, that for purposes of clause (1) (b), the term "employment" shall include services described above performed after December 31, 1971, only if the contract of service contemplates that substantially all of the services are to be performed personally by such individual, the individual does not have a substantial investment in facilities used in connection with the performance of the services (other than in facilities for transportation), and the services are not in the nature of a single transaction that is not part of a continuing relationship with the person for whom the services are performed.

(2) The term "employment" shall include an individual's entire service, performed within or both within and without this state if (a) the service is localized in this state; or (b) the service is not localized in any state but some of the service is performed in this state and (1) the base of operations, or, if there is no base of operations, then the place from which such service is directed or controlled, is in this state; (2) the base of operations or place from which such service is directed or controlled is not in any state in which some part of the service is performed, but the individual's residence is in this state.

(3) Service shall be deemed to be localized within a state if (a) the service is performed entirely within such state; or (b) the service is performed both within and without such state, but the service performed without such state is incidental to the individual's service within the state, for example, is temporary or transitory in nature or consists of isolated transactions.

(4) After December 31, 1971, the term "employment" shall include an individual's service wherever performed within the United States, the Virgin Islands or Canada, if

(a) Such service is not covered under the unemployment compensation law of any other state, the Virgin Islands or Canada, and

(b) The place from which the service is directed or controlled is in this state.

(5) (a) Service covered by an election pursuant to section 268.11, subdivision 3; and

(b) Service covered by an arrangement pursuant to section 268.13 between the commissioner and the agency charged with the administration of any other state or federal employment security law, pursuant to which all service performed by an individual for an employing unit is deemed to be performed en-

tirely within this state, shall be deemed to be employment if the commissioner has approved an election of the employing unit for which such service is performed, pursuant to which the entire service of such individual during the period covered by such election is deemed to be employment.

(6) Notwithstanding any inconsistent provisions of sections 268.03 to 268.24, the term "employment" shall include any services which are performed by an individual with respect to which an employing unit is liable for any federal tax against which credit may be taken for contributions required to be paid into a state unemployment compensation fund or which as a condition for full tax credit against the tax imposed by the federal unemployment tax act is required to be covered under this law.

(7) Service performed after July 1, 1957, by an individual for the state of Minnesota or any instrumentality which is wholly owned by the state of Minnesota or in the employ of this state and one or more other states or their instrumentalities.

(8) Service performed after January 1, 1974, by an individual for any political subdivision of the state of Minnesota or instrumentality thereof.

(a) The provisions of section 268.08, subdivision 5, shall apply to service covered by this section.

(b) The amounts required to be paid in lieu of contributions by any political subdivision shall be billed and payment made as provided in section 268.06, subdivision 28, clause (2), with respect to similar payments by nonprofit organizations.

(9) Service performed after December 31, 1971, by an individual in the employ of a religious, charitable, educational or other organization but only if the following conditions are met:

(a) the service is excluded from "employment" as defined in the federal unemployment tax act solely by reason of section 3306(c) (8) of that act; and

(b) the organization had one or more individuals in employment for some portion of a day in each of 20 different weeks, whether or not such weeks were consecutive, within either the current or preceding calendar year, regardless of whether they were employed at the same moment of time.

(10) For the purposes of clauses (7), (8), and (9), the term "employment" does not apply to service performed

(a) in the employ of a church or convention or association of churches, or an organization which is operated exclusively for

religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches; or

(b) by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order; or

(c) in a facility conducted for the purpose of carrying out a program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury or providing remunerative work for individuals who because of their impaired physical or mental capacity cannot be readily absorbed in the competitive labor market by an individual receiving such rehabilitation or remunerative work; or

(d) as part of an unemployment work relief or work training program assisted or financed in whole or in part by any federal agency or an agency of a state or political subdivision thereof, by an individual receiving such work relief or work training; or

(e) for a hospital in a state prison or other state correctional institution by an inmate of the prison or correctional institution.

(11) The term "employment" shall include the service of an individual who is a citizen of the United States, performed outside the United States (except in Canada or the Virgin Islands), after December 31, 1971, in the employ of an American employer (other than service which is deemed "employment" under the provisions of clauses (2), (3), or (4) or the parallel provisions of another state's law) if:

(a) The employer's principal place of business in the United States is located in this state; or

(b) The employer has no place of business in the United States, but the employer is an individual who is a resident of this state, or the employer is a corporation which is organized under the laws of this state, or the employer is a partnership or a trust and the number of partners or trustees who are residents of this state is greater than the number who are residents of any one other state; or

(c) None of the criteria of (a) and (b) of this clause is met but the employer has elected coverage in this state, or the employer having failed to elect coverage in any state, the individual has filed a claim for benefits, based on such service, under the law of this state.

(d) An "American employer," for the purposes of this subdivision, means a person who is an individual who is a resident of the United States, or a partnership of two thirds or more of the partners are residents of the United States, or a trust, if all of the trustees are residents of the United States, or a corporation organized under the laws of the United States or of any state;

(e) As used in this subdivision, the term "United States" includes the states, the District of Columbia, and the Commonwealth of Puerto Rico.

(12) Notwithstanding clause (1), all service performed after the effective date of this subdivision by an officer or member of the crew of an American vessel on or in connection with such vessel, if the operating office, from which the operations of such vessel operating on navigable waters within, or within and without, the United States are ordinarily and regularly supervised, managed, directed and controlled is within this state.

(13) The term "employment" shall not include:

(a) Agricultural labor. The term "agricultural labor" includes all services performed subsequent to December 31, 1939:

(1) On a farm, in the employ of any person, in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, fur-bearing animals and wildlife;

(2) In the employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment, or in salvaging timber or clearing land of brush and other debris left by a tornadic-like storm, if the major part of such service is performed on a farm;

(3) In connection with the production or harvesting of any commodity defined as an agricultural commodity in section 15(g) of the agricultural marketing act, as amended (46 Stat. 1550, sec. 3; 12 U.S.C. 1141j) or in connection with the ginning of cotton, or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways, not owned or operated for profit, used exclusively for supplying and storing water for farming purposes;

(4) In the employ of the operator of a farm in handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market or to a carrier for transportation to market, in its unmanufactured state, any agricultural or horticultural commodity; but only if such operator

produced more than one half of the commodity with respect to which such service is performed, or in the employ of a group of operators of farms (or a cooperative organization of which such operators are members) in the performance of service described herein, but only if such operators produced more than one half of the commodity with respect to which such service is performed; however, the provisions of this paragraph shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption; or

(5) On a farm operated for profit if such service is not in the course of the employer's trade or business or is domestic service in a private home of the employer.

As used herein, the term "farm" includes stock, dairy, poultry, fruit, fur-bearing animal, and truck farms, plantations, ranches, nurseries, ranges, greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities, and orchards.

Notwithstanding the provisions of clause (13) (a) (1), (2), (3), (4) and (5), services performed after January 1, 1974, for an employing unit which has four or more persons performing services in agricultural labor for some portion of a day in each of 20 different weeks, whether or not such weeks were consecutive, within either the current or preceding calendar year, regardless of whether they were employed at the same moment of time, shall not be excluded from the term "employment".

(b) Domestic service in a private home, local college club, or local chapter of a college fraternity or sorority;

(c) Casual labor not in the course of the employing unit's trade or business;

(d) Service performed on the navigable waters of the United States as to which this state is prohibited by the constitution and laws of the United States of America from requiring contributions of employers with respect to wages as provided in sections 268.03 to 268.24;

(e) Service performed by an individual in the employ of his son, daughter, or spouse, and service performed by a child under the age of 18 in the employ of his father or mother;

(f) Service performed in the employ of the United States government, or any instrumentality of the United States exempt under the constitution of the United States from the contributions imposed by sections 268.03 to 268.24, except that with respect to such service performed subsequent to December 31, 1939, and to

the extent that the congress of the United States shall permit states to require any instrumentalities of the United States to make payment into an unemployment compensation fund under a state unemployment compensation act; then, to the extent permitted by congress, and from and after the date as of which such permission becomes effective, all of the provisions of these sections shall be applicable to such instrumentalities and to services performed for such instrumentalities in the same manner, to the same extent, and on the same terms as to all other employers, employing units, individuals, and services; provided, that if this state shall not be certified for any year by the United States department of labor under section 3304(c) of the federal internal revenue code, the payments required of such instrumentalities with respect to such year shall be refunded by the commissioner from the fund in the same manner and within the same period as is provided in section 268.16, subdivision 6, with respect to contributions erroneously collected;

(g) Service with respect to which unemployment compensation is payable under an unemployment compensation system established by an act of congress;

(h) (1) Service performed in any calendar quarter in the employ of any organization exempt from income tax under section 501(a) (other than an organization described in section 401(a) or section 521 of the federal internal revenue code, if the remuneration for such service is less than \$50; or

(2) Service performed in the employ of a school, college, or university, if such service is performed by a student who is enrolled and is regularly attending classes at such school, college, or university; or

(3) Service performed by an individual under the age of 22 who is enrolled at a nonprofit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on as a student in a fulltime program, taken for credit at such institution, which combines academic instruction with work experience, if such service is an integral part of such program, and such institution has so certified to the employer, except that this paragraph shall not apply to service performed in a program established for or on behalf of an employer or group of employers; or

(4) *Service performed in the employ of any organization exempt from income tax under section 501(a) (other than an organization described in section 401(a) of the Federal internal revenue code), provided: financing for the operations of the employer come primarily from voluntary contributions or governmental grants; and such service consists primarily of the supervision of work crews of minors or the supervision of the recrea-*

*tional activities of minors; and the period of such service does not exceed 16 weeks in a calendar year;*

(i) Service performed in the employ of a foreign government (including service as a consular or other officer or employee or a nondiplomatic representative);

(j) Service performed in the employ of an instrumentality wholly owned by a foreign government, if

(1) The service is of a character similar to that performed in foreign countries by employees of the United States government or of an instrumentality thereof; and

(2) The commissioner finds that the United States secretary of state has certified to the United States secretary of the treasury that the foreign government, with respect to whose instrumentality exemption is claimed, grants an equivalent exemption with respect to similar service performed in the foreign country by employees of the United States government and of instrumentalities thereof.

(k) Service covered by an arrangement between the commissioner and the agency charged with the administration of any other state or federal employment security law pursuant to which all services performed by an individual for an employing unit during the period covered by such employing unit's duly approved election, are deemed to be performed entirely within such agency's state;

(l) Service performed in the employ of a hospital, if such service is performed by a patient of the hospital, as defined in clause (16);

(m) Service performed subsequent to December 31, 1940, as a student nurse in the employ of a hospital or a nurses' training school by an individual who is enrolled and is regularly attending classes in a nurses' training school chartered and approved pursuant to state law; and service performed as an intern in the employ of a hospital by an individual who has completed a four years' course in a medical school chartered and approved pursuant to state law;

(n) Service performed subsequent to December 31, 1940, by an individual for a person as an insurance agent or as an insurance solicitor, if all such service performed by such individual for such person is performed for remuneration solely by way of commission (the word "insurance" as used in this subdivision shall include an annuity and an optional annuity);

(o) Service performed by an individual under the age of 18 in the delivery or distribution of newspapers or shopping news,

not including delivery or distribution to any point for subsequent delivery or distribution;

(p) Service performed by an individual for a person as a real estate salesman, if all such service performed by such individual for such person is performed for remuneration solely by way of commission;

(q) If the service performed subsequent to December 31, 1940, during one half or more of any pay period by an individual for the person employing him constitutes employment, all the service of such individual for such period shall be deemed to be employment; but if the service performed during more than one half of any such pay period by an individual for the person employing him does not constitute employment, then none of the service of such individual for such period shall be deemed to be employment. As used in this subdivision, the term "pay period" means a period (of not more than 31 consecutive days) for which a payment or remuneration is ordinarily made to the individual by the person employing him.

(14) Except when performed for an institution of higher education, as defined in clause (15), or a hospital, as defined in clause (16), the term "employment" as applied to services performed by an individual for the state of Minnesota or any instrumentality wholly owned by the state, except political subdivisions or instrumentalities thereof, shall not include the following:

(a) Service performed by elected public officials and unclassified employees appointed for a definite term and employees of the legislature or a legislative commission employed as temporary employees, except after December 31, 1971, this exclusion shall not apply to service performed by unclassified employees in an instructional, research, or principal administrative capacity in an institution of higher education or a hospital;

(b) Service performed prior to January 1, 1972, by a faculty member in the employ of a university, college, school or any other institution of higher education which is supported wholly or substantially by public funds;

(c) Service performed by members of the Minnesota national guard when ordered to duty for military assignments;

(d) Service performed in the employ of the state natural resources department directly and solely in connection with emergency fire fighting, including but not limited to those persons temporarily employed for the purpose of detecting, locating, or suppressing forest fires.

(15) "Institution of higher education," for the purposes of this subdivision, means an educational institution which:

(a) Admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(b) Is legally authorized in this state to provide a program of education beyond high school;

(c) Provides an educational program for which it awards a bachelor's or higher degree, or provides a program which is acceptable for credit toward such a degree, a program of post-graduate or post-doctoral studies, or a program of training to prepare students for gainful employment in a recognized occupation; and

(d) Is a public or other nonprofit institution.

(e) Notwithstanding any of the foregoing provisions of this clause, all colleges and universities in this state are institutions of higher education for purposes of this section.

(16) "Hospital" means an institution which has been licensed, certified or approved by the department of health as a hospital.

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 268.04, Subdivision 23, is amended to read:

Subd. 23. "Unemployment" An individual shall be deemed "unemployed" in any week during which he performs no service and with respect to which no wages are payable to him, or in any week of less than full time work if the wages payable to him with respect to such week are less than his weekly benefit amount, *provided that no permanent employee of the legislature or a legislative commission shall be deemed to be unemployed while on a leave of absence.* Any individual unemployed as a result of a uniform vacation shutdown shall not be deemed to be voluntarily unemployed. The commissioner may, in his discretion, prescribe regulations relating to the payment of benefits to such unemployed individuals."

Page 1, line 19, delete "100" and insert "85".

Page 4, after line 5, insert sections to read:

"Sec. 4. Minnesota Statutes 1974, Section 268.04, Subdivision 29, is amended to read:

Subd. 29. "Credit week" with respect to any claim for benefits which establishes a benefit year subsequent to June 27, 1970, is any week for which wages have been paid and wages are due and payable but not paid of (\$30) \$50 or more by or from one or more employers to an employee for insured work.

Sec. 5. Minnesota Statutes 1974, Section 268.06, Subdivision 5, is amended to read:

Subd. 5. [BENEFITS CHARGED AS AND WHEN PAID.]

(1) Benefits paid to an individual pursuant to a valid claim filed subsequent to June 30, 1941, shall be charged against the account of his employer as and when paid, except that benefits paid to an individual who during his base period earned wages for part time employment with an employer who continues to give the employee part time employment substantially equal to the part time employment previously furnished such employee by such employer shall not be charged to such employer's account. The amount of benefits so chargeable against each base period employer's account shall bear the same ratio to the total benefits paid to an individual as the base period wage credits of the individual earned from such employer bear to the total amount of base period wage credits of the individual earned from all his base period employers.

(2) When, however, the base period earnings of an individual to whom benefits are paid are less than (\$520) \$900, then the proportional benefits which would ordinarily be charged to such employer shall not be charged to him, except that this provision shall not apply if the commissioner finds that the employment practices of an employer result in his separation of employees for whom work is available solely for the purpose of evading charges to his account.

In making computations under this provision, the amount of wage credits if not a multiple of \$1, shall be computed to the nearest multiple of \$1."

Page 5, line 29, delete "six" and insert "eight".

Page 6, after line 8, insert new sections to read:

"Sec. 7. Minnesota Statutes, 1975 Supplement, Section 268.07, Subdivision 2, is amended to read:

Subd. 2. [WEEKLY BENEFIT AMOUNT AND DURATION.] If the commissioner finds that an individual has earned 18, or more, credit weeks, and (\$540) \$900 or more in wage credits, within the base period of employment in insured work with one or more employers, benefits shall be payable to such individual during his benefit year as follows:

(1) Weekly benefit amount shall be equal to 60 percent of the first \$85, 40 percent of the next \$85 and 50 percent of the remainder of the average weekly wage of such individual, computed to the nearest whole dollar, subject to a maximum of (THE LESSER OF \$116 OR) 62 percent of the average weekly wage paid to individuals by employers subject to the provisions of section 268.03 to 268.24.

On or before June 30 of each year the commissioner shall determine the average weekly wage paid by employers subject to sections 268.03 to 268.24 in the following manner:

(a) The sum of the total monthly employment reported for the previous calendar year shall be divided by 12 to determine the average monthly employment.

(b) The sum of the total wages reported for the previous calendar year shall be divided by the average monthly employment to determine the average annual wage.

(c) The average annual wage shall be divided by 52 to determine the average weekly wage.

The maximum weekly benefit amount as so determined computed to the nearest whole dollar shall apply to claims for benefits which establish a benefit year which begins subsequent to June 30 of each year.

(2) An individual's maximum amount of regular benefits payable in a benefit year shall not exceed the lesser of (a) 26 times his weekly benefit amount or (b) 70 percent of the number of credit weeks earned by such an individual computed to the nearest whole week times his weekly benefit amount.

(3) Each eligible individual who is unemployed in any week shall be paid with respect to such week a benefit in an amount equal to his weekly benefit amount less that part of his earnings, including holiday pay, payable to him with respect to such week which is in excess of \$25. Such benefit, if not a multiple of \$1, shall be computed to the next higher multiple of \$1.

(4) The provisions of this subdivision shall apply to claims for benefits which establish a benefit year subsequent to June 30, 1975.

Sec. 8. Minnesota Statutes 1974, Chapter 268, is amended by adding a section to read:

[268.091] [DISQUALIFICATIONS FROM BENEFITS.]  
*Subdivision 1. [DISQUALIFYING CONDITIONS.] An individual shall be disqualified for benefits if such individual:*

(1) *voluntarily and without good cause attributable to the employer discontinues employment with such employer, provided that this provision shall not apply to any individual who left his employment to accept work offering substantially better conditions of work or substantially higher wages or both, or whose separation from such employment was due to serious illness of such individual; or*

(2) was discharged for misconduct, not amounting to gross misconduct, connected with the work or which interferes with and adversely affects the employment; or

(3) was discharged for gross misconduct connected with his work or which interferes with and adversely affects the employment, such gross misconduct being defined as misconduct involving assault and battery, or an immoral act, or the malicious destruction of property or the theft of money or property of a value of \$50, or more; or

(4) left employment because of pregnancy without availing herself of maternity leave rights; or

(5) failed, without good cause, either to apply for or accept available, suitable work when so directed by the employment office or the commissioner, or to return to customary self-employment (if any), provided that:

(a) In determining whether or not any work is suitable for an individual, the commissioner shall consider the degree of risk involved to his health, safety, and morals, his physical fitness and prior training, his experience, his length of unemployment and prospects of securing local work in his customary occupation, and the distance of the available work from his residence.

(b) Notwithstanding any other provisions of sections 268.03 to 268.24, no work shall be deemed suitable, and benefits shall not be denied thereunder to any otherwise eligible individual for refusing to accept new work under any of the following conditions:

(1) if the position offered is vacant due directly to a strike, lockout, or other labor dispute;

(2) if the wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality;

(3) if as a condition of being employed the individual would be required to join a union or to resign from or refrain from joining any bona fide labor organization;

(4) if after December 31, 1971, such individual is in training with the approval of the commissioner; or

(5) failed without good cause to accept suitable re-employment offered by a base period employer, provided such disqualification shall not apply if such individual is in training with the approval of the commissioner.

Subd. 2. [DISQUALIFICATIONS.] The disqualifications imposed for the conditions in subdivision 1 shall be:

(1) for eight weeks of unemployment and shall also result in a reduction in the maximum benefit amount payable to such individual of eight times the weekly benefit amount; or

(2) until such individual has worked for eight weeks in insured employment and earned wages in each week equal to the weekly benefit amount if the individual has been disqualified for a prior separation, refusal or failure which occurred within the 104 weeks preceding the week in which the disqualifying condition for which this disqualification is being imposed occurred; or

(3) until such individual has worked for eight weeks in insured employment and earned wages in each week equal to the weekly benefit amount and shall also result in a reduction in the maximum benefit amount payable to such individual of twelve times the weekly benefit amount, which reduction shall not be satisfied by subsequent employment, if the disqualification is for gross misconduct; or

(4) until such individual has employment in insured work for a period of not less than six weeks if the disqualification is for leaving employment because of pregnancy without availing herself of maternity leave rights.

Benefits paid subsequent to an individual's separation under any of the foregoing clauses shall not be used as a factor in determining the future contribution rate of the employer from whose employment such individual separated or whose offer of re-employment was refused, provided that this clause shall not apply to an individual involuntarily separated from employment because of pregnancy.

With respect to subdivision 2, clause (1), any week of employment in insured work with wages in an amount equal to the weekly benefit amount subsequent to the week in which the disqualifying act occurred shall satisfy a week of disqualification and a reduction in maximum benefit amount equal to the weekly benefit amount. Five weeks of employment in insured work with wages in an amount equal to the weekly benefit amount in each week subsequent to the week in which the disqualifying act occurred shall satisfy eight weeks of disqualification.

**Subd. 3. [LABOR DISPUTES.]** An individual shall be disqualified from such benefits if such individual has left or partially or totally lost his employment with an employer because of a strike or other labor dispute. Such disqualification shall prevail for each week during which such strike or other labor dispute is in progress at the establishment in which he is or was employed, except that such disqualification shall be for one week following commencement of the strike or other labor dispute for any employee who is not participating in or directly interested in the labor dispute which caused such individual to leave or par-

tially or totally lose such employment. Failure or refusal of an individual to accept and perform available and customary work in the establishment constitutes participation. For the purpose of this section the term "labor dispute" shall have the same definition as provided in the Minnesota labor relations act. Nothing in this subdivision shall be deemed to deny benefits to any employee:

(a) who becomes unemployed because of a strike or lockout caused by an employer's willful failure to observe the terms of the safety and health section of a union contract or failure to comply with an official citation for health; provided, however, that benefits paid in accordance with this provision shall not be charged to the employer's experience rating account if, following official appeal proceedings, it is held that there was no willful failure on the part of the employer,

(b) who becomes unemployed because of a lockout,

(c) who is dismissed during the period of negotiation in any labor dispute and prior to the commencement of a strike, or

(d) unless he is unemployed because of a jurisdictional dispute between two or more unions.

Provided, however, that voluntary separation during the time that such strike or other labor dispute is in progress at such establishment shall not be deemed to terminate such individual's participation in or direct interest in such strike or other labor dispute for purposes of this subdivision.

Benefits paid to an employee who has left or partially or totally lost his employment because of a strike or other labor dispute at his primary place of employment shall not be charged to his employer's account unless the employer was a party to the particular strike or labor dispute.

Notwithstanding any other provision of this section, an individual whose last separation from employment with an employer occurred prior to the commencement of the strike or other labor dispute and was permanent or for an indefinite period, shall not be denied benefits or waiting week credit solely by reason of his failure to apply for or to accept recall to work or re-employment with the employer during any week in which the strike or other labor dispute is in progress at the establishment in which he was employed.

**Subd. 4. [DISQUALIFICATIONS CONCURRENT; WHEN OVERLAPPING.]** Weeks of disqualification imposed under the provisions of this section shall be concurrent where two or more disqualifying periods overlap.

*Subd. 5. [DEFINITION.] A week of unemployment, as used in this section, shall mean a week during which such individual would be otherwise eligible for benefits, except for the initial waiting week.*

Sec. 9. Minnesota Statutes 1974, Section 268.12, Subdivision 5, is amended to read:

Subd. 5. [ASSISTANCE.] (1) Subject to the provisions of the state civil service act and to the other provisions of sections 268.03 to 268.24 the commissioner is authorized to appoint, and prescribe the duties and powers of, such officers, accountants, attorneys, experts, and other persons as may be necessary in the performance of his duties thereunder. The commissioner may delegate to any such person so appointed such power and authority as he deems reasonable and proper for the effective administration of those sections and may, in his discretion, bond any person handling moneys or signing checks thereunder. The commissioner is authorized to adopt such personnel and fiscal regulations as he deems necessary to satisfy fiscal and personnel standards required by the secretary of labor pursuant to the Social Security Act, as amended, and the act of Congress entitled "An act to provide for the establishment of a national employment system and to cooperate with the states in the promotion of such system and for other purposes," approved June 6, 1933, as amended. The commissioner may, subject to the approval of the commissioner of administration, also adopt regulations relating to reimbursement to department employees for travel expenses incurred while traveling on official business including allowances on a per diem basis in lieu of actual subsistence expenses incurred. The commissioner is also hereby authorized to purchase liability and property damage automobile insurance to cover any automobiles owned by the Minnesota department of employment services for the protection of its employees who may be required to operate the same in pursuit of their duties for the department.

The attorney general shall appoint an assistant attorney general and two special assistant attorneys general, to be in addition to the number now authorized by law. The assistant attorney general shall be the attorney and the chief counsel for the department of employment services. Such assistant and special assistant attorneys general shall receive the same salary as the other assistant and special assistant attorneys general, but devote their entire time to this department. Such assistant and special assistant attorneys general shall have the power to act for and represent the attorney general in all matters in which the attorney general is authorized to act for the commissioner by these sections. The compensation and all expenses and disbursements of such assistant and special assistant attorneys general shall be paid from the moneys appropriated to and for the use of the commissioner.

(2) ((A) NO OFFICER OR EMPLOYEE ENGAGED IN THE ADMINISTRATION OF THESE SECTIONS SHALL USE HIS OFFICIAL AUTHORITY TO INFLUENCE FOR THE PURPOSE OF INTERFERING WITH AN ELECTION OR AFFECTING THE RESULTS THEREOF. NO PERSON ENGAGED IN THE ADMINISTRATION OF THESE SECTIONS WHO HOLDS A POSITION IN THE STATE CLASSIFIED SERVICE PURSUANT TO PROVISIONS CONTAINED IN THE STATE CIVIL SERVICE ACT, WHILE RETAINING THE RIGHT TO VOTE AS HE PLEASURES AND TO EXPRESS PRIVATELY HIS OPINION ON ALL POLITICAL SUBJECTS, SHALL TAKE AN ACTIVE PART IN POLITICAL MANAGEMENT OR CAMPAIGNS;)

((B) NO OFFICER OR EMPLOYEE ENGAGED IN THE ADMINISTRATION OF THESE SECTIONS SHALL SOLICIT OR RECEIVE OR BE IN ANY MANNER CONCERNED IN SOLICITING OR RECEIVING ANY ASSESSMENT, SUBSCRIPTION, OR CONTRIBUTION FOR ANY POLITICAL PURPOSE FOR ANY PERSON;)

((C) No officer or employee engaged in the administration of these sections shall, for political purposes, furnish or disclose, or aid or assist in furnishing or disclosing, any list or names of persons obtained in the administration of these sections, to a political candidate, committee, campaign manager, or to any person for delivery to a political candidate, committee, or campaign manager, and it shall be unlawful for any person to receive any such list or names for political purposes.

Sec. 10. Minnesota Statutes 1974, Section 268.18, Subdivision 2, is amended to read:

Subd. 2. [FRAUD.] Any claimant who files a claim for or receives benefits by knowingly and wilfully misrepresenting or misstating any material fact or by knowingly and wilfully failing to disclose any material fact which would make him ineligible for benefits under sections 268.03 to 268.24 and as specifically set forth in Minnesota Statutes, Section 268.08, in force at the time of filing such claim for benefits, shall be deemed guilty of fraud. Notwithstanding the provisions of Minnesota Statutes 1949, Section 268.09, Subdivision 1, Clause (7), after the discovery of facts by the commissioner indicating such fraud in claiming or obtaining benefits under sections 268.03 to 268.24, he is hereby authorized to make a determination that such claimant was ineligible for each week with reference to which benefits were claimed or obtained by such fraud for such amount as was in excess of what such claimant would have been entitled to had he not made such fraudulent statements or failed to disclose any material facts, *and be disqualified when next claiming benefits for an additional week for each week in which benefits were fraudulently claimed*, and at the discretion of the commissioner, disqualifying such claimant from receiving any

unemployment benefits under the Minnesota law for any part or all of the remainder of the current or next subsequent benefit year following the week when such fraud was committed, and that said claimant shall within 20 days from the date of mailing the notice of said determination to him repay in cash to the department of employment services any benefits so fraudulently obtained. Unless such claimant files a written protest with the department of employment services within ten days after the delivery of such notice or within 12 days after the date of mailing thereof, such determination shall become final. If such claimant shall appeal from such determination within the time above specified said matter shall be referred to an appeal tribunal for a hearing as in other benefit cases and thereafter the procedure for review shall be the same as set forth in section 268.10. If such benefits so fraudulently obtained are not repaid to the department in cash within 20 days from the date of mailing the notice to such claimant of such determination, the commissioner is hereby authorized to deduct from future benefits payable to such claimant in either the current or any subsequent benefit year an amount equivalent to the amount of overpayment determined.

Sec. 11. Minnesota Statutes, 1975 Supplement, Section 268.-09, is hereby repealed.”

Page 6, line 9, delete “retroactively to”.

Page 6, line 10, delete “1976” and insert “1977, except the provisions to amend section 268.12, subdivision 5, which shall become effective the day following final enactment”.

Renumber sections accordingly.

Further amend the title:

Line 4, after “amending” insert “Minnesota Statutes 1974, Sections 268.04, Subdivision 29; 268.06, Subdivision 5; 268.12, Subdivision 5; 268.18, Subdivision 2; Chapter 268, by adding a section; and”.

Line 5, delete “Subdivision” and insert “Subdivisions 12, 23 and”.

Line 6, delete “and” and after “Subdivision 8” insert “; 268.07, Subdivision 2; and repealing Minnesota Statutes, 1975 Supplement, Section 268.09”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1018, A bill for an act relating to counties; written notice of public hearings relating to planning and zoning activities; amending Minnesota Statutes 1974, Section 394.26, Subdivision 2.

Reported the same back with the following amendments:

Page 2, line 1, after "including" insert "*but not limited to*".

Page 2, line 1, after "variances" insert "*, zoning regulations,*".

Page 2, line 2, strike "subdivisions" and insert "*subdivision regulations*".

Page 2, line 3, strike the comma and reinstate the stricken language.

Page 2, line 4, reinstate the stricken "areas".

Page 2, line 4, strike "the" and insert "*. In unincorporated areas, the written notice shall be sent to property owners as follows:*

(a) *In the case of variances, to owners of record within 500 feet of the affected property or to the ten properties nearest to the affected property, whichever would provide notice to the greatest number of owners;*

(b) *In the case of conditional uses, to owners of record within one-quarter mile of the affected property or to the ten properties nearest to the affected property, whichever would provide notice to the greatest number of owners; and*

(c) *In the case of all other official controls, including but not limited to zoning regulations and subdivision regulations, to owners of record within one-half mile of the affected property.*

*Written notice shall also be given to the*".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2638, A bill for an act relating to highways; construction limitations on certain trunk highways; authorizing the preparation of environmental impact statements for such highways; amending Minnesota Statutes, 1975 Supplement, Section 161.123.

Reported the same back with the following amendments:

Page 2, delete lines 20 to 32.

Page 3; line 1, delete "(a)".

Page 3, line 1, after "The" insert "*commissioner of highways shall be authorized to prepare environmental impact statements, utilizing the most reasonably recent available data, on the following.*".

Page 3, line 5, delete the semicolon and insert "*In the preparation of such environmental impact statements the commissioner shall analyze and evaluate*".

Page 3, line 6, delete "(b)" and insert "(a)".

Page 3, line 8, delete "(c)" and insert "(b)".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1996, A bill for an act relating to counties; authorizing county boards to furnish board and certain other services to prisoners in county jails; amending Minnesota Statutes, 1975 Supplement, Section 387.20, Subdivision 6.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 2072, A bill for an act relating to taxes on or measured by net income and to assessment of ad valorem taxes; appropriating funds; amending Minnesota Statutes 1974, Sections 270.13; 276.05; 276.06; 290.066, Subdivision 1; and Chapter 273,

by adding a section; Minnesota Statutes, 1975 Supplement, Sections 270.16, Subdivision 2; 273.012, Subdivision 3; 274.14; 276.04; 290.01, Subdivision 20; 290.012, Subdivision 4; 290.21, Subdivision 4; 290A.03, Subdivisions 8 and 13; 290A.06; 290A.07, Subdivisions 1 and 2; 290A.14; and Laws 1975, Chapter 349, Section 32; repealing Minnesota Statutes, 1975 Supplement, Section 124.03.

Reported the same back with the following amendments:

Page 1, after line 15, insert

"Section 1. Minnesota Statutes 1974, Section 4.12, Subdivision 4, is amended to read:

Subd. 4. The office of local and urban affairs shall: (1) undertake studies to obtain information and data on urban and rural needs, assistance programs, and activities. It shall provide technical assistance and advice in the solution of such problems. The duties of the office shall include, but are not limited to, the assembly, the correlation, and dissemination of physical, social, and economic development data to inform local governmental units and interested persons and organizations of the availability and status of federal, state, and local programs and other resources for the solution of urban and rural problems;

(2) make available to the governor and the legislature pertinent information relating to federal grants in aid to local governmental units and an analysis thereof;

(3) inform local governmental units about federal programs of social or economic aid or assistance for which they are eligible, together with the criteria, standards, and conditions upon which such aid is based (.);

(4) *analyze local government financial conditions and make recommendations to local governments and the legislature for the improvement of local financial management functions.*

Sec. 2. *The office of local and urban affairs shall make an analysis of the factors and circumstances which contribute to financial emergencies in local governments in the state including the effects of overlapping debt. On or before January 31, 1977, the office of local and urban affairs shall submit a report to the state legislature listing all local governmental units over 2,500 population that have short term operating debt which carries beyond the end of their fiscal year and recommending procedures to regulate the use of this debt. It shall recommend a set of guidelines to determine when the financial condition of a local government necessitates state intervention. It shall also recommend procedures for carrying out remedial state action.*

Sec. 3. Minnesota Statutes 1974, Chapter 256, is amended by adding a section to read:

[256.897] [SUPPLEMENTAL HOUSING ALLOWANCE.]  
*Subdivision 1. The department of public welfare may, with the approval of the federal department of health, education and welfare, provide an annual supplemental housing allowance for recipients of the aid to families with dependent children program who would otherwise qualify for the income adjusted homestead credit set forth at Minnesota Statutes, Sections 290A.01 to 290A.22.*

*Subd. 2. The amount of the supplemental housing allowance, if any, shall be calculated in the same manner as the income adjusted homestead credit set forth at Minnesota Statutes, Sections 290A.01 to 290A.22. Recipients may apply for this supplement in the same manner as claims submitted to the department of revenue under Minnesota Statutes, Sections 290A.01 to 290A.22. The supplemental allowance may be paid by local welfare agencies.*

*Subd. 3. The supplemental housing allowance shall be financed from funds appropriated to the department of revenue pursuant to the state of Minnesota income adjusted homestead credit act. The department of public welfare and the department of revenue shall cooperate with the federal department of health, education and welfare in any reasonable manner as may be necessary to qualify for reimbursement under the aid to families with dependent children program for costs incurred in the provision of the supplemental housing allowance."*

Page 1, line 25, reinstate " , on or before" and "15 each year" and insert "November" after the stricken "October".

Page 3, after line 12, insert

"Sec. 7. Minnesota Statutes, 1975 Supplement, Section 273.11, Subdivision 2, is amended to read:

*Subd. 2. (a) The assessor after determining the value of any property shall compare the value with that determined in the preceding assessment. The amount of the increase entered in the current assessment shall not exceed ten percent of the value in the preceding assessment or one-fourth of the total amount of the increase in valuation whichever is greater; the excess shall be entered in a subsequent year or years. However, no increase shall be greater than ten percent of the preceding valuation or one fourth of the total amount of increase in valuation, whichever is greater, notwithstanding the provisions of section 273.17.*

*(b) In the case of property described in section 273.13, subdivisions 6, 7, 7b, 10, 12, 17, 17b and 19, plus all agricultural*

*property and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes which was not subject to the five percent limitation in valuation increase for the 1973 or the 1974 assessment that was previously provided pursuant to Minnesota Statutes 1974, Section 273.11, Subdivision 2, the value to be used for levying the 1976 taxes payable in 1977 shall be set at the average percent of market value used for the respective class of property in the 1976 tax levies in its assessment district. Such property shall subsequently increase in value for property tax purposes as prescribed in clause (a).*

Sec. 8. Minnesota Statutes, 1975 Supplement, Section 273.122, Subdivision 1, is amended to read:

273.122 [FLEXIBLE HOMESTEAD BASE VALUE.] Subdivision 1. [HOMESTEAD BASE VALUE.] For 1975 and prior years, the homestead base value shall mean \$12,000 of market value of any property which qualifies as homestead property for assessment purposes. For 1976 and subsequent years, the homestead base value shall mean \$14,000 of market value of such property. The homestead base value shall be increased in any subsequent assessment year as provided in subdivision 2.

Sec. 9. Minnesota Statutes, 1975 Supplement, Section 273.13, Subdivision 6, is amended to read:

Subd. 6. [CLASS 3b.] Agricultural land, except as provided by class 1 hereof, and which is used for the purposes of a homestead, shall constitute class 3b and shall be valued and assessed at 20 percent of the market value thereof. The property tax to be paid on class 3b property as otherwise determined by law not exceeding 120 acres less any reduction received pursuant to section 15 of this act and section 273.135, regardless of whether or not the market value is in excess of the homestead base value, for all purposes (EXCEPT THE PAYMENT OF PRINCIPAL AND INTEREST ON NON-SCHOOL DISTRICT BONDED INDEBTEDNESS,) shall be reduced by 45 percent of the tax; provided that the amount of said reduction shall not exceed \$325. Valuation subject to relief shall be limited to 120 acres of land, most contiguous surrounding, or bordering the house occupied by the owner as his dwelling place, and, such other structures as may be included thereon utilized by the owner in an agricultural pursuit. If the market value is in excess of the homestead base value, the amount in excess of that sum shall be valued and assessed as provided for by class 3. The first \$12,000 market value of each tract of real estate which is rural in character and devoted or adaptable to rural but not necessarily agricultural use, used for the purpose of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law.

Agricultural land as used herein, and in section 124.03, shall mean contiguous acreage of ten acres or more, primarily used

during the preceding year for agricultural purposes. Agricultural use may include pasture, timber, waste, unusable wild land and land included in federal farm programs.

Real estate of less than ten acres used principally for raising poultry, livestock, fruit, vegetables or other agricultural products, shall be considered as agricultural land, if it is not used primarily for residential purposes.

Sec. 10. Minnesota Statutes, 1975 Supplement, Section 273.13, Subdivision 7, is amended to read:

Subd. 7. [CLASS 3c, 3cc.] All other real estate and class 2a property, except as provided by classes 1 and 3cc, which is used for the purposes of a homestead, shall constitute class 3c, and shall be valued and assessed at 25 percent of the market value thereof. The property tax to be paid on class 3c property as otherwise determined by law, less any reduction received pursuant to section 273.135, regardless of whether or not the market value is in excess of the homestead base value, for all purposes (EXCEPT THE PAYMENT OF PRINCIPAL OR INTEREST ON NON-SCHOOL DISTRICT BONDED INDEBTEDNESS,) shall be reduced by 45 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$325. If the market value is in excess of the sum of the homestead base value, the amount in excess of that sum shall be valued and assessed at 40 percent of market value. The first \$12,000 market value of each tract of such real estate used for the purposes of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law. All real estate which is used for the purposes of a homestead by any blind person, as defined by section 256.12, if such blind person is the owner thereof or if such blind person and his or her spouse are the sole owners thereof; or by any person (hereinafter referred to as veteran) who served in the active military or naval service of the United States and who is entitled to compensation under the laws and regulations of the United States for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude motion without the aid of braces, crutches, canes, or a wheel chair, and who with assistance by the administration of veterans affairs has acquired a special housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability; or by any person who is permanently and totally disabled and who is receiving aid from any state as a result of that disability, or who is receiving supplemental security income for the disabled, or who is receiving workmen's compensation based on a finding of total and permanent disability, or who is receiving social security disability, which aid is at least 90 percent of the total income of such disabled person from all sources, shall constitute class 3cc and shall be valued and assessed at five percent of the market value thereof. Permanently and totally disabled for the

purpose of this subdivision means a condition which is permanent in nature and totally incapacitates the person from working at an occupation which brings him an income. The property tax to be paid on class 3cc property as otherwise determined by law, less any reduction received pursuant to section 273.135, regardless of whether or not the market value is in excess of the homestead base value, for all purposes (EXCEPT THE PAYMENT OF PRINCIPAL OR INTEREST ON NON-SCHOOL DISTRICT BONDED INDEBTEDNESS,) shall be reduced by 45 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$325. If the market value is in excess of the sum of \$24,000, the amount in excess of that sum shall be valued and assessed at 33 1/3 percent in the case of agricultural land used for a homestead and 40 percent in the case of all other real estate used for a homestead.

Sec. 11. Minnesota Statutes, 1975, Supplement, Section 273.13, Subdivision 14a, is amended to read:

Subd. 14a. [BUILDINGS AND APPURTENANCES ON LAND NOT OWNED BY OCCUPANT.] The property tax to be paid in respect of the value of all buildings and appurtenances thereto owned and used by the occupant as a permanent residence, which are located upon land subject to property taxes and the title to which is vested in a person or entity other than the occupant, for all purposes (EXCEPT THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDED INDEBTEDNESS,) shall be reduced by 45 percent of the amount of the tax in respect of said value as otherwise determined by law, but not by more than \$325.

Sec. 12. Minnesota Statutes 1974, Section 273.138, Subdivision 2, is amended to read:

Subd. 2. Each county government, city and township shall receive reimbursement (IN 1974 AND SUBSEQUENT YEARS *annually* in an amount equal to the product of its (TOTAL MILL RATE IN LEVY YEAR 1972, TAXES PAYABLE IN 1973, TIMES THE) total 1972 assessed value of real property exempted from taxation by section 272.02, subdivision 1 which was located within the territory of such governmental unit, *times its total mill rate for taxes payable in the previous calendar year in which the aid is to be paid*. For the purpose of this subdivision, the "total mill rate" of a county government, city or township includes mill rates for taxes levied by such governmental unit which were not levied on the entire taxable value of such governmental unit.

Sec. 13. Minnesota Statutes 1974, Section 273.138, subdivision 5, is amended to read:

Subd. 5. The commissioner of revenue shall calculate the aids pursuant to subdivisions 2 and 3, basing all necessary calcu-

lations on the abstracts of assessment of real property for assessment year 1972 transmitted to the commissioner of revenue pursuant to section 270.11 as equalized by the state board of equalization pursuant to sections 270.11 and 270.12 and the (1973) *current* abstracts of tax lists transmitted by the county auditors pursuant to section 275.29. He shall make payments directly to the affected taxing authorities in two equal parts on July 15 and November 15 of each year, commencing in 1974.

Sec. 14. Minnesota Statutes, 1975 Supplement, Section 273-17, Subdivision 1, is amended to read:

273.17 [ASSESSMENT OF REAL PROPERTY.] Subdivision 1. In every year, on January 2, the assessor shall also assess all real property that may have become subject to taxation since the last previous assessment, including all real property platted since the last real estate assessment, and all buildings or other structures of any kind, whether completed or in process of construction, of over \$1,000 in value, the value of which has not been previously added to or included in the valuation of the land on which they have been erected. The newly assessed property shall be valued initially at (THE AVERAGE LEVEL OF ASSESSMENT WHICH EXISTS AT THAT TIME IN ITS ASSESSMENT DISTRICT) *a value not exceeding the average percent of market value used in the tax levies for its respective class of property in its assessment district.* The assessment shall be increased to market value in annual increments as provided in section 273.11, subdivision 2 until such time as the property is reassessed. He shall make return thereof to the county auditor, with his return of personal property, showing the tract or lot on which each structure has been erected and the market value added thereto by such erection. Every assessor shall list, without revaluing, in each year, on a form to be prescribed by the commissioner of revenue, all parcels of land that shall have become homesteads or shall have ceased to be homesteads for taxation purposes since the last real estate assessment, and other parcels of land when the use of the land requires a change in classification or the land has been incorrectly classified in a previous assessment.

The county auditor shall note such change in the assessed valuation upon the tax lists, caused by a change in classification, and shall calculate the taxes for such year on such changed valuation. In case of the destruction by fire, flood, or otherwise of any building or structure, over \$100 in value, which has been erected previous to the last valuation of the land on which it stood, or the value of which has been added to any former valuation, the assessor shall determine, as nearly as practicable, how much less such land would sell for at private sale in consequence of such destruction, and make return thereof to the auditor.”.

"Sec. 20. Minnesota Statutes, 1975 Supplement, Section 281.17, is amended to read:

281.17 [PERIOD FOR REDEMPTION.] The stated period of redemption for all lands sold to an actual purchaser or bid in for the state at a tax judgment sale held after December 31, 1975 shall be three years from the date of sale if the land is within an incorporated area unless it is: (a) homesteaded land as defined in section 273.13, subdivision 7, (b) agricultural land as defined in section 273.13, subdivision 6, or (c) seasonal recreational land as defined in section 273.13, subdivision 4, in which event the stated period of redemption is five years from the date of sale. *The stated period of redemption for all lands outside of an incorporated area which are sold to an actual purchaser or bid in for the state at a tax judgment sale shall be five years from the date of sale.*"

Page 10, line 9, strike "1973" and insert "1976".

Page 12, line 1, strike "1973" and insert "1976".

Page 15, after line 9, insert

"Sec. 23. Minnesota Statutes 1974, Section 290.06, Subdivision 9a, is amended to read:

Subd. 9a. [FEEDLOT POLLUTION CONTROL EQUIPMENT.] A credit of 10 percent of the net cost of pollution control and abatement equipment, including but not limited to, lagoons, aerating equipment, concrete storage pits, slurry handling equipment, and other equipment and devices approved by the pollution control agency, purchased, installed and operated within the state by a feedlot operator to prevent pollution of air, land, or water in connection with the operation of a livestock feedlot, poultry lot or other animal lot, may be deducted from the tax due under chapter 290 in the taxable year in which such equipment is purchased; provided that no deduction shall be taken for any portion of the cost of the same equipment pursuant to subdivision 9. The credits provided for in this subdivision and in subdivision 9 shall terminate on December 31, (1976) 1977."

Page 17, after line 14, insert:

"Sec. 26. Minnesota Statutes, 1975 Supplement, Section 290A.03, Subdivision 3, is amended to read:

Subd. 3. [INCOME.] "Income" means the sum of federal adjusted gross income as defined in the Internal Revenue Code of 1954 as amended through December 31, 1974, additions to federal adjusted gross income as provided in Minnesota Statutes, Section 290.01, Subdivision 20, Clause (a)(1), (a)(2), (a)3),

((A)(4), (A)(8),) and (a)(10), and all nontaxable income, including but not limited to the amount of recognized net long term capital gains excluded from adjusted gross income, cash public assistance and relief, the gross amount of any pension or annuity (including railroad retirement benefits, all payments received under the federal social security act, and veterans disability pensions), (NONTAXABLE INTEREST RECEIVED FROM THE STATE OR FEDERAL GOVERNMENT OR ANY INSTRUMENTALITY THEREOF,) *which was not exclusively funded by the claimant, or his spouse, or which was funded exclusively by the claimant or his spouse and which funding payments were excluded from federal adjusted gross income in the years when they were paid, interest on the obligations of the state of Minnesota, a territory or possession of the United States, or a political subdivision of any of the foregoing, or of the District of Columbia or of the United States, or the obligations of a corporation organized under an act of Congress to the extent such interest is not subject to individual income taxes pursuant to Minnesota Statutes, Chapter 290, workmen's compensation, unemployment benefits, nontaxable strike benefits, and the gross (AMOUNT) amounts of ("LOSS OF TIME" INSURANCE) payments received in the nature of disability income or sick pay as a result of accident, sickness, or other disability, whether funded through insurance or otherwise.* In the case of an individual who files an income tax return on a fiscal year basis, the term "federal adjusted gross income" shall mean federal adjusted gross income reflected in the fiscal year ending in the calendar year. "Income" does not include amounts excluded pursuant to the Internal Revenue Code, Sections 101 (a), 102, and 121 amounts of any pension or annuity which was exclusively funded by the claimant or his spouse and which funding payments were not in whole or in part excluded from federal adjusted gross income in the years that they were made, gifts from nongovernmental sources, surplus food or other relief in kind supplied by a governmental agency, or relief granted under sections 273.012, subdivision 2 or 290A.01 to 290A.21. *Income shall be reduced by all alimony and separate maintenance paid by the claimant under court order.*

Sec. 27. Minnesota Statutes, 1975 Supplement, Section 290A.03, Subdivision 7, is amended to read:

Subd. 7. [DEPENDENT.] "Dependent" means any person who is under 18 years of age at the end of the calendar year who receives more than 50 percent of his support from the claimant, or who is between 18 and 21 years of age and is a full time student who receives more than 50 percent of his support from the claimant or who is a child or parent of the claimant or his spouse."

Page 17, line 17, after "person" insert "other than a dependent".

Page 17, line 20, after the period, insert "*In the case of a claim relating to "property taxes payable," the claimant must have owned and occupied the homestead on January 2 of the year in which the tax is payable.*".

Page 17, line 24, strike "not less than six months of".

Page 18, after line 14, insert:

"Sec. 29. Minnesota Statutes, 1975 Supplement, Section 290A.03, is amended by adding a subdivision to read:

*Subd. 8a. A claim relating to rent constituting property taxes may be filed by a person who resided in a rented or leased unit on which payments in lieu of ad valorem taxes were made in the preceding year.*

Sec. 30. Minnesota Statutes, 1975 Supplement, Section 290A.03, Subdivision 12, is amended to read:

Subd. 12. [GROSS RENT.] "Gross rent" means rental paid solely for the right of occupancy, at arms-length, of a homestead, exclusive of charges for any utilities, services, furniture, furnishings or personal property appliances furnished by the landlord as a part of the rental agreement, whether expressly set out in the rental agreement or not. If the landlord and tenant have not dealt with each other at arms-length and the commissioner determines that the gross rent charged was excessive, he may adjust the gross rent to a reasonable amount for purposes of sections 290A.01 to 290A.21.

If the landlord does not supply the charges for any utilities, furniture, furnishings or personal property appliances furnished by him, or if the charges appear to be incorrect the commissioner may apply a percentage determined from samples of similar gross rents paid solely for the right of occupancy.

*"Gross rent" shall include the amount of rent paid by any unit of government on behalf of the claimant only to the extent that income or assets belonging to the tenant are assigned to that unit of government."*

Page 18, line 22, reinstate "section".

Page 18, line 22, delete "*sections 124.03, subdivision 3,*" and insert "*15 of this act*".

Page 18, line 22, after "*and*" insert "*section*".

Page 19, after line 11, insert

"Sec. 32. Minnesota Statutes, 1975 Supplement, Section 290A.04, Subdivision 2, is amended to read:

Subd. 2. The credit shall be paid to claimants whose property taxes payable exceed the following percentages of their income, up to the designated maximum credit amounts:

For claimants earning:

\$ 0 to \$ 2,499,	1.0 percent,	up to \$475;
2,500 to 19,999,	1.5 percent,	up to \$475;
20,000 to 22,999,	1.6 percent,	up to \$475;
23,000 to 25,999,	1.8 percent,	up to \$425;
26,000 to 30,999,	2.0 percent,	up to \$375;
31,000 to 35,999,	2.2 percent,	up to \$350;
36,000 to 40,999,	2.4 percent,	up to \$325;
41,000 to 44,999,	2.6 percent,	up to \$325;
45,000 to 52,999,	2.8 percent,	up to \$325;
53,000 to 65,999,	3.0 percent,	up to \$325;
66,000 to 81,999,	3.2 percent,	up to \$325;
82,000 to 99,999,	3.5 percent,	up to \$325;
100,000 and over,	4.0 percent,	up to \$325;

provided that maximum credits for incomes above \$20,000 decline according to the following schedule:

between \$20,000 and \$26,000 decline \$16.67 per \$1,000; between \$26,000 and \$36,000 decline \$5 per \$1,000.

*In the case of a claimant who was disabled on June 1 or who attained the age of 65 on the date specified in subdivision 1, the credit shall not be less than the credit which the claimant's household income as defined in section 290A.03 and property tax or rent constituting property tax would have entitled him to receive under Minnesota Statutes 1974, section 290.0618.*

The credit shall be the amount calculated pursuant to this subdivision, *but not exceeding \$675*, less the homestead credit given pursuant to section 273.13, subdivisions 6 and 7.

Sec. 33. Minnesota Statutes, 1975 Supplement, Section 290A.-04, Subdivision 3, is amended to read:

Subd. 3. The commissioner of revenue shall construct and make available to taxpayers a comprehensive table showing the property taxes to be paid and credit allowed at various levels of income and assessment. The table shall follow the schedule of income percentages (AND), maximums and other provisions specified in subdivision 2, except that the commissioner may graduate the transition between income brackets.

*For homestead property owners who are disabled or are 65 or older, as provided in subdivision 1, the commissioner shall base his determination of the credit on the gross qualifying tax reduced by the average statewide effective homestead credit percentage for taxes payable in 1975 calculated under Minnesota Statutes, Section 273.13, Subdivisions 6 and 7.*

Sec. 34. *In 1976, the commissioner shall recompute the credit for any person who has filed a claim and is affected by this act. He shall pay to these people the amount of the credit in excess of any credit which has been paid, without requiring an amended return to be filed. Notwithstanding the provisions of section 290A.07, payments pursuant to this section may be made more than 60 days after the date the claim was filed without interest.*

Sec. 35. Minnesota Statutes, 1975 Supplement, Section 290A.-05, is amended to read:

290A.05 [COMBINED HOUSEHOLD INCOME.] If a person occupies a homestead with another person or persons not related to the person as husband and wife, excluding (DEPENDENT CHILDREN) dependents, roomers or boarders on contract, and has property tax payable with respect to the homestead, the household income of the claimant or claimants for the purpose of computing the credit allowed by section 290A.04 shall include the total income received by the other persons residing in the homestead. If a person occupies a homestead with another person or persons not related as husband and wife or as (DEPENDENT CHILDREN) dependents, the property tax payable or rent constituting property tax shall be reduced as follows:

If the other person or persons are residing at the homestead under rental or lease agreement, the amount of property tax payable or rent constituting property tax shall be that portion not covered by the rental agreement.”.

Page 21, after line 1, insert:

“Sec. 40. Minnesota Statutes, 1975 Supplement, Section 290A.19, is amended to read:

290A.10 [LANDLORD TO FURNISH RENT CERTIFICATE; PENALTY.] The owner or managing agent of any property for which rent is paid for occupancy as a homestead shall furnish a certificate of rent paid to each renter in the form prescribed by the commissioner. *The owner or managing agent of any property on which payments in lieu of ad valorem taxes made during the preceding year were less than 20 percent of aggregate shelter rentals shall adjust the rent paid amount to be reported on the certificate of rent paid for all claimants except those claimants who have attained the age of 65 or are disabled on the date specified in section 290A.04, subdivision 1. The adjusted rent paid amount to be reported on the certificate of rent paid shall be determined by multiplying the occupancy rent paid by a fraction the numerator of which is the percentage applied to aggregate shelter rentals in arriving at the payment in lieu of ad valorem taxes and the denominator of which is 20 percent.* The certificate shall be made available to the renter not later than February 15 of the year following the year in which the rent was paid. Any owner or managing agent who willfully fails to furnish a certificate as provided herein shall be liable to the commissioner for a penalty of \$20 for each act or failure to act. The penalty shall be assessed and collected in the manner provided in chapter 290 for the assessment and collection of income tax.

Sec. 41. Minnesota Statutes, 1975 Supplement, Chapter 290A, is amended by adding a section to read:

[290A.22] [SUPPLEMENTAL HOUSING ALLOWANCE FOR AFDC RECIPIENTS.] *Recipients of the aid to families with dependent children program who receive a supplemental housing allowance under Minnesota Statutes, Section 256.897 are not eligible for the tax credit set forth under Minnesota Statutes, Sections 290A.01 to 290A.21. The department of revenue shall assist the department of public welfare in the administration of the supplemental housing allowance, and shall provide the commissioner of public welfare with such records and information as are necessary to administer the housing allowance.*

Sec. 42. Minnesota Statutes 1974, Section 340.51, is amended to read:

340.51 [ENFORCEMENT; EMPLOYEES; RECORD OF SALE OF STAMPS; INSPECTION OF BOOKS AND PREMISES.] *The commissioner of public safety and the commissioner of revenue shall enforce and administer the provisions of sections 340.44 to 340.56 and employ and fix the compensation of any employees necessary for the performance of (HIS) their duties thereunder.*

*The commissioner of revenue shall keep a suitable record of the sale of all stamps which shall show the dates of the sale thereof and the names of the purchasers. The commissioner of revenue may refund to any purchaser the money paid for any*

stamps returned unfit for use or otherwise unused, and prescribe the method of proof required for obtaining such refund.

The commissioner of public safety or the commissioner of revenue, or (HIS) their duly authorized employees, may, at all reasonable hours, enter in and upon any licensed premises, and examine the books, papers, and records of any brewer, manufacturer, wholesaler, or retailer for the purpose of inspecting the same and determining whether the tax imposed by sections 340.44 to 340.56 has been fully paid, and shall have the power to inspect and examine any premises where fermented malt beverages are manufactured, sold, exposed for sale, possessed, or stored for the purpose of determining whether the provisions of these sections are being complied with.

Sec. 43. Minnesota Statutes 1974, Section 340.55, is amended to read:

340.55 [FELONIES.] Every manufacturer or wholesaler and any one licensed to sell intoxicating liquor, who evades or attempts to evade, a payment of the tax thereon or fraudulently neglects or refuses to keep full and complete accounts in the book or books of accounts, or who refuses or neglects to make true and exact entries and reports of the same in the manner as required by the rules and regulations prescribed by the commissioner of public safety and the commissioner of revenue, or in any manner required by law, or who in any manner conspires to violate any provision of sections 340.44 to 340.56, or fails to do or cause to be done any of the things required by law to be done by such person, or who intentionally makes false entry in the book or in any statement, pertaining to his business, as contemplated in sections 340.44 to 340.56, or any one who shall refill or cause to be refilled a bottle or container which previously had contained intoxicating liquor, for the purpose of evading the payment of the tax thereon, or any person who in any manner sells intoxicating liquor without the proper Minnesota excise tax having been paid thereon, and who thereby evades, avoids and defrauds the state of the payment of the tax upon such intoxicating liquor shall be guilty of a felony."

Page 21, after line 1, insert:

"Sec. 45. Laws 1976, Chapter 5, Section 2, Subdivision 1, is amended to read:

[299A.02] [COMMISSIONER OF PUBLIC SAFETY; LIQUOR CONTROL FUNCTIONS.] Subdivision 1. [DIRECTOR OF DIVISION OF LIQUOR CONTROL.] No employee of the department of public safety and the department of revenue having any responsibility for the administration or enforcement of chapter 340 shall have a direct or indirect interest in the manufacture, transportation or sale of intoxicating liquor or any malt or vinous beverages, intoxicating, non-intoxicating, or com-

mercial or industrial alcohol. The commissioner shall remove an employee of the department in the unclassified civil service for any violation of sections 340.02, 340.031 to 340.036, 340.11 to 340.19, 340.355 to 340.357, 340.402 to 340.408, 340.44 to 340.493, 340.53 to 340.56, 340.601 to 340.62, or 340.70 to 340.983. Violation of the preceding sections by a classified employee of the department shall be grounds for removal of that employee pursuant to section 43.24.

Sec. 46. Laws 1976, Chapter 5, Section 3, is amended to read:

340.44 [DEFINITIONS.] For the purposes of sections 340.44 to 340.56:

(1) "Brewer" means any person who manufactures malt liquor containing more than one half of one percent of alcohol by volume;

(2) "Wholesaler" means any person who sells such malt liquor and intoxicating liquors to retail dealers;

(3) "Retailer" means any person who sells such malt liquor and intoxicating liquors to a consumer;

(4) "Commissioner" means the commissioner of public safety *except where otherwise stated*;

(5) "Fermented malt beverages" means any fermented malt liquor potable as a beverage containing more than one half of one percent of alcohol by volume."

Renumber the sections accordingly.

Page 21, line 6, delete "*of sections 1 to*".

Page 21, line 7, delete "23".

Page 21, line 21, after the words "Chapter 290A" and before the period, insert "*and the additional amount of \$50,000 for programming and mailing income-adjusted homestead credits and refunds to senior citizens and disabled persons*".

Page 21, line 21, after the period insert, "*There is hereby appropriated the sum of \$50,000 from the general fund of the state treasury to the director of the state planning agency for the use of the office of local and urban affairs to carry out the purposes of sections 1 to 2.*".

Page 21, line 22, after "Statutes" insert, "*1974, Section 273.11, Subdivision 4, and Minnesota Statutes,*".

Page 21, line 23, delete "*is*" and insert "*are*".

Page 21, line 24, delete "7, 8".

Page 21, line 25, delete "11, and".

Page 21, line 25, delete "to 22" and insert "18, 19, 20, 23, 24, 37, 38, 39, and 42 to 48".

Page 21, line 26, after "3," delete "9, 10, and 14" insert "28, 32, 33, 34, and 41 are effective for taxable years beginning after December 31, 1974. Sections 6, 21, 22, 29, 31, and 40".

Page 21, line 27, delete "Section 6".

Page 21, line 28, delete "is" and insert "Sections 7 to 11, 14, 15, 17, and 49 are".

Page 21, line 28, delete "the" and insert "property taxes payable in".

Page 21, line 28, delete "assessment year".

Page 21, line 29, after the period insert "Sections 12 and 13 are effective for attached machinery aids paid in calendar year 1977 and subsequent years."

Page 21, line 29, delete "12" and insert "25".

Page 21, line 31, delete "Section 13 is effective" and insert "Sections 26, 27, 30, and 35 are effective for calendar years beginning after December 31, 1975."

Page 21, delete line 32.

Page 22, line 1, delete "15" and insert "36".

Further, amend the title as follows:

Page 1, line 2, after "income" insert "and on the sale of intoxicating liquors".

Page 1, after line 4, insert "4.12, Subdivision 4;".

Page 1, line 5, after "270.13;" insert "273.138, Subdivisions 2 and 5;".

Page 1, line 5, after "276.06;" insert "290.06, Subdivision 9a;".

Page 1, after line 5, insert "340.51; 340.55;".

Page 1, line 6, delete "Chapter" and insert "Chapters 256 and".

Page 1, line 6, delete "a section" and insert "sections".

Page 1, line 8, after "Subdivision 3;" insert "273.11, Subdivision 2; 273.122, Subdivision 1; 273.13, Subdivisions 6, 7, and 14a; 273.17, Subdivision 1;"

Page 1, line 9, after "276.04;" insert "281.17;"

Page 1, line 11, after "Subdivisions" insert "3, 7,"

Page 1, line 11, after "8" insert ", 12,"

Page 1, line 11, after "13" insert, "and by adding a subdivision; 290A.04, Subdivisions 2 and 3; 290A.05".

Page 1, line 12, after "290A.14;" insert "290A.19; and Chapter 290A, by adding a section;"

Page 1, line 13, after "Section 32;" insert "and Laws 1976, Chapter 5, Sections 2, Subdivision 1; and 3;"

Page 1, line 13, after "repealing" insert "Minnesota Statutes 1974, Section 273.11, Subdivision 4, and".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 2414, A bill for an act relating to motor vehicles; motor vehicle excise tax on vehicles purchased for resale; use of motor vehicles bearing motor vehicle dealer plates; amending Minnesota Statutes 1974, Sections 168.27, Subdivision 5; 297B.01, Subdivision 6; and Chapter 297B, by adding a section.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 2269, 2072 and 2414 were read for the second time.

**SECOND READING OF SENATE BILLS**

S. F. Nos. 2152, 1576, 612, 2147, 1792, 2232, 556, 2251, 2011, 1874, 2373, 2174, 2355, 1872, 1624, 1932, 1920, 1998, 1957, 1456, 1499, 1788, 2030 and 1996 were read for the second time.

**INTRODUCTION AND FIRST READING  
OF HOUSE BILLS**

The following House Files were introduced:

Enebo, Smith, Erickson, Swanson and Searle introduced:

H. F. No. 2662, A bill for an act relating to state university employees; approving wage and economic fringe benefit agreements between the state and certain employees of the state university system; amending Minnesota Statutes 1974, Chapter 136, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 43.12, Subdivision 17.

The bill was read for the first time and referred to the Committee on Appropriations.

Jopp introduced:

H. F. No. 2663, A bill for an act relating to game and fish; providing for the sale by the department of natural resources of orphaned or abandoned fawns; amending Minnesota Statutes 1974, Section 98.48, Subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Jopp introduced:

H. F. No. 2664, A bill for an act relating to game and fish; providing for special permits for the acquisition of wild animals for propagation purposes; amending Minnesota Statutes 1974, Section 98.48, Subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Luther; Wenstrom; Adams, L.; McCollar and Philbrook introduced:

H. F. No. 2665, A bill for an act relating to consumer protection; authorizing the commissioner of insurance to publish information about insurance selection; appropriating money.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Sieben, H.; Sabo; Norton; Berg and Voss introduced:

H. F. No. 2666, A bill for an act relating to the operation of state government; raising salaries for certain executive branch employees, constitutional officers, judges and judicial branch employees; limiting possible increases for certain executive branch employees; amending Minnesota Statutes 1974, Sections 15A.081, by adding a subdivision; 15A.083, as amended; 43.062, Subdivision 3; 43.067; and 241.045, Subdivision 4; and Minnesota Statutes, 1975 Supplement, Section 15A.081, Subdivision 1; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivisions 1a and 4; 43.066; 43.069 and 487.05.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Luther, Wenzel and Adams, L., introduced:

H. F. No. 2667, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 10; changing the privilege from arrest of members of the legislature.

The bill was read for the first time and referred to the Committee on Judiciary.

Sieben, H., introduced:

H. F. No. 2668, A bill for an act relating to Dakota county; election procedure for changes in certain optional forms of county government.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Luther; Carlson, L.; Arlandson; Dean and Kroening introduced:

H. F. No. 2669, A bill for an act relating to financial obligations; providing for independent audit upon resolution from county; authorizing promulgation of rules relating to contracts with architects, engineers and land surveyors; requiring detailed receipts for certain expenditures; amending Minnesota Statutes 1974, Sections 6.48; 471.345, Subdivision 2; 471.38, by adding subdivisions; 475.58, Subdivision 1a; and Chapter 471, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Evans; Suss; Carlson, L.; Philbrook and Peterson introduced:

H. F. No. 2670, A bill for an act relating to taxation; providing that gross receipts from the sale of secondary school yearbooks be exempt from sales tax; amending Minnesota Statutes 1974, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

#### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Dieterich reported on the progress of H. F. No. 1519, now in Conference Committee.

Pursuant to Joint Rule 13, the Speaker reported on the progress of H. F. No. 1530, now in Conference Committee.

Pursuant to Joint Rule 13, Dahl reported on the progress of H. F. No. 1751, now in Conference Committee.

#### REPORTS FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pursuant to Rule 1.9, Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as a Special Order for Tuesday, March 16, 1976, to be acted upon immediately following the Special Orders for today:

H. F. Nos. 2117, 1881, 2002, 101, 1615, 2374, 2068, 2560, 2154, 2186 and 1938.

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

Senate Concurrent Resolution No. 11, A senate concurrent resolution relating to joint rules; clarifying use of underscoring in omnibus appropriation bills; amending Joint Rule 17.

Reported the same back with the recommendation that Senate Concurrent Resolution No. 11 be adopted.

The report was adopted.

Anderson, I., moved that Senate Concurrent Resolution No. 11 be adopted.

#### SENATE CONCURRENT RESOLUTION NO. 11

A senate concurrent resolution relating to joint rules; clarifying use of underscoring in omnibus appropriation bills; amending Joint Rule 17.

*Be it resolved*, by the Senate of the State of Minnesota, the House of Representatives concurring therein:

Joint Rule 17 of the Senate and House is amended to read:

#### [FORM OF BILLS]

Rule 17. The title of each bill shall clearly state its subject and briefly state its purpose. When a bill amends or repeals an existing act, the title shall refer to the chapter, section or subdivision.

Reference shall be made to Minnesota Statutes for the provisions appearing therein, unless reference to previous session laws is required for some special reason.

Bills shall refer to Minnesota Statutes as follows:

"Minnesota Statutes \_\_\_\_\_, Section \_\_\_\_\_."

Bills shall refer to the session laws as follows:

"Laws \_\_\_\_\_, Chapter \_\_\_\_\_, Section \_\_\_\_\_."

A bill for the amendment of a statute shall contain the full text of the chapter, section, or subdivision to be amended as it ap-

pears in the latest edition of Minnesota Statutes, unless it has been amended at a later session, in which event it shall contain the full text as amended. The words and characters constituting the amending matter shall be inserted in the proper place in the text and underscored. The words and characters to be eliminated by the amendment shall be stricken by drawing a line through them. The text of a new section or subdivision shall also be underscored when a bill amends an existing chapter or section by adding a new section or subdivision. *In the omnibus appropriation bills required by Joint Rule 15, sections making an appropriation or transfer and not amending a statute or session law need not have new material underscored.* Before a committee favorably reports upon such a bill, the chairman of the committee shall see that the bill conforms to this rule. When a bill is printed, the new matter shall be in italics, or underscored, and the matter to be eliminated shall be capitalized and in parentheses, or stricken by drawing a line through it. A bill drafted by the Revisor of Statutes for the purpose of correcting errors in Minnesota Statutes need not comply with the provisions of this paragraph if the bill is labeled, immediately below the title "REVISOR'S BILL" and if there is attached thereto a memorandum of information explaining the reasons for the bill.

If the bill is for an original law and not for an amendment of an existing law, the sections and subdivisions shall be arranged subdivided, and numbered in like manner as Minnesota Statutes. If such a bill assigns to the sections thereof headnotes or identification by the decimal system of numbering used in Minnesota Statutes, such headnotes and decimal identification may be submitted by standing committee chairmen to the Revisor of Statutes for his examination. Any such headnotes shall be in capital letters enclosed in brackets, and shall be subject to the provisions of Minnesota Statutes, Section 648.36.

All numbers in titles shall be expressed in figures. All numbers of section or chapter of laws shall be in figures. In the body of a bill numbers in excess of ten shall be in figures, except for a special reason they may be written, but when written they shall not be followed by numbers or parentheses.

The motion prevailed and Senate Concurrent Resolution No. 11 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, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 109, A bill for an act relating to the organization of state government; providing that heads of certain departments and other governmental units of the state shall serve at the pleasure of the governor; eliminating obsolete language; amending Minnesota Statutes 1974, Sections 16.01; 16A.01, Subdivision 2; 17.01; 45.02; 45.15; 84.01, Subdivision 2; 116.03, Subdivision 1; 161.03, Subdivision 1; 175.001, Subdivision 1; 179.02; 196.02, Subdivision 1; 216A.06; 241.01, Subdivision 1; 245.03; 268.12, Subdivision 1; 270.02, Subdivision 2; 298.22, Subdivision 1; 299A.01, Subdivision 1; 360.014, Subdivision 2; 362.09, Subdivision 1; and 363.04, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Jude moved that the House refuse to concur in the Senate amendments to H. F. No. 109, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

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. 2022, A bill for an act relating to real property; title registration; providing for the issuance of duplicate certificates of title to replace lost or destroyed duplicate certificates; prescribing fees of the registrar; amending Minnesota Statutes 1974, Sections 508.44 and 508.82.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Parish moved that the House concur in the Senate amendments to H. F. No. 2022 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2022, A bill for an act relating to real property; title registration; providing for the issuance of duplicate certificates of title to replace lost or destroyed duplicate certificates; prescribing fees of the registrar; amending Minnesota Statutes 1974, Sections 508.44 and 508.82.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kelly, W.	Niehaus	Sieloff
Adams, L.	Eken	Kempe, A.	Norton	Simoneau
Adams, S.	Enebo	Kempe, R.	Novak	Skoglund
Albrecht	Erickson	Ketola	Osthoff	Smith
Anderson, G.	Esau	Knickerbocker	Parish	Smogard
Anderson, I.	Evans	Knoll	Patton	Stanton
Arlandson	Ewald	Kostohryz	Pehler	Suss
Beauchamp	Faricy	Kroening	Peterson	Swanson
Begich	Fjoslien	Kvam	Petrafeso	Tomlinson
Berg	Friedrich	Laidig	Philbrook	Ulland
Berglin	Fudro	Langseth	Pleasant	Vanasek
Biersdorf	George	Lindstrom	Prahl	Vento
Braun	Haugerud	Luther	Reding	Volk
Brinkman	Heinritz	Mangan	Rice	Voss
Byrne	Hokanson	Mann	St. Onge	Wenstrom
Carlson, A.	Jacobs	McCarron	Samuelson	Wenzel
Carlson, L.	Jaros	McCauley	Sarna	White
Carlson, R.	Jensen	McCollar	Savelkoul	Wieser
Casserly	Johnson, C.	McEachern	Schreiber	Wigley
Clark	Johnson, D.	Menning	Schulz	Williamson
Corbid	Jopp	Metzen	Schumacher	Zubay
Dahl	Jude	Moe	Searle	Speaker Sabo
Dean	Kahn	Munger	Setzpfandt	
DeGroat	Kaley	Neisen	Sherwood	
Dieterich	Kelly, R.	Nelsen	Sieben, H.	
Doty		Nelson	Sieben, M.	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2216, A bill for an act relating to interim claims against the state; appropriating moneys for the payment thereof; repealing Laws 1969, Chapter 886, Section 3, Subdivision 10.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Faricy moved that the House concur in the Senate amendments to H. F. No. 2216 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2216, A bill for an act relating to interim claims against the state; appropriating moneys for the payment thereof; repealing Laws 1969, Chapter 886, Section 3, Subdivision 10.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kelly, R.	Niehaus	Simoneau
Adams, L.	Eken	Kelly, W.	Norton	Skoglund
Adams, S.	Enebo	Kempe, A.	Novak	Smith
Albrecht	Erickson	Kempe, R.	Osthoff	Smogard
Anderson, G.	Esau	Ketola	Parish	Spanish
Anderson, I.	Evans	Knickerbocker	Patton	Stanton
Arlandson	Ewald	Knoll	Peñler	Suss
Beauchamp	Faricy	Kostohryz	Peterson	Swanson
Begich	Fjoslien	Kroening	Petrafeso	Tomlinson
Berg	Forsythe	Kvam	Philbrook	Ulland
Berglin	Friedrich	Laidig	Pleasant	Vanasek
Biersdorf	Fudro	Langseth	Prahl	Vento
Braun	George	Luther	Reding	Volk
Brinkman	Hanson	Mangan	Rice	Voss
Byrne	Haugerud	Mann	St. Onge	Wenstrom
Carlson, A.	Heinitz	McCarron	Samuelson	Wenzel
Carlson, L.	Hokanson	McCauley	Sarna	White
Carlson, R.	Jacobs	McCollar	Schreiber	Wieser
Casserly	Jaros	McEachern	Schulz	Wigley
Clark	Jensen	Menning	Schumacher	Williamson
Corbid	Johnson, C.	Metzen	Searle	Zubay
Dahl	Johnson, D.	Moe	Setzpfandt	Speaker Sabo
Dean	Jopp	Munger	Sherwood	
DeGroat	Jude	Neisen	Sieben, H.	
Dieterich	Kahn	Nelsen	Sieben, M.	
Doty	Kaley	Nelson	Sieloff	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2244, A bill for an act relating to public employment labor relations; providing for determination of the fair share fee; providing for appeal of that determination; amending Minnesota Statutes 1974, Sections 179.63, by adding a subdivision; 179.65, Subdivision 2; 179.71, Subdivision 2; and 179.72, Subdivision 3.

PATRICK E. FLAHAVERN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Enebo moved that the House concur in the Senate amendments to H. F. No. 2244 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2244, A bill for an act relating to public employment labor relations; providing for determination of the fair share fee; providing for appeal of that determination; amending Minnesota Statutes 1974, Sections 179.63, by adding a subdivision; 179.65, Subdivision 2; 179.71, Subdivision 2; and 179.72, Subdivision 3.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kelly, W.	Niehaus	Sieloff
Adams, L.	Eken	Kempe, A.	Norton	Simoneau
Adams, S.	Enebo	Kempe, R.	Novak	Skoglund
Albrecht	Erickson	Ketola	Osthoff	Smith
Anderson, G.	Esau	Knickerbocker	Parish	Smogard
Anderson, I.	Evans	Knoll	Patton	Spanish
Arlandson	Ewald	Kostohryz	Pehler	Stanton
Beauchamp	Faricy	Kroening	Peterson	Suss
Begich	Fjoslien	Kvam	Petrafeso	Swanson
Berg	Forsythe	Laidig	Philbrook	Tomlinson
Berglin	Friedrich	Langseth	Pleasant	Ulland
Biersdorf	Fudro	Lindstrom	Frahl	Vanasek
Braun	George	Luther	Reding	Vento
Brinkman	Hanson	Mangan	Rice	Volk
Byrne	Haugerud	Mann	St. Onge	Voss
Carlson, A.	Heintz	McCarron	Samuelson	Wenstrom
Carlson, L.	Hokanson	McCauley	Sarna	Wenzel
Carlson, R.	Jacobs	McCollar	Savelkoul	White
Casserly	Jaros	McEachern	Schreiber	Wieser
Clark	Jensen	Menning	Schulz	Wigley
Clawson	Johnson, C.	Metzen	Schumacher	Williamson
Corbid	Johnson, D.	Moe	Searle	Zubay
Dahl	Jude	Munger	Setzepfandt	Speaker Sabo
Dean	Kahn	Neisen	Sherwood	
DeGroat	Kaley	Nelsen	Sieben, H.	
Dieterich	Kelly, R.	Nelson	Sieben, M.	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1957, A bill for an act relating to natural resources; providing general condemnation power upon obtaining consent of landowner; amending Minnesota Statutes 1974, Section 84.027, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

## CONCURRENCE AND REPASSAGE

Munger moved that the House concur in the Senate amendments to H. F. No. 1957 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1957, A bill for an act relating to natural resources; providing general condemnation power upon obtaining consent of landowner; amending Minnesota Statutes 1974, Section 84.027, by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kelly, R.	Nelson	Sieloff
Adams, L.	Eken	Kelly, W.	Niehaus	Simoneau
Adams, S.	Enebo	Kempe, A.	Norton	Skoglund
Albrecht	Erickson	Kempe, R.	Novak	Smith
Anderson, G.	Esau	Ketola	Osthoff	Smogard
Anderson, I.	Evans	Knickerbocker	Parish	Spanish
Arlandson	Ewald	Knoll	Patton	Stanton
Beauchamp	Faricy	Kostohryz	Pehler	Suss
Begich	Fjoslien	Kroening	Peterson	Swanson
Berg	Forsythe	Kvam	Philbrook	Tomlinson
Berglin	Friedrich	Laidig	Pleasant	Ulland
Biersdorf	Fudro	Langseth	Prahl	Vanasek
Braun	George	Lindstrom	Reding	Vento
Brinkman	Hanson	Luther	Rice	Volk
Byrne	Haugerud	Mangan	St. Onge	Voss
Carlson, A.	Heinitz	Mann	Samuelson	Wenstrom
Carlson, L.	Hokanson	McCarron	Sarna	Wenzel
Carlson, R.	Jacobs	McCauley	Savelkoul	White
Clark	Jaros	McCollar	Schreiber	Wieser
Clawson	Jensen	McEachern	Schulz	Wigley
Corbid	Johnson, C.	Menning	Schumacher	Williamson
Dahl	Johnson, D.	Metzen	Searle	Zubay
Dean	Jopp	Moe	Setzepfandt	Speaker Sabo
DeGroat	Jude	Munger	Sherwood	
Dieterich	Kahn	Neisen	Sieben, H.	
Doty	Kaley	Nelsen	Sieben, M.	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 527, A bill for an act relating to the purchase of sur-

plus state property at public auction by state employees; amending Minnesota Statutes 1974, Section 15.055.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Metzen moved that the House concur in the Senate amendments to H. F. No. 527 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 527, A bill for an act relating to the purchase of surplus government property by public employees; providing a penalty; amending Minnesota Statutes 1974, Chapter 43, by adding a section; repealing Minnesota Statutes 1974, Section 15.055.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 4, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Sieloff
Adams, L.	Eckstein	Kaley	Neisen	Simoneau
Adams, S.	Eken	Kelly, R.	Nelsen	Skoglund
Anderson, G.	Enebo	Kelly, W.	Nelson	Smith
Anderson, I.	Kempe, A.	Kempe, A.	Niehaus	Smogard
Arlandson	Esau	Kempe, R.	Norton	Spanish
Beauchamp	Evans	Ketola	Novak	Stanton
Begich	Ewald	Knickerbocker	Osthoff	Suss
Berg	Faricy	Knoll	Parish	Swanson
Berglin	Fjoslien	Kostohryz	Pehler	Tomlinson
Biersdorf	Forsythe	Kroening	Peterson	Ulland
Braun	Friedrich	Kvam	Petrafeso	Vanasek
Brinkman	Fudro	Laidig	Philbrook	Vento
Byrne	George	Langseth	Reding	Volk
Carlson, A.	Hanson	Lindstrom	Rice	Voss
Carlson, L.	Haugerud	Luther	St. Onge	Wenstrom
Carlson, R.	Heinitz	Mangan	Samuelson	Wenzel
Cassery	Hokanson	Mann	Sarna	White
Clark	Jacobs	McCarron	Schreiber	Wieser
Clawson	Jaros	McCauley	Schulz	Wigley
Corbid	Jensen	McCollar	Schumacher	Williamson
Dahl	Johnson, C.	McEachern	Setzepfandt	Zubay
Dean	Johnson, D.	Menning	Sherwood	Speaker Sabo
DeGroat	Jopp	Metzen	Sieben, H.	
Dieterich	Jude	Moe	Sieben, M.	

Those who voted in the negative were:

Albrecht	Pleasant	Prahl	Savelkoul
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The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 1308, A bill for an act relating to natural resources; clarifying procedures for acquisition of wildlife lands; modifying the definition of beneficial public use; requiring a substantial beneficial public use to be served in order to classify waters as public; establishing an accelerated program of inventorying, classifying, and designating state waters; prescribing the powers and duties of the commissioner of natural resources and counties in connection therewith; prescribing interim rules and regulations; specifying certain restrictions on drainage; eliminating the duty of the commissioner of natural resources to promulgate certain criteria relating to drainage systems; clarifying the criteria which county boards or district courts must consider concerning drainage systems; appropriating money; amending Minnesota Statutes 1974, Sections 97.481; 105.37, Subdivision 6, and by adding subdivisions; 105.38; 105.42, Subdivision 1; 106.021, Subdivisions 2 and 6; 106.031, Subdivision 1; 106.081, Subdivisions 1, 3 and 4; 106.091, Subdivisions 1 and 2; 106.101, Subdivisions 4 and 5; 106.111, Subdivision 1; 106.121, Subdivisions 1 and 4; 106.131; 106.201, Subdivisions 1 and 2; and Chapter 105, by adding sections.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 1308

A bill for an act relating to natural resources; clarifying procedures for acquisition of wildlife lands; modifying the definition of beneficial public use; requiring a substantial beneficial public use to be served in order to classify waters as public; establishing an accelerated program of inventorying, classifying, and designating state waters; prescribing the powers and duties of the commissioner of natural resources and counties in connection therewith; prescribing interim rules and regulations; specifying certain restrictions on drainage; eliminating the duty of the commissioner of natural resources to promulgate certain criteria relating to drainage systems; clarifying the criteria which county boards or district courts must consider concerning drainage systems; appropriating money; amending Minnesota Statutes 1974, Sections 97.481; 105.37, Subdivision 6, and by adding subdivisions; 105.38; 105.42, Subdivision 1; 106.021, Subdivisions 2 and 6; 106.031, Subdivision 1; 106.081, Subdivisions 1, 3 and 4; 106.091, Subdivisions 1 and 2; 106.101, Subdivisions 4 and 5; 106.111, Subdivision 1; 106.121, Subdivisions 1 and 4;

106.131; 106.201, Subdivisions 1 and 2; and Chapter 105, by adding sections.

March 8, 1976

The Honorable Alec G. Olson  
President of the Senate  
The Honorable Martin O. Sabo  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 1308 report that we have agreed upon the items in dispute and recommend as follows:

That the house recede from its amendments and that S. F. No. 1308 be amended as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 97.481, is amended to read:

97.481 [ACQUISITION OF WILDLIFE LANDS.] The commissioner of natural resources is hereby authorized and empowered to acquire, in the name of the state, by gift, lease, purchase and transfer of state lands, any such wildlife lands, such as marsh or wetlands, and the margins thereof, including ponds, small lakes and stream bottom lands, which he finds desirable to acquire in the interests of water conservation relating to wildlife development programs, and, he may also acquire for this purpose from any state agency, itself included, lands now in state ownership or tax-forfeited which are suitable for wildlife purposes, and when such lands are so acquired, he is authorized to develop the same in the interest of wildlife, recreational or public hunting areas as he shall deem desirable. *In the determination of which lands will be acquired as wildlife lands, the commissioner shall assign highest priority to parcels containing type 3 or 4 wetlands, as defined in U.S. Fish and Wildlife Service Circular No. 39 (1971 edition), which were previously determined to be public waters.* No such lands shall be acquired until first approved for such purchase, or lease, by a majority of the members of the board of county commissioners in the counties where the land to be purchased, or leased, is located. In the counties in which a soil and water conservation district is organized the supervisors will act as counsellors to the board of county commissioners regarding the best utilization and capability of the land proposed for purchase, including the questions of drainage and flood control. The commissioner in the purchase of such wetlands must recognize that when a majority of land owners, or owners of a majority of the land in the watershed, petition for a drainage outlet, that the state should not interfere, or unnecessarily delay such drainage proceedings when such

proceedings are conducted according to the Minnesota Drainage Code. In no case should state lands, so purchased, or leased, be used to produce crops (WHICH ARE IN SURPLUS AS DEFINED BY THE FEDERAL GOVERNMENT) unless such crops are needed to sustain wildlife. No lands described herein shall be acquired unless there is acquired simultaneously there-with a right-of-way or easement from said lands to a public road so as to make entry upon said lands available to the public. The commissioner may designate lands or interests in lands acquired pursuant to this section as wildlife management areas for the purposes of the outdoor recreation system.

Sec. 2. Minnesota Statutes 1974, Section 105.37, Subdivision 6, is amended to read:

Subd. 6. "Beneficial public purpose", in relation to waters of the state, includes but is not limited to any or all of the following purposes:

(a) Water supply for municipal, industrial, or agricultural, OR OTHER) purposes;

(b) Recharge of underground water strata;

(c) Retention of water to prevent or reduce downstream flooding, thereby minimizing erosion and resultant property damage;

(d) Entrapment and retention of nutrients and other materials which impair the quality of natural resources;

(e) Recreational activities such as swimming, boating, fishing, and hunting;

(f) Public navigation other than for recreational purposes;

(g) Wildlife habitat (SUCH AS FISH SPAWNING AND REARING AREAS, WATERFOWL NESTING AND FEEDING AREAS, AND) areas for the *spawning*, rearing, feeding, and (PROTECTION) *nesting* of (OTHER) wildlife; or

(h) Areas designated as scientific and natural areas pursuant to section 84.033.

Sec. 3. Minnesota Statutes 1974, Section 105.37, is amended by adding a subdivision to read:

*Subd. 9. "Waterbasin" means an enclosed natural depression with definable banks capable of containing water which may be partly filled with waters of the state and which is discernible on aerial photographs.*

Sec. 4. Minnesota Statutes 1974, Section 105.37, is amended by adding a subdivision to read:

*Subd. 10. "Natural watercourse" means any natural channel which has definable beds and banks capable of conducting confined runoff from adjacent lands.*

Sec. 5. Minnesota Statutes 1974, Section 105.37, is amended by adding a subdivision to read:

*Subd. 11. "Altered natural watercourse" means a former natural watercourse which has been affected by man made changes in straightening, deepening, narrowing, or widening of the original channel.*

Sec. 6. Minnesota Statutes 1974, Section 105.37, is amended by adding a subdivision to read:

*Subd. 12. "Artificial watercourse" means a watercourse which has been artificially constructed by man where there was no previous natural watercourse.*

Sec. 7. Minnesota Statutes 1974, Section 105.38, is amended to read:

105.38 [DECLARATION OF POLICY.] In order to conserve and utilize the water resources of the state in the best interests of the people of the state, and for the purpose of promoting the public health, safety and welfare, it is hereby declared to be the policy of the state:

(1) Subject to existing rights all waters of the state which serve a *material* beneficial public purpose are public waters subject to the control of the state. *In the determination of whether a beneficial public purpose exists, specific evidence of the present or future beneficial public purpose shall be evaluated in accordance with section 105.37, Subdivision 6, and with reference to the existing land use of the area, the soil types surrounding and underlying the water, the ownership of the land surrounding the water, the relative agricultural and wildlife productivity of the area, and relevant provisions of a county or municipal shorelands ordinance enacted pursuant to section 105.485.* The public character of water shall not be determined exclusively by the proprietorship of the underlying, overlying, or surrounding land or on whether it is a body or stream of water which was navigable in fact or susceptible of being used as a highway for commerce at the time this state was admitted to the union. This section is not intended to affect determination of the ownership of the beds of lakes or streams.

(2) The state, to the extent provided by law from time to time, shall control the appropriation and use of surface and underground waters of the state.

(3) The state shall control and supervise, so far as practicable, any activity which changes or which will change the course, current, or cross-section of public waters, including but not limited to the construction, reconstruction, repair, removal, abandonment, the making of any other change, or the transfer of ownership of dams, reservoirs, control structures, and waterway obstructions in any of the public waters of the state.

Sec. 8. Minnesota Statutes 1974, Chapter 105, is amended by adding a section to read:

[105.391] [PUBLIC WATERS INVENTORY AND CLASSIFICATION.] *Subdivision 1. On the basis of all information available to him, the commissioner shall inventory the waterbasins of each county and make a preliminary designation as to which constitute public waters. The commissioner shall send his preliminary designation for each county to the county board of that county for its review and comment.*

*Subd. 2. Within 90 days after a county board has received the commissioner's preliminary designation, it shall notify the commissioner of any disagreement with his designation. The commissioner may extend the time within which a county may notify him of a disagreement.*

*Subd. 3. If there is no disagreement between the commissioner and a county concerning the preliminary designation of waterbasins in that county, the commissioner by rule shall designate as public waters those waterbasins listed in the preliminary designation. In the same rule making proceeding the commissioner may also designate as public waters any watercourses which have been determined to be public and classified as to the level of regulation in accordance with the procedures of the commissioner's interim rules. The designation of watercourses as public waters pursuant to this subdivision shall remain in effect until changed by rule of the commissioner following the inventory, designation, and classification of watercourses prescribed by this section. A hearing on proper designation of waterbasins or watercourses shall be held in the county in which the waters to be designated are located. Except as provided below, no waterbasin designated public water may be drained, and no permit authorizing drainage of a waterbasin containing public water may be issued, unless the public water being drained is replaced by a waterbasin which will have equal or greater public value. However, after a state water bank program has been established, a waterbasin designated public water which is eligible for inclusion in that program may be drained without a permit and without replacement of a waterbasin of equal or greater public value if the commissioner does not elect, within 60 days of the receipt of an application for a permit to drain the waterbasin, to either (1) place the waterbasin in the state waterbank program, or (2) acquire it pursuant to section 97.481, or (3) indemnify the landowner through any other appropriate means, including but not limited to conservation restrictions, easements,*

leases, or any applicable federal program. If the applicant is not offered his choice of any one of all of the above alternatives, he is entitled to drain the waters involved.

Subd. 4. If there is a disagreement between the commissioner and a county concerning the preliminary designation of a waterbasin as public waters in that county, the commissioner shall attempt to resolve the disagreement with the county within 60 days after receiving notice of disagreement from the county. During the 60 day period the commissioner may proceed, in the manner provided by subdivision 3, to make a final designation for those waterbasins which are not the subject of disagreement between the commissioner and the county.

Subd. 5. If after 60 days from the date of receiving notice of disagreement by a county, there remain matters upon which the commissioner and the county disagree; the commissioner shall order a public hearing to be held in the county and conducted pursuant to chapter 15. A hearings unit composed of two persons appointed by the commissioner, one person appointed by the affected county board and one person appointed by the area soil and water conservation district shall select a fifth member within 45 days of the public hearing order. If the fifth member of the hearings unit cannot be agreed upon by the four appointees within the 45 day period, then the state soil and water conservation board shall select such member within 30 days. In the event there is a watershed district whose boundaries include the waters involved, the district shall provide the hearings unit with its recommendations. Upon completion of the hearing and review of the hearing examiner's report, the hearings unit shall issue its findings of fact, conclusions and an order, which shall be considered the decision of an agency in a contested case for purposes of judicial review pursuant to section 15.0425. Upon receipt of the order of the hearings unit and after the appeal period has expired, or upon receipt of the final order of the court in the case of an appeal, the commissioner shall promulgate by rule a list of the waterbasins and watercourses determined to be public waters by the hearings unit, provided that unless any aggrieved party other than the commissioner or the affected county board seeks judicial review of the order of the hearings unit, pursuant to chapter 15, both the commissioner and the affected county board shall be bound by the order of the hearings unit and shall not be entitled to seek judicial review. A person who did not intervene pursuant to section 116B.09 in the initial action for judicial review of the order of the hearings unit shall not be entitled to maintain a subsequent civil action pursuant to section 116B.03. In the event the county appeals an order of the hearings unit, the commissioner shall be obligated to pay 50 percent of the appeal costs and disbursements of the county. In the event the commissioner appeals an order of the hearings unit, the commissioner shall be obligated to pay the costs and disbursements incurred by the county in defense of the appeal.

Subd. 6. From money appropriated to him for the following purposes, the commissioner shall grant aid to counties to facili-

tate an inventory of all watercourses for the purpose of designating which watercourses in the county are public waters and for the purpose of recommending a management classification for each watercourse. The commissioner shall consider the size of a county and the number of watercourses within the county when making a grant. Within a reasonable time following the grant of aid for a watercourse inventory, as specified by the commissioner, the county shall report to the commissioner on its watercourse inventory, its recommendations as to which watercourses in the county should be designated public waters, and its recommended management classifications. Within 90 days after receiving a county's report, the commissioner shall notify the county of any disagreement with the county's report. If there is no disagreement concerning a particular watercourse the commissioner shall by rule designate that watercourse public waters and shall specify its proper management classification. The commissioner shall attempt to resolve any disagreement between the commissioner and a county within 60 days after notifying the county of his disagreement. During the 60 day period the commissioner may proceed, in the manner provided by subdivision 3, to make a final designation for watercourses which are not the subject of disagreement between the commissioner and the county. If, after 60 days from the date the county receives notice of the commissioner's disagreement, there remain matters upon which the commissioner and a county disagree, the commissioner, in accordance with subdivision 5, shall present the disagreement to a hearings unit as stipulated therein who shall conduct a public hearing which upon completion shall further comply with the provisions of subdivision 5 relating to judicial review, final order and appeal costs.

Subd. 7. Waters of this state are public waters for the purposes of this section if they have been determined to be public waters or navigable waters by the district court or, if appealed, by the supreme court of this state or by the United States supreme court.

Subd. 8. Notwithstanding any other law to the contrary the procedures, rules and guidelines set forth in the order of the commissioner of natural resources dated March 4, 1976, and filed with the secretary of state by March 4, 1976, and given a document number by the secretary of state, shall be valid and enforceable emergency rules of the commissioner of natural resources for the purposes of Minnesota Statutes, Sections 15.0411 to 15.0422, with respect to public waters during the period between the effective date of this act and their designation as public waters pursuant to this section, without further act or deed of the commissioner.

Sec. 9: Minnesota Statutes 1974, Chapter 105, is amended by adding a section to read:

[105.392] [WATER BANK PROGRAM.] Subdivision 1.  
The legislature finds that it is in the public interest to preserve

*the wetlands of the state and thereby to conserve surface waters, to preserve wildlife habitat, to reduce runoff, to provide for flood-water retention, to reduce stream sedimentation, to contribute to improved subsurface moisture, to enhance the natural beauty of the landscape, and to promote comprehensive and total water management planning. Therefore, the commissioner of natural resources is authorized to promulgate rules, which shall include the procedures and payment rates designed to effectuate the terms of this section. This program is intended to supplement and complement the federal water bank program and the payment rates established shall be at least equal to the federal rates existing at the time any agreements are entered into.*

*Subd. 2. The commissioner shall have authority to enter into agreements with landowners for the conservation of wetlands. These agreements shall be entered into for a period of ten years, with provision for renewal for additional ten year periods. The commissioner may re-examine the payment rates at the beginning of any ten year renewal period in the light of the then current land and crop values and make needed adjustments in rates for any renewal period.*

*Wetlands eligible for inclusion in the waterbank program shall have all the following characteristics as determined by the commissioner: (a) types 3 or 4, as defined in U. S. Fish and Wildlife Service Circular No. 39 (1971 edition); (b) less than 50 acres in area; (c) declared public waters because of its beneficial public value as wildlife habitat; (d) its drainage is lawful, feasible, and practical; and (e) its drainage would provide high quality cropland and that is the projected land use.*

*Subd. 3. In the agreement between the commissioner and an owner, the owner shall agree:*

*(1) to place in the program for the period of the agreement eligible wetland areas he designates, which areas may include wetlands covered by a federal or state government easement which permits agricultural use, together with such adjacent areas as determined desirable by the commissioner;*

*(2) not to drain, burn, fill, or otherwise destroy the wetland character of such areas, nor to use such areas for agricultural purposes, as determined by the commissioner;*

*(3) to effectuate the wetland conservation and development plan for his land in accordance with the terms of the agreement, unless any requirement thereof is waived or modified by the commissioner;*

*(4) to forfeit all rights to further payments or grants under the agreement and to refund to the state all payments or grants received thereunder upon his violation of the agreement at any*

stage during the time he has control of the land subject to the agreement if the commissioner determines that such violation is of such a nature as to warrant termination of the agreement, or to make refunds or accept such payment adjustments as the commissioner may deem appropriate if he determines that the violation by the owner does not warrant termination of the agreement;

(5) upon transfer of his right and interest in the lands subject to the agreement during the agreement period, to forfeit all rights to further payments or grants under the agreement and refund to the state all payments or grants received thereunder during the year of the transfer unless the transferee of any such land agrees with the commissioner to assume all obligations of the agreement;

(6) not to adopt any practice specified by the commissioner in the agreement as a practice which would tend to defeat the purposes of the agreement; and

(7) to additional provisions which the commissioner determines are desirable and includes in the agreement to effectuate the purposes of the program or to facilitate its administration.

Subd. 4. In return for the agreement of the owner, the commissioner shall (1) make an annual payment to the owner for the period of the agreement at the rate as the commissioner determines to be fair and reasonable in consideration of the obligations undertaken by the owner; and (2) provide advice on conservation and development practices on the wetlands and adjacent areas for the purposes of this section as the commissioner determines to be appropriate. In making his determination, the commissioner shall consider, among other things, the rate of compensation necessary to encourage owners of wetlands to participate in the water bank program.

Subd. 5. Any agreement may be renewed or extended at the end of the agreement period for an additional period of ten years by mutual agreement of the commissioner and the owner, subject to any rate redetermination by the commissioner. If during the agreement period the owner sells or otherwise divests himself of the ownership or right of occupancy of the land, the new owner may continue such agreement under the same terms or conditions, or enter into a new agreement in accordance with the provisions of this section, including the provisions for renewal and adjustment of payment rates, or he may choose not to participate in the program, except any water declared public waters shall not be drained.

Subd. 6. The commissioner may terminate any agreement by mutual agreement with the owner if the commissioner determines that the termination would be in the public interest, and may agree to any modification of agreements he may determine

*to be desirable to carry out the purposes of the program or facilitate its administration.*

Sec. 10. Minnesota Statutes 1974, Section 105.42, Subdivision 1a, is amended to read:

Subd. 1a. The commissioner shall recommend by January 15, 1975, to the legislature a comprehensive law containing standards and criteria governing the issuance and denial of permits under this section. These standards and criteria shall relate to the diversion of water from other uses and changes in the level of public waters to insure that projects will be completed and maintained in a satisfactory manner. *The commissioner may by rule identify classes of activities in waterbasins and classes of watercourses on which the commissioner may delegate permit authority to the appropriate county or city under such guidelines as the commissioner may provide based on agreement with the involved county or city and in compliance with the requirements of section 105.45.* After November 15, 1975, a permit shall be granted under this section only when the project conforms to state, regional, and local water and related land resources management plans, and only when it will involve a minimum of encroachment, change, or damage to the environment, particularly the ecology of the waterway. In those instances where a major change in the resource is justified, permits shall include provisions to compensate for the detrimental aspects of the change.

In unincorporated areas and, after January 1, 1976, in incorporated areas, permits that will involve excavation in the beds of public waters shall be granted only where the area in which the excavation will take place is covered by a shoreland conservation ordinance approved by the commissioner and only where the work to be authorized is consistent with the shoreland conservation ordinance. Each permit that will involve excavation in the public waters shall include provisions governing the deposition of spoil materials.

No permit affecting flood waters shall be granted except where the area covered by the permit is governed by a flood plain management ordinance approved by the commissioner and the conduct authorized by the permit is consistent with the flood plain management ordinance, provided that the commissioner has determined that sufficient information is available for the adoption of a flood plain ordinance. No permit involving the control of flood waters by structural means, such as dams, dikes, levees, and channel improvements, shall be granted until after the commissioner has given due consideration to all other flood damage reduction alternatives. In developing his policy with regard to placing emergency levees along the banks of public waters under flood emergency conditions, the commissioner shall consult and cooperate with the office of emergency services.

No permit that will involve a change in the level of public waters shall be granted unless the shoreland adjacent to the waters to be changed is governed by a shoreland conservation ordinance approved by the commissioner and the change in water level is consistent with that shoreland conservation ordinance. Standards and procedures for use in deciding the level of a particular lake must insure that the rights of all persons are protected when lake levels are changed and shall include provisions for providing technical advice to all persons involved, for establishing alternatives to assist local agencies in resolving water level conflicts, and mechanics necessary to provide for local resolution of water problems within the state guidelines.

Sec. 11. Minnesota Statutes 1974, Section 106.021, Subdivision 2, is amended to read:

Subd. 2. [DRAINAGE OF WATERBASINS AND WATERCOURSES.] No (LAKE) *waterbasin* shall be completely drained nor shall any activity regulated by section 105.42 be initiated in a (NATURAL) watercourse (BE CHANNELIZED EXCEPT UPON) until the determination (OF THE COMMISSIONER OF NATURAL RESOURCES OF THE STATE OF MINNESOTA) that such (LAKE) *waterbasin* or (NATURAL) watercourse is not public waters of the state as defined by section 105.38 (, OR PURSUANT TO THE PERMIT OF THE COMMISSIONER AS PROVIDED IN SUBDIVISION 3). *If a waterbasin or watercourse is determined to be public waters, the permissible drainage activities shall be governed by section 8, subdivisions 3 and 6, of this act.*

Sec. 12. Minnesota Statutes 1974, Section 106.021, Subdivision 6, is amended to read:

Subd. 6. [CRITERIA FOR PROPOSED DRAINAGE SYSTEMS.] (BEFORE JANUARY 1, 1975, THE COMMISSIONER OF NATURAL RESOURCES SHALL PROMULGATE, IN THE MANNER PROVIDED IN CHAPTER 15, A LIST OF CRITERIA THAT) County boards or (COURT) *courts* must consider *the following criteria* when establishing and improving drainage systems ( NO CRITERIA RELATING TO DRAINAGE SYSTEMS, WHETHER PROMULGATED PURSUANT TO THIS SUBDIVISION OR PURSUANT TO LAWS 1973, CHAPTER 315, SHALL BE EFFECTIVE PRIOR TO JULY 1, 1975. THE CRITERIA SHALL RELATE TO THE SOCIAL, ECONOMIC, AND ENVIRONMENTAL IMPACT OF THE PROPOSED DRAINAGE SYSTEM, AND SHALL BE LIMITED TO THE FOLLOWING) *for which a preliminary order pursuant to section 106.101, has not been issued prior to the effective date of this act:*

(a) (AN ECONOMIC ANALYSIS OF) The private and public benefits and costs derived from the proposed project;

(b) (AN ANALYSIS OF) *The present and anticipated agricultural land acreage availability and use within the (COUNTY) project area;*

(c) (AN ANALYSIS OF) *The flooding characteristics of project lands involved;*

(d) (AN ANALYSIS OF) *The alternative measures for the conservation, allocation, and development of the drainage waters;*

(e) (AN ANALYSIS OF) *The water quality effects as a result of the proposed project;*

(f) (AN ANALYSIS OF) *The fish and wildlife resources affected by the proposed project;*

(g) (AN ANALYSIS OF) *The shallow ground water availability, distribution, and use in the project area;*

(h) (AN ANALYSIS OF) *The overall environmental impact of all the criteria in items (a) to (g);*

(i) *The present and anticipated land use within the project area.*

Sec. 13. Minnesota Statutes 1974, Section 106.031, Subdivision 1, is amended to read:

106.031 [PETITION.] Subdivision 1. [FORM.] Before any public drainage system or other improvement authorized by sections 106.011 to 106.661 is established, a petition therefor shall be filed with the county auditor, if for a drainage system entirely within one county, or (WITH THE CLERK OF THE DISTRICT COURT) *pursuant to section 106.015, subdivision 1*, if for a drainage system within two or more counties. Such petition shall be signed by not less than a majority of the resident owners of the land described in the petition or by the owners of at least 60 percent of the area of such land, exclusive of the holder of easements for electric or telephone transmission and distribution lines. The lands described in the petition shall be those over which the proposed ditch passes or upon which the improvement is located, and the petition shall set forth the description of such lands and shall set forth the necessity for the ditch or improvement, and that the same will be of public benefit and utility and will promote the public health, with the description of the starting point, the general course, and terminus or location of the same. The petition shall state that the petitioners will pay all costs and expenses which may be incurred in case the proceedings are dismissed or for any reason no contract for the construction thereof is let. Such petition may be signed by the authorized representative of any municipal corporation or by the commissioner of highways, or the authorized agent of any

public institution or any corporation which may be affected by or assessed for the proposed construction; but in such case, the signature of such representatives, commissioner, agent, or corporation shall each count only as one signature on the petition. Each ditch proceeding shall be designated by number assigned by the auditor or clerk.

Sec. 14. Minnesota Statutes 1974, Section 106.081, Subdivision 1, is amended to read:

106.081 [PRELIMINARY SURVEY AND REPORT.] Subdivision 1. [SURVEY AND REPORT.] The engineer shall promptly proceed and examine all matters set forth in the petition and order and make such preliminary survey of the territory likely to be affected by the proposed improvement as will enable him to determine whether the same is necessary and feasible (IN COMPLIANCE) with *reference to the requirements of section 106.021, subdivision 6. The engineer shall also examine and gather information concerning the factors stated in sections 105.37, subdivision 6, and 105.38, clause (1) for consideration in the determination of whether the proposed drainage system substantially affects any public water.* If some other plan than that described in the petition is found practical, the engineer shall so report, giving such detail and information as is necessary to inform the court or board on all matters pertaining to the feasibility of the proposed plan, either as outlined in the petition or according to a different plan recommended by the engineer. He shall show all changes, whether by extension, adding laterals, or otherwise, that may be necessary to make the plan of the proposed improvement practicable and feasible. If the construction of a ditch or drain is involved in the proposed improvement, the engineer shall examine and report the nature and capacity of the outlet and any necessary extension thereof.

Sec. 15. Minnesota Statutes 1974, Section 106.081, Subdivision 3, is amended to read:

Subd. 3. [INCLUSION IN PRELIMINARY REPORT.] If he finds the improvement petitioned for is feasible, and complies with the requirements of section 106.021, *subdivision 6*, he shall include in his report a preliminary plan of the proposed system showing thereon the proposed drain and laterals or other improvements, and the outlet thereof, together with the watershed of such drainage system and the lands and properties likely to be affected, including so far as known the names of the owners thereof. He shall show upon such plan the elevation of the outlet and the controlling elevations of the lands likely to be affected and also the probable size and character of the ditches and laterals necessary to make the plan practicable and feasible. All elevations so far as practical shall be referred to standard sea level datum. He shall show in his report the character of the outlet and the sufficiency thereof and also the probable cost of the drains and improvements shown on his plan, and all other

information and data necessary to disclose the practicability, necessity and feasibility of the proposed improvement, including (AN ANALYSIS) *consideration* of the project as required by section 106.021, *subdivision 6*, and such other information as the board or court may order.

Sec. 16. Minnesota Statutes 1974, Section 106.081, Subdivision 4, is amended to read:

Subd. 4. [LIMITATION OF SURVEY.] The engineer shall confine his preliminary survey to the drainage area described in the petition, except to secure outlet, unless authorized by order of the board or court, with the consent of the bondsmen, at a hearing after ten days notice by mail to the petitioners and bondsmen; and any investigation made by the engineer as to outlet, without such order, shall be confined to running the necessary levels to ascertain the distance necessary to secure the proper fall. The preliminary survey shall include (AN ANALYSIS) *consideration* of the impact of the project as required by section 106.021, *subdivision 6*.

Sec. 17. Minnesota Statutes 1974, Section 106.091, Subdivision 1, is amended to read:

106.091 [FILING ENGINEER'S REPORT; COMMISSIONER'S REPORT.] Subdivision 1. [FILING.] Upon completion of his survey and report, the engineer shall file his report in duplicate with the auditor or clerk. The auditor or clerk shall transmit one copy thereof to the director of the division of waters, soils and minerals. If the (REPORT BE FILED WITH THE CLERK) *proposed drainage system involves more than one county*, a duplicate thereof shall also be filed with the auditor of each county affected.

Sec. 18. Minnesota Statutes 1974, Section 106.091, Subdivision 2, is amended to read:

Subd. 2. [COMMISSIONER'S REPORT.] The commissioner of natural resources shall make an advisory report to the board or court giving his opinion as to the sufficiency and adequacy of the engineer's report. The commissioner shall set forth in his report any matters pertaining to the project which should be further investigated and evaluated in accordance with (SECTION) *sections 105.37, subdivision 6; 105.38, clause (1), and 106.021, subdivision 6*. If the commissioner determines that the report is not adequate and sufficient, he shall so report *the specific inadequacies or insufficiencies*. The commissioner's initial report shall be filed with the auditor or clerk on or before the date fixed for the preliminary hearing or at any continuance thereof. The commissioner may request additional time for review and evaluation of the engineer's report in cases where such additional time can be shown to be necessary for proper evaluation. However, no request for additional time for filing the commissioner's report may

be made after five days from the date of notice by the auditor or clerk that a date is to be fixed for the preliminary hearing. No extension of time shall exceed two weeks from the date of the request.

Sec. 19. Minnesota Statutes 1974, Section 106.101, Subdivision 4, is amended to read:

Subd. 4. [DISMISSAL.] At said hearing or any adjournment thereof, if it shall appear that the proposed improvement is not feasible, or that the adverse environmental impact is greater than the public benefit or utility based upon the (REQUIREMENTS AND) criteria required to be considered by section 106.021, *subdivision 6*, and no plan is reported by the engineer whereby it can be made feasible, and acceptable, or that it is not of public benefit or utility, or that the outlet is not adequate, the petition shall be dismissed.

Sec. 20. Minnesota Statutes 1974, Section 106.101, Subdivision 5, is amended to read:

Subd. 5. [FINDINGS AND ORDER.] If the board or court shall be satisfied that the proposed improvement as outlined in the petition or as modified and recommended by the engineer is feasible, that there is necessity therefor, that it will be of public benefit and promote the public health, based upon the (REQUIREMENTS AND) criteria required to be considered by section 106.021, *subdivision 6*, and that the outlet is adequate, the board or court shall so find and by such order shall designate the changes that shall be made in the proposed improvement from that outlined in the petition including such changes as are necessary to minimize or (COMPENSATE FOR) *mitigate* adverse impact on the environment. These changes may be described in general terms and shall be sufficiently described by filing with the order a map outlining the proposed improvement thereon. Thereafter the petition shall be treated as modified accordingly. When the ditch shall outlet into an existing county or judicial ditch, the board or court may find that the outlet is adequate subject to confirmation and permission being obtained in accordance with section 106.531. In such case the board or court shall assign a number to the ditch and the board or court shall proceed to act in behalf of the ditch to obtain outlet rights in accordance with section 106.531.

Sec. 21. Minnesota Statutes 1974, Section 106.111, Subdivision 1, is amended to read:

106.111 [ORDER FOR DETAILED SURVEY.] Subdivision 1. Upon the filing of the *preliminary hearing* order as specified in section 106.101, subdivision 5, the board or court shall order the engineer or any other engineer, if a change of engineers be determined, to proceed to make a detailed survey and

furnish all necessary plans and specifications for the proposed improvement and report the same to the board or court with all reasonable dispatch. All of the provisions of section 106.071 shall be applicable to the employment of the engineer.

Sec. 22. Minnesota Statutes 1974, Section 106.121, Subdivision 1, is amended to read:

106.121 [ENGINEER'S SURVEY.] Subdivision 1. [SURVEY AND EXAMINATION.] Upon the filing of the order for detailed survey named in section 106.111, the engineer shall proceed to survey the lines of the drainage improvement petitioned for and approved by order made upon preliminary hearing, and to survey and examine all lands and properties affected thereby.

Sec. 23. Minnesota Statutes 1974, Section 106.121, Subdivision 4, is amended to read:

Subd. 4. [DATA AND REPORT.] The engineer shall prepare and submit the following data and report:

(a) A complete map of the drainage system or improvement drawn to scale, showing thereon (1) the termini and course of each drain and whether open or tile, and the location of all other proposed improvements; (2) the location and situation of the outlet; (3) the watershed of the drainage system and the sub-watershed of main branches, if any, together with the location of existing highway bridges and culverts; (4) all lands and properties affected, together with the names of the owners thereof so far as known; (5) public streets, highways and railways affected; (6) the outlines of any lake basin, wetland and public body of water affected; (7) such other physical characteristics of the watershed as may appear necessary for the understanding thereof.

(b) A profile of all lines of ditch proposed showing graphically, the elevation of the ground and gradient at each 100-foot station, the station number at each section line and at each property line, whether open or tiled, the size of tile and the bottom width and side slope of open ditch sections, and such other information as may appear necessary for the understanding thereof.

(c) Plans for all private bridges and culverts proposed to be constructed by and as a part of the ditch system, together with plans for all other works and items of construction necessary for the completion of the drainage system or improvement. A list showing the required minimum hydraulic capacity of all bridges and culverts at all railway and highway open ditch crossings and at other prospective open ditch crossings where bridges and culverts are not specified to be constructed as a part of the ditch, together with plans and estimates of the cost of highway

bridges and culverts required for the information of the viewers in determining benefits and damages.

(d) A tabular statement showing the number of cubic yards of *excavation and linear feet* tile on each tile line with the average depth thereof, and all bridges, culverts, works and other construction items required by the plans for the completion of the system, together with the estimated unit cost of each of said items and a summary of the total cost thereof. Such summary shall include an estimate of the cost of fully completing the system, including supervision and other costs thereof.

(e) The acreage which will be required and taken as right of way upon each government lot and 40-acre tract or fraction thereof under separate ownership required for right of way for any open ditch.

(f) Specifications for drain tile shall require that all drain tile used shall comply with the requirements of the American Society for Testing Materials standard specifications for drain tile, except where the depths to which the drains are to be laid or the conditions of the soil, in the opinion of the engineer, require tile of a special and higher quality.

(g) When more economical construction will result, the engineer may recommend that the work be divided into sections and let separately, and that open and tile work or tile and labor thereon be let separately, and the time and manner so far as practicable in which the whole work or any section thereof shall be done.

(h) Such other detail and information as shall appear requisite to fully inform the board or court of the practicability and necessity of the proposed improvements shall be made available including a comprehensive examination of all (REQUIREMENTS) *the criteria* of section 106.021, *subdivision 6*, together with his recommendations thereon.

Sec. 24. Minnesota Statutes 1974, Section 106.131, is amended to read:

106.131 [COMMISSIONER'S FINAL ADVISORY REPORT] Upon the filing of the engineer's report, a complete copy thereof shall be transmitted to the commissioner by the auditor or clerk.

The commissioner shall examine the same and within 30 days make his *advisory* report thereon to the board or court. If he finds the report incomplete and not in accordance with the provisions of this chapter, he shall so report *specifying the incomplete or nonconforming provisions of the engineer's report*. If he approves the same as being an acceptable plan for the drain-

age of the lands affected, he shall so state. If he does not approve the plan, he shall file his recommendations for changes deemed advisable(, OR,). If in his opinion, the proposed system or improvement is not of public benefit or utility based upon the (REQUIREMENTS OR) criteria required to be considered by section 106.021, *subdivision 6*, he shall (SO) report *specifically what facts or evidence support his advisory opinion*. If a soil survey appears advisable, he shall so advise, and in such event the engineer shall make the soil survey and report thereon before the final hearing. The commissioner's report shall be directed to the board or court and shall be filed with the auditor or clerk.

No notice shall issue for the final hearing until the commissioner's report shall be filed.

Sec. 25. Minnesota Statutes 1974, Section 106.201, Subdivision 1, is amended to read:

106.201 [ORDER ESTABLISHING.] Subdivision 1. [DISMISSAL.] If it shall appear that the benefits are not more than the total cost, including damages awarded, or that the proposed system will not be of public benefit and utility, or (THAT THE SAME IS) not practicable(, OR THAT THE SYSTEM DOES NOT COMPLY WITH REQUIREMENTS) *based upon the criteria of section 106.021, subdivision 6*, the board or court shall so find and the petition shall be dismissed.

Sec. 26. Minnesota Statutes 1974, Section 106.201, Subdivision 2, is amended to read:

Subd. 2. [ESTABLISHMENT.] If the board or court shall find that the engineer's and viewers' reports have been made and all other proceedings in the matter had in accordance with law, that the estimated benefits are greater than the total estimated cost, including damages, that the damages and benefits have been duly determined, that the proposed drainage system will be of public utility and benefit, and will promote the public health, that the proposed system is practicable, and that such reports as made or amended are complete, just and correct, (AND COMPLY WITH REQUIREMENTS OF SECTION 106.021,) then the board or court shall by order containing such findings, establish the drainage improvement as reported or amended, and adopt and confirm the viewers' report as made or amended.

Sec. 27. [APPROPRIATION.] *The sum of \$1,040,000 is appropriated from the general fund to the commissioner of natural resources for the purposes of this act. This appropriation shall be available immediately upon the effective date of this act and shall not cancel but shall be available until expended. Of this amount, \$240,000 is appropriated to carry out the purposes of section 8, \$200,000 is appropriated for the purposes of grants to counties pursuant to section 8, subdivision 6, and \$600,000 is appropriated for the water bank program pursuant to section 9.*

*The unobligated balance of the \$750,000 appropriated by Laws 1975, Chapter 415, Section 1, Subdivision 7, is cancelled and reappropriated for the purposes of the waterbank program pursuant to section 9 of this act and for fee acquisition pursuant to section 97.481 of wetlands eligible for inclusion in the waterbank program as specified in section 9 of this act.*

Sec. 28. [EFFECTIVE DATE.] *This act is effective the day following its final enactment."*

Further, strike the title and insert:

"A bill for an act relating to natural resources; clarifying procedures for acquisition of wildlife lands; modifying the definition of beneficial public purpose; requiring a material beneficial public purpose to be served in order to classify waters as public; establishing an accelerated program of inventorying, classifying, and designating state waters; prescribing the powers and duties of the commissioner of natural resources and counties in connection therewith; prescribing interim rules and regulations; specifying certain restrictions on drainage; eliminating the duty of the commissioner of natural resources to promulgate certain criteria relating to drainage systems; clarifying the criteria which county boards or district courts must consider concerning drainage systems; establishing a state water bank program for public waters; appropriating money; amending Minnesota Statutes 1974, Sections 105.37, Subdivision 6, and by adding subdivisions; 105.38; 105.42, Subdivision 1a; 106.021, Subdivisions 2 and 6; 106.031, Subdivision 1; 106.081, Subdivisions 1, 3 and 4; 106.091, Subdivisions 1 and 2; 106.101, Subdivisions 4 and 5; 106.111, Subdivision 1; 106.121, Subdivisions 1 and 4; 106.131; 106.201, Subdivisions 1 and 2; and Chapter 105, by adding sections; and Minnesota Statutes, 1975 Supplement, Section 97.481."

We request adoption of this report and repassage of the bill.

Senate Conferees: HOWARD D. OLSON, ROGER D. MOE and MYRTON O. WEGENER.

House Conferees: GLEN A. SHERWOOD, WILLIS R. EKEN, RODNEY N. SEARLE, HENRY J. SAVELKOUL and WALTER R. HANSON.

Sherwood moved that the report of the Conference Committee on S. F. No. 1308 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1308, A bill for an act relating to natural resources; clarifying procedures for acquisition of wildlife lands; modifying the definition of beneficial public use; requiring a substantial beneficial public use to be served in order to classify waters as public; establishing an accelerated program of inventorying, classifying, and designating state waters; prescribing the powers

and duties of the commissioner of natural resources and counties in connection therewith; prescribing interim rules and regulations; specifying certain restrictions on drainage; eliminating the duty of the commissioner of natural resources to promulgate certain criteria relating to drainage systems; clarifying the criteria which county boards or district courts must consider concerning drainage systems; appropriating money; amending Minnesota Statutes 1974, Sections 97.481; 105.37, Subdivision 6, and by adding subdivisions; 105.38; 105.42, Subdivision 1; 106.021, Subdivisions 2 and 6; 106.031, Subdivision 1; 106.081, Subdivisions 1, 3 and 4; 106.091, Subdivisions 1 and 2; 106.101, Subdivisions 4 and 5; 106.111, Subdivision 1; 106.121, Subdivisions 1 and 4; 106.131; 106.201, Subdivisions 1 and 2; and Chapter 105, by adding sections.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 120, and nays 8, as follows:

Those who voted in the affirmative were:

Abeln	Eken	Kelly, W.	Nelson	Sieben, H.
Adams, L.	Enebo	Kempe, A.	Norton	Sieben, M.
Adams, S.	Esau	Kempe, R.	Novak	Sieloff
Anderson, G.	Evans	Ketola	Osthoff	Simoneau
Anderson, I.	Ewald	Knickerbocker	Parish	Skoglund
Arlandson	Farcy	Knoll	Patton	Smith
Beauchamp	Fjoslien	Kostohryz	Pehler	Smogard
Begich	Forsythe	Kroening	Peterson	Spanish
Berg	Friedrich	Kvam	Petraffeso	Stanton
Berglin	Fudro	Laidig	Philbrook	Suss
Biersdorf	George	Langseth	Pleasant	Swanson
Braun	Hanson	Lindstrom	Prahl	Tomlinson
Brinkman	Haugerud	Luther	Reding	Ulland
Byrne	Heinitz	Mangan	Rice	Vanasek
Carlson, A.	Hokanson	Mann	St. Onge	Vento
Carlson, L.	Jacobs	McCarron	Samuelson	Volk
Carlson, R.	Jaros	McCauley	Sarna	Voss
Casserly	Jensen	McCollar	Savelkoul	Wenstrom
Clark	Johnson, C.	McEachern	Schreiber	Wenzel
Clawson	Johnson, D.	Menning	Schulz	White
Corbid	Jude	Metzen	Schumacher	Wigley
Dahl	Kahn	Munger	Searle	Williamson
Dean	Kaley	Neisen	Setzepfandt	Zubay
Doty	Kelly, R.	Nelsen	Sherwood	Speaker Sabo

Those who voted in the negative were:

Albrecht	Dieterich	Erickson	Niehaus	Wieser
DeGroat	Eckstein	Moe		

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Conference Committee on S. F. No. 250 was discharged pursuant to Joint Rule 23a and that the Senate has moved that a new Conference Committee of 5 members was appointed by the Committee on Committees on the part of the Senate, to act with a like new Conference Committee to be appointed on the part of the House.

S. F. No. 250, A bill for an act relating to the legislature; creating an advisory on the Minnesota legislature; prescribing powers and duties; appropriating money.

Messrs. Coleman, Conzemius, Davies, Ashbach and Dunn have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVER, Secretary of the Senate

Voss moved that the House accede to the request of the Senate for the appointment of a new Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 250. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2173 and 2284.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1812 and 2025.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 60.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 2173, A bill for an act relating to Minnesota culture; preserving and presenting Minnesota folklife; creating center for study of Minnesota folklife; creating position of state folklorist in the historical society; prescribing powers and duties of the folklorist.

The bill was read for the first time.

Kahn moved that S. F. No. 2173 and H. F. No. 1994, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2284, A bill for an act relating to the counties of Nobles and Rock; authorizing the acquisition of real estate for the operation of television translator systems.

The bill was read for the first time.

Erickson moved that S. F. No. 2284 and H. F. No. 2485, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1812, A bill for an act relating to the counties of Lake of the Woods and Koochiching; authorizing each county to acquire real estate for and establish and operate a television translator system either within or without the county.

The bill was read for the first time.

Braun moved that S. F. No. 1812 and H. F. No. 1972, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2025, A bill for an act relating to nursing homes; requiring training for certain nursing assistants; providing a penalty.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 60, A bill for an act relating to insurance; providing for the establishment and administration of plans of health insurance to provide certain minimum benefits to all persons in the state; creating a comprehensive health care association; providing a dual option for health care for certain employees; regulating health maintenance organizations' coverage of dental

services and conversion privileges; appropriating money; amending Minnesota Statutes 1974, Section 62D.12, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Appropriations.

### CONSENT CALENDAR

S. F. No. 2344, A bill for an act relating to motor vehicles; authorizing the issuance of temporary vehicle permits for certain specified purposes; amending Minnesota Statutes 1974, Sections 168.091, Subdivision 1; and 168.092, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kelly, R.	Nelson	Sieben, M.
Adams, L.	Eken	Kelly, W.	Niehaus	Sieloff
Adams, S.	Enebo	Kempe, A.	Norton	Simoneau
Albrecht	Erickson	Kempe, R.	Novak	Skoglund
Anderson, G.	Esau	Ketola	Osthoff	Smith
Anderson, I.	Evans	Knickerbocker	Parish	Smogard
Arlandson	Ewald	Knoll	Patton	Spanish
Beauchamp	Faricy	Kostohryz	Pehler	Stanton
Begich	Fjoslien	Kroening	Peterson	Suss
Berg	Forsythe	Kvam	Petraffeso	Swanson
Berglin	Friedrich	Laidig	Philbrook	Tomlinson
Biersdorf	Fudro	Langseth	Pleasant	Ulland
Braun	George	Lindstrom	Prahl	Vanasek
Brinkman	Hanson	Luther	Reding	Vento
Byrne	Haugerud	Mangan	Rice	Volk
Carlson, A.	Heinitz	Mann	St. Onge	Wenstrom
Carlson, L.	Hokanson	McCarron	Samuelson	Wenzel
Carlson, R.	Jacobs	McCauley	Sarna	White
Casserly	Jaros	McCollar	Savelkoul	Wieser
Clark	Jensen	McEachern	Schreiber	Wigley
Corbid	Johnson, C.	Menning	Schulz	Williamson
Dahl	Johnson, D.	Metzen	Schumacher	Zubay
Dean	Jopp	Moe	Searle	Speaker Sabo
DeGroat	Jude	Munger	Setzepfandt	
Dieterich	Kahn	Neisen	Sherwood	
Doty	Kaley	Nelsen	Sieben, H.	

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. No. 1130 and S. F. Nos. 916 and 1120.

H. F. No. 1130 was reported to the House.

Kempe, A. moved to amend H. F. No. 1130 as follows:

Page 28, line 17, after "chambers" insert "unless it is more than 75 miles".

The motion prevailed and the amendment was adopted.

H. F. No. 1130, A bill for an act relating to the organization, operation and financing of state government; establishing an indirect cost billing system; requiring revolving fund billing rates to be determined by the commissioner of finance; transferring certain powers and duties relating to finance and recordation from and to the department of finance; appropriating money; amending the expense provisions for district court judges; amending Minnesota Statutes 1974, Sections 3.30, Subdivision 2; 15.191, Subdivision 2; 16A.055; 16A.129; 16A.15, Subdivision 3; 16A.17, Subdivisions 1, 4, 5, 6, 7, and by adding a subdivision; 16A.28; 84A.04; 93.12; 276.09; 276.10; 293.10; 348.04; 379.05; 379.07; 379.09; 385.21; 473F.07, Subdivisions 1 and 2; Chapter 16, by adding a section; and Chapter 16A, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 124.28, Subdivision 2; and 484.54; repealing Minnesota Statutes 1974, Sections 3.30, Subdivision 2a; 10.16; 16.141; 16.16; 16.161; 16.164; 16.18; 16.19; 16A.09; 16A.125, Subdivisions 1, 2, 3, 7, 8, 9, and 10; 16A.17, Subdivision 2; and 136.06.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 119, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kahn	Menning	Schreiber
Adams, L.	Doty	Kaley	Metzen	Schulz
Adams, S.	Eken	Kelly, R.	Moe	Schumacher
Albrecht	Enebo	Kelly, W.	Neisen	Searle
Anderson, G.	Erickson	Kempe, A.	Nelsen	Setzpfandt
Anderson, I.	Esau	Kempe, R.	Nelson	Sherwood
Arlandson	Evans	Ketola	Niehaus	Sieben, H.
Beauchamp	Ewald	Knickerbocker	Norton	Sieben, M.
Begich	Fariely	Knoll	Novak	Sieloff
Berg	Fjoslien	Kostohryz	Osthoff	Simoneau
Berglin	Friedrich	Kroening	Parish	Skoglund
Biersdorf	Fudro	Kvam	Peehler	Smith
Braun	George	Laidig	Peterson	Smogard
Brinkman	Hanson	Langseth	Petrafeso	Spanish
Byrne	Heinitz	Lindstrom	Philbrook	Stanton
Carlson, A.	Hokanson	Luther	Pleasant	Suss
Carlson, L.	Jacobs	Mangan	Prahl	Swanson
Carlson, R.	Jaros	Mann	Reding	Tomlinson
Clark	Jensen	McCarron	St. Onge	Ulland
Corbid	Johnson, D.	McCauley	Samuelson	Vanasek
Dahl	Jopp	McCollar	Sarna	Vento
Dean	Jude	McEachern	Savelkoul	Voik

Voss	Wenzel	Wieser	Williamson	Speaker Sabo
Wenstrom	White	Wigley	Zubay	

The bill was passed, as amended, and its title agreed to.

S. F. No. 916, A bill for an act relating to historic sites; providing for acquisition, administration and control of additional sites by the Minnesota historical society; appropriating money; amending Minnesota Statutes 1974, Sections 138.025, Subdivision 1, and by adding subdivisions; and 138.53, Subdivision 50; repealing Minnesota Statutes 1974, Sections 85.012, Subdivision 7; and 138.025, Subdivisions 7 and 8.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kelly, R.	Nelsen	Sieben, M.
Adams, L.	Eken	Kelly, W.	Nelson	Sieloff
Adams, S.	Enebo	Kempe, A.	Niehaus	Simoneau
Albrecht	Erickson	Kempe, R.	Norton	Skoglund
Anderson, G.	Esau	Ketola	Novak	Smith
Anderson, I.	Evans	Knickerbocker	Osthoff	Smogard
Arlandson	Ewald	Knoll	Parish	Spanish
Beauchamp	Faricy	Kostohryz	Patton	Stanton
Begich	Fjoslien	Kroening	Pehler	Suss
Berg	Forsythe	Kvam	Peterson	Swanson
Berglin	Friedrich	Laidig	Petrafeso	Tomlinson
Biersdorf	Fudro	Langseth	Philbrook	Ulland
Braun	George	Lindstrom	Pleasant	Vanasek
Brinkman	Hanson	Luther	Prahl	Vento
Byrne	Haugerud	Mangan	Reding	Volk
Carlson, A.	Heinitz	Mann	St. Onge	Voss
Carlson, L.	Jacobs	McCarron	Sarna	Wenstrom
Carlson, R.	Jaros	McCauley	Savelkoul	Wenzel
Casserly	Jensen	McCollar	Schreiber	White
Clark	Johnson, C.	McEachern	Schulz	Wieser
Corbid	Johnson, D.	Menning	Schumacher	Wigley
Dahl	Jopp	Metzen	Searle	Williamson
Dean	Jude	Moe	Setzepfandt	Zubay
Dieterich	Kahn	Munger	Sherwood	Speaker Sabo
Doty	Kaley	Neisen	Sieben, H.	

The bill was passed and its title agreed to.

S. F. No. 1120 was reported to the House.

Anderson, G., moved to amend S. F. No. 1120, the unofficial engrossment as follows:

Page 5, line 31 after "*Commission*" insert "*, or successor organization,*".

The motion prevailed and the amendment was adopted.

S. F. No. 1120, A bill for an act relating to flood plain management; providing for a program of grants to local government units for the construction of floodwater retention and retarding structures; appropriating money; amending Minnesota Statutes 1974, Chapter 104, by adding sections.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kaley	Nelsen	Sieben, H.
Adams, L.	Eckstein	Kelly, R.	Nelson	Sieben, M.
Adams, S.	Eken	Kelly, W.	Niehaus	Sieloff
Albrecht	Enebo	Kempe, A.	Norton	Simoneau
Anderson, G.	Erickson	Kempe, R.	Novak	Skoglund
Anderson, I.	Esau	Ketola	Osthoff	Smith
Arlandson	Evans	Knickerbocker	Parish	Smogard
Beauchamp	Ewald	Knoll	Patton	Spanish
Begich	Faricy	Kostohryz	Pehler	Stanton
Berg	Fjoslien	Kroening	Peterson	Suss
Berglin	Forsythe	Kvam	Petrafeso	Swanson
Biersdorf	Friedrich	Laidig	Philbrook	Tomlinson
Braun	Fudro	Langseth	Pleasant	Ulland
Brinkman	George	Lindstrom	Prahl	Vanasek
Byrne	Hanson	Luther	Reding	Vento
Carlson, A.	Haugerud	Mangan	Rice	Volk
Carlson, L.	Heinitz	Mann	St. Onge	Voss
Carlson, R.	Hokanson	McCarron	Samuelson	Wenstrom
Casserly	Jacobs	McCauley	Sarna	Wenzel
Clark	Jaros	McCollar	Savelkoul	White
Clawson	Jensen	McEachern	Schreiber	Wieser
Corbid	Johnson, C.	Menning	Schulz	Wigley
Dahl	Johnson, D.	Metzen	Schumacher	Williamson
Dean	Jopp	Moe	Searle	Zubay
DeGroat	Jude	Munger	Setzepfandt	Speaker Sabo
Dieterich	Kahn	Neisen	Sherwood	

The bill was passed, as amended, and its title agreed to.

### SPECIAL ORDERS

H. F. No. 2019 was reported to the House.

Clawson moved to amend H. F. No. 2019 as follows:

Page 2, line 29, delete underlined language and insert: "*1-[1-(2-thienyl) cyclohexyl]*".

Page 2, line 30, delete underlined language and insert: "*piperidine*".

Page 6, line 29, delete "(3)" and insert "(c)".

Page 7, line 4, delete "(4)" and insert "(3)".

Page 7, line 13, delete "(5)" and insert "(4)".

Page 7, line 14, delete "(6)" and insert "(5)".

The motion prevailed and the amendment was adopted.

Berglin moved to amend H. F. No. 2019 as follows:

Page 8, strike all of lines 27 and 28 and insert in lieu thereof the following:

"Paraldehyde; Pemoline; Pentasocine and its salts and esters; Petrichloral; Phenobarbital; Phentermine; Propoxyphene and its salts and esters."

The motion prevailed and the amendment was adopted.

H. F. No. 2019, A bill for an act relating to controlled substances; scheduling certain substances; amending Minnesota Statutes 1974, Section 152.02, Subdivisions 2, 3, 4, 5, and by adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Jacobs	Mangan	Pleasant
Adams, L.	Dean	Jaros	Mann	Prahl
Adams, S.	DeGroat	Jensen	McCarron	Reding
Albrecht	Dieterich	Johnson, C.	McCauley	Rice
Anderson, G.	Doty	Johnson, D.	McCollar	St. Onge
Anderson, I.	Eckstein	Jopp	McEachern	Samuelson
Arlandson	Eken	Jude	Menning	Sarna
Beauchamp	Enebo	Kahn	Metzen	Savelkoul
Begich	Erickson	Kaley	Moe	Schreiber
Berg	Esau	Kelly, R.	Neisen	Schulz
Berglin	Evans	Kelly, W.	Nelsen	Schumacher
Biersdorf	Ewald	Kempe, A.	Nelson	Searle
Braun	Faricy	Kempe, R.	Niehaus	Setzepfandt
Brinkman	Fjoslien	Ketola	Norton	Sherwood
Byrne	Forsythe	Knickerbocker	Novak	Sieben, H.
Carlson, A.	Friedrich	Knoll	Osthoff	Sieben, M.
Carlson, L.	Fudro	Kostohryz	Parish	Sieloff
Carlson, R.	George	Kvam	Patton	Simoneau
Casserly	Hanson	Laidig	Pehler	Skoglund
Clark	Haugerud	Langseth	Peterson	Smith
Clawson	Heinitz	Lindstrom	Petraieso	Smogard
Corbid	Hokanson	Luther	Philbrook	Spanish

Stanton	Ulland	Voss	Wieser	Speaker Sabo
Suss	Vanasek	Wenstrom	Wigley	
Swanson	Vento	Wenzel	Williamson	
Tomlinson	Volk	White	Zubay	

The bill was passed, as amended, and its title agreed to.

H. F. No. 2117, A bill for an act relating to public welfare; authorizing the assignment of accident insurance proceeds by any recipient of medical assistance; amending Minnesota Statutes, 1975 Supplement, Sections 256B.02, Subdivision 9; 256B.042, by adding a subdivision; and 256B.06, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kaley	Nelsen	Sieben, M.
Adams, L.	Eckstein	Kelly, R.	Nelson	Sieloff
Adams, S.	Eken	Kelly, W.	Niehaus	Simoneau
Albrecht	Enebo	Kempe, A.	Norton	Skoglund
Anderson, G.	Erickson	Kempe, R.	Novak	Smith
Anderson, I.	Esau	Ketola	Osthoff	Smogard
Arlandson	Evans	Knickerbocker	Patton	Spanish
Beauchamp	Ewald	Knoll	Pehler	Stanton
Begich	Faricy	Kostohryz	Peterson	Suss
Berg	Fjoslien	Kroening	Petrafeso	Swanson
Berglin	Forsythe	Kvam	Philbrook	Tomlinson
Biersdorf	Friedrich	Laidig	Pleasant	Ulland
Braun	Fudro	Langseth	Prahl	Vanasek
Brinkman	George	Lindstrom	Reding	Vento
Byrne	Hanson	Luther	Rice	Volk
Carlson, A.	Haugerud	Mangan	St. Onge	Voss
Carlson, L.	Heinitz	Mann	Samuelson	Wenstrom
Carlson, R.	Hokanson	McCarron	Sarna	Wenzel
Casserly	Jacobs	McCauley	Savelkoul	White
Clark	Jaros	McCollar	Schreiber	Wieser
Clawson	Jensen	McEachern	Schulz	Wigley
Corbid	Johnson, C.	Manning	Schumacher	Williamson
Dahl	Johnson, D.	Metzen	Searle	Zubay
Dean	Jopp	Moe	Setzepfandt	Speaker Sabo
DeGroat	Jude	Munger	Sherwood	
Dieterich	Kahn	Neisen	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 1881 was reported to the House.

There being no objection, H. F. No. 1881 was continued on Special Orders for one day.

H. F. No. 2002 was reported to the House.

There being no objection, H. F. No. 2002 was continued on Special Orders for one day.

H. F. No. 1615 was reported to the House.

Faricy moved to amend H. F. No. 1615, as follows:

Page 1, line 8, strike "twelfth" and insert "fifteenth".

The motion prevailed and the amendment was adopted.

Faricy moved to amend H. F. No. 1615, as follows:

Page 1, line 16, strike "mother" and insert "woman".

The motion prevailed and the amendment was adopted.

McCollar moved to amend H. F. No. 1615, as follows:

Page 1, line 14, strike "commissioner" and insert "board".

The motion did not prevail and the amendment was not adopted.

H. F. No. 1615, A bill for an act relating to public health; providing for care, medical treatment, and legal rights of live births resulting from abortions.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 4, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Hokanson	Laidig	Osthoff
Adams, L.	Dieterich	Jacobs	Langseth	Parish
Adams, S.	Doty	Jaros	Lindstrom	Patton
Anderson, G.	Eckstein	Jensen	Luther	Pehler
Anderson, I.	Eken	Johnson, C.	Mangan	Peterson
Arlandson	Enebo	Johnson, D.	Mann	Petrafeso
Beauchamp	Erickson	Jopp	McCarron	Philbrook
Begich	Esau	Jude	McCauley	Pleasant
Biersdorf	Evans	Kaley	McCollar	Prahl
Braun	Ewald	Kelly, R.	McEachern	Reding
Brinkman	Faricy	Kelly, W.	Menning	Rice
Byrne	Fjoslien	Kempe, A.	Metzen	St. Onge
Carlson, A.	Forsythe	Kempe, R.	Moe	Samuelson
Carlson, L.	Friedrich	Ketola	Munger	Sarna
Carlson, R.	Fudro	Knickerbocker	Neisen	Savelkoul
Clawson	George	Knoil	Neisen	Schreiber
Corbid	Hanson	Kostohryz	Nelson	Schulz
Dahl	Haugerud	Kroening	Norton	Schumacher
Dean	Heinitz	Kvam	Novak	Searle

Setzepfandt	Simoneau	Suss	Volk	Wieser
Sherwood	Smith	Swanson	Voss	Wigley
Sieben, H.	Smogard	Tomlinson	Wenstrom	Williamson
Sieben, M.	Spanish	Vanasek	Wenzel	Zubay
Sieloff	Stanton	Vento	White	Speaker Sabo

Those who voted in the negative were:

Berglin	Clark	Kahn	Ulland
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The bill was passed, as amended, and its title agreed to.

H. F. No. 2374, A bill for an act relating to highway traffic regulation; requiring courts to report to the commissioner of public safety a stay of imposition of sentence granted under provisions of law relating to driving while under the influence of drugs or alcoholic beverages; amending Minnesota Statutes 1974, Sections 169.121, Subdivision 6; and 609.135, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 88, and nays 25, as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jacobs	McCaughey	Simoneau
Adams, L.	Dahl	Jensen	McCollar	Skoglund
Adams, S.	Dean	Johnson, C.	McEachern	Smogard
Anderson, G.	DeGroat	Johnson, D.	Menning	Spanish
Anderson, I.	Dieterich	Jopp	Metzen	Stanton
Arlandson	Doty	Jude	Neisen	Suss
Beauchamp	Eckstein	Kahn	Novak	Tomlinson
Begich	Eken	Kaley	Parish	Vanasek
Berglin	Enebo	Kelly, R.	Patton	Vento
Braun	Erickson	Kelly, W.	Pehler	Volk
Brinkman	Esau	Kempe, A.	Peterson	Voss
Byrne	Evans	Kroening	Petrafaso	Wenstrom
Carlson, A.	Ewald	Laidig	Prahl	Wieser
Carlson, L.	Fjoslien	Lindstrom	St. Onge	Wigley
Carlson, R.	Forsythe	Luther	Savelkoul	Zubay
Casserly	Hanson	Mangan	Schreiber	Speaker Sabo
Clark	Heinitz	Mann	Schumacher	
Clawson	Hokanson	McCarron	Sherwood	

Those who voted in the negative were:

Albrecht	Jaros	Kostohryz	Niehaus	Sieloff
Biersdorf	Kempe, R.	Kvam	Norton	Smith
Farcy	Ketola	Moe	Pleasant	Ulland
Friedrich	Knickerbocker	Nelsen	Searle	Wenzel
Haugerud	Knoll	Nelson	Sieben, M.	White

The bill was passed and its title agreed to.

H. F. No. 2068, A bill for an act relating to hospitals; providing for loans to medical students who agree to practice in the

hospital district; amending Minnesota Statutes 1974, Section 447.34, Subdivision 1; and Chapter 447, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jude	Neisen	Sherwood
Adams, L.	Doty	Kahn	Nelsen	Sieben, H.
Adams, S.	Eckstein	Kaley	Nelson	Sieben, M.
Albrecht	Eken	Kelly, R.	Niehaus	Sieloff
Anderson, G.	Enebo	Kelly, W.	Norton	Simoneau
Anderson, I.	Erickson	Kempe, A.	Novak	Skoglund
Arlandson	Esau	Kempe, R.	Osthoff	Smith
Beauchamp	Evans	Ketola	Parish	Smogard
Begich	Ewald	Knickerbocker	Patton	Spanish
Berg	Faricy	Knoll	Pehler	Stanton
Berglin	Fjoslien	Kostohryz	Peterson	Suss
Biersdorf	Forsythe	Kroening	Petraleso	Tomlinson
Braun	Friedrich	Kvam	Philbrook	Ulland
Brinkman	Fudro	Laidig	Pleasant	Vanasek
Byrne	George	Lindstrom	Prahl	Vento
Carlson, A.	Hanson	Luther	Reding	Volk
Carlson, L.	Hangerud	Mangan	Rice	Voss
Carlson, R.	Heinitz	Mann	St. Onge	Wenstrom
Casserly	Hokanson	McCarron	Samuelson	Wenzel
Clark	Jacobs	McCauley	Sarna	White
Clawson	Jaros	McCollar	Saveikoul	Wieser
Corbid	Jensen	McEachern	Schreiber	Wigley
Dahl	Johnson, C.	Menning	Schulz	Williamson
Dean	Johnson, D.	Moe	Schumacher	Zubay
DeGroat	Jopp	Munger	Searle	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 2560 was reported to the House.

Fjoslien moved to amend H. F. No. 2560, as follows:

Page 1, line 11, after "tractor" insert "*or farm field fertilizer applicator*".

Page 1, line 12, after "*vehicle*" strike "*owned by a political subdivision and*".

Page 1, line 13, after "*sludge from*" insert "*or fertilizer from the*".

Page 1, line 14, strike "*sewage treatment*" and insert "*supply*".

Page 1, after line 15, insert:

*"A vehicle owned by a political subdivision and used exclusively for the purpose of transporting sewage sludge to farm fields within a fifteen mile radius of the supply facilities may be operated during daylight hours only. Such a vehicle shall not be operated between the hours of sunset and sunrise, nor at any other time when visibility is impaired by weather, smoke, fog or other conditions rendering persons and vehicles not clearly discernible on the highway at a distance of 500 feet."*

The motion prevailed and the amendment was adopted.

H. F. No. 2560, A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; amending Minnesota Statutes 1974, Section 169.80, Subdivision 2.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 121, and nays 4, as follows:

Those who voted in the affirmative were:

Abeln	Eken	Kempe, A.	Niehaus	Sieloff
Adams, L.	Erickson	Kempe, R.	Norton	Skoglund
Adams, S.	Esau	Ketola	Novak	Smogard
Albrecht	Evans	Knickerbocker	Osthoff	Spanish
Anderson, G.	Ewald	Knoll	Parish	Stanton
Anderson, I.	Farcy	Kostohryz	Patton	Suss
Arlandson	Fjoslien	Kroening	Pehler	Swanson
Beauchamp	Forsythe	Kvam	Peterson	Tomlinson
Begich	Friedrich	Laidig	Petrafeso	Ulland
Berg	Fudro	Langseth	Philbrook	Vanasek
Braun	George	Lindstrom	Pleasant	Vento
Brinkman	Hanson	Luther	Prahl	Volk
Byrne	Haugerud	Mangan	Reding	Voss
Carlson, A.	Heinitz	Mann	St. Onge	Wenstrom
Carlson, L.	Hokanson	McCarron	Samuelson	Wenzel
Carlson, R.	Jacobs	McCauley	Sarna	White
Cassery	Jaros	McCollar	Savelkoul	Wieser
Clark	Johnson, C.	McEachern	Schreiber	Wiegley
Clawson	Johnson, D.	Menning	Schulz	Williamson
Corbid	Jopp	Metzen	Schumacher	Zubay
Dahl	Jude	Moe	Searle	Speaker Sabo
Dean	Kahn	Munger	Setzepfandt	
DeGroat	Kaley	Neisen	Sherwood	
Doty	Kelly, R.	Nelsen	Sieben, H.	
Eckstein	Kelly, W.	Nelson	Sieben, M.	

Those who voted in the negative were:

Berglin	Jensen	Rice	Simoneau
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The bill was passed, as amended, and its title agreed to.

## CONSIDERATION UNDER RULE 1.10

Pursuant to Rule 1.10, Norton requested immediate consideration of S. F. No. 429.

S. F. No. 429 was reported to the House.

Carlson, A., requested that pursuant to Rule 2.5 he be excused from voting on S. F. No. 429. The request was granted.

Voss moved to amend S. F. No. 429, the unofficial engrossment, as follows:

Page 3, line 6, strike "50 percent" and insert "100 percent".

The motion did not prevail and the amendment was not adopted.

S. F. No. 429, A bill for an act relating to the Minnesota zoological garden; providing a means of public access to the garden at the time of its opening; directing the department of highways to improve a certain road to provide such public access; and appropriating money.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 102, and nays 22, as follows:

Those who voted in the affirmative were:

Abeln	Eken	Kelly, R.	Nelson	Simoneau
Adams, L.	Enebo	Kelly, W.	Nelson	Skoglund
Anderson, G.	Erickson	Kempe, A.	Norton	Smith
Anderson, I.	Esau	Kempe, R.	Novak	Smogard
Arlandson	Evans	Ketola	Parish	Stanton
Beauchamp	Ewald	Knoll	Patton	Suss
Begich	Faricy	Kostohryz	Petrafeso	Swanson
Berg	Forsythe	Kroening	Philbrook	Tomlinson
Biersdorf	Fudro	Kvam	Pleasant	Ulland
Brinkman	George	Laidig	Reding	Vanasek
Byrne	Hanson	Langseth	Rice	Vento
Carlson, L.	Haugerud	Lindstrom	St. Onge	Voss
Carlson, R.	Heinitz	Luther	Sarna	Wenstrom
Casserly	Hokanson	Mangan	Savelkoul	Wenzel
Clark	Jacobs	Mann	Schumacher	White
Corbid	Jaros	McCarron	Searle	Wieser
Dahl	Jensen	McCauley	Setzepfandt	Williamson
Dean	Johnson, C.	McCollar	Sherwood	Speaker Sabo
Dieterich	Johnson, D.	Menning	Sieben, H.	
Doty	Jopp	Metzen	Sieben, M.	
Eckstein	Jude	Moe	Sieloff	

Those who voted in the negative were:

Albrecht	Fjoslien	Neisen	Prahl	Wigley
Berglin	Friedrich	Niehaus	Samuelson	Zubay
Braun	Kahn	Osthoff	Schulz	
Clawson	Kaley	Pehler	Spanish	
DeGroat	Knickerbocker	Peterson	Volk	

The bill was passed and its title agreed to.

### SPECIAL ORDERS, Continued

H. F. No. 101 was reported to the House.

Sieben, H., moved to amend H. F. No. 101 as follows:

In the title.

Page 1, line 3, after "aircraft;" insert "providing penalties;"

The motion prevailed and the amendment was adopted.

Fjoslien moved that H. F. No. 101 be re-referred to the Committee on Governmental Operations.

A roll call was requested and properly seconded.

The question was taken on the adoption of the motion and the roll being called, there were yeas 16, and nays 102, as follows:

Those who voted in the affirmative were:

Adams, S.	Erickson	Jopp	Peterson	Wigley
Albrecht	Esau	Kvam	Searle	Zubay
DeGroat	Fjoslien	Nelsen		
Eckstein	Friedrich	Niehaus		

Those who voted in the negative were:

Abeln	Corbid	Johnson, D.	McCarron	Rice
Adams, L.	Dean	Jude	McCollar	St. Onge
Anderson, G.	Dieterich	Kahn	Menning	Samuelson
Anderson, I.	Doty	Kaley	Metzen	Sarna
Arlandson	Enebo	Kelly, R.	Moe	Schulz
Beauchamp	Evans	Kelly, W.	Munger	Schumacher
Begich	Ewald	Kempe, A.	Neisen	Setzefandt
Berg	Faricy	Kempe, R.	Nelson	Sherwood
Berglin	Forsythe	Ketola	Norton	Sieben, H.
Biersdorf	Fudro	Knickerbocker	Novak	Sieben, M.
Brinkman	George	Knoll	Osthoff	Sieloff
Byrne	Hanson	Kostohryz	Parish	Simoneau
Carlson, A.	Heinitz	Kroening	Patton	Skoglund
Carlson, L.	Hokanson	Laidig	Petrafaso	Smith
Carlson, R.	Jacobs	Langseth	Philbrook	Smogard
Casserly	Jaros	Lindstrom	Pleasant	Spanish
Clark	Jensen	Luther	Prahl	Stanton
Clawson	Johnson, C.	Mangan	Reding	Suss

Swanson	Vanasek	Voss	White	Speaker Sabo
Tomlinson	Vento	Wenstrom	Wieser	
Ulland	Volk	Wenzel		

The motion did not prevail.

H. F. No. 101, A bill for an act relating to insurance; establishing certain compulsory insurance for aircraft; amending Minnesota Statutes 1974, Sections 60A.081; 360.59, by adding a subdivision; 360.91; and Chapter 360, by adding sections.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 99, and nays 23, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kempe, A.	Norton	Simoneau
Adams, L.	Doty	Kempe, R.	Novak	Skoglund
Anderson, I.	Enebo	Ketola	Osthoff	Smith
Arlandson	Evens	Knickerbocker	Parish	Smogard
Beauchamp	Faricy	Knoll	Patton	Spanish
Begich	Forsythe	Kostohryz	Pehler	Stanton
Berg	Fudro	Kroening	Petrafeso	Suss
Berglin	George	Kvam	Philbrook	Swanson
Biersdorf	Hanson	Laidig	Prahl	Tomlinson
Brinkman	Heinatz	Langseth	Reding	Ulland
Byrne	Hokanson	Luther	Rice	Vanasek
Carlson, A.	Jacobs	Mangan	Samuelson	Vento
Carlson, L.	Jaros	McCarron	Sarna	Voss
Carlson, R.	Jensen	McCollar	Schulz	Wenstrom
Casserly	Johnson, D.	Menning	Schumacher	Wenzel
Clark	Jude	Metzen	Setzepfandt	White
Clawson	Kahn	Moe	Sherwood	Williamson
Corbid	Kaley	Munger	Sieben, H.	Zubay
Dean	Kelly, R.	Neisen	Sieben, M.	Speaker Sabo
DeGroat	Kelly, W.	Nelson	Sieloff	

Those who voted in the negative were:

Albrecht	Ewald	Jopp	Peterson	Volk
Braun	Fjoslien	Mann	Pleasant	Wieser
Eckstein	Friedrich	McEachern	St. Onge	Wigley
Erickson	Haugerud	Nelsen	Savelkoul	
Esau	Johnson, C.	Niehaus	Searle	

The bill was passed, as amended, and its title agreed to.

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders for Wednesday, March 17, 1976, immediately following the Consent Calendar. The motion prevailed.

## GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued until Wednesday, March 17, 1976.

## ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 250:

Voss; Sabo; Anderson, I.; Haugerud and Carlson, A.

## MOTIONS AND RESOLUTIONS

Haugerud moved that H. F. No. 2060, now in the Committee on Judiciary, be returned to its author. The motion prevailed.

Skoglund moved that H. F. No. 2294, now in the Committee on Financial Institutions and Insurance, be returned to its author. The motion prevailed.

Carlson, R., moved that H. F. No. 2482, now in the Committee on Local and Urban Affairs, be returned to its author. The motion prevailed.

Prahl introduced:

House Resolution No. 31, A house resolution congratulating the Grand Rapids High School hockey team on winning the state championship.

The resolution was referred to the Committee on Rules and Legislative Administration.

Fjoslien moved that H. F. No. 1907, now in the Committee on Taxes, be returned to its author. The motion prevailed.

Sieben, H., moved that H. F. No. 998, now on General Orders be returned to its author. The motion prevailed.

## ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 10:00 a.m., Wednesday, March 17, 1976. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 10:00 a.m., Wednesday, March 17, 1976.

**EDWARD A. BURDICK, Chief Clerk, House of Representatives**

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## NINETY-SECOND DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 17, 1976

The House convened at 10:00 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Eckstein	Kaley	Nelson	Sieloff
Adams, L.	Eken	Kelly, R.	Niehaus	Simoneau
Adams, S.	Enebo	Kelly, W.	Norton	Skoglund
Albrecht	Erickson	Kempe, A.	Novak	Smith
Anderson, G.	Esau	Kempe, R.	Osthoff	Smogard
Anderson, I.	Evans	Ketola	Parish	Spanish
Arlandson	Ewald	Knickerbocker	Patton	Stanton
Beauchamp	Faricy	Knoll	Pehler	Suss
Begich	Fjoslien	Kostohryz	Petrafeso	Swanson
Berg	Forsythe	Kroening	Peterson	Tomlinson
Berglin	Friedrich	Kvam	Philbrook	Ulland
Biersdorf	Fudro	Laidig	Pleasant	Vanasek
Braun	Fugina	Langseth	Prahl	Vento
Brinkman	George	Lindstrom	Reding	Volk
Byrne	Graba	Luther	Rice	Voss
Carlson, A.	Hanson	Mangan	St. Onge	Wenstrom
Carlson, L.	Haugerud	Mann	Samuelson	Wenzel
Carlson, R.	Heinitz	McCarron	Sarna	White
Cassery	Hokanson	McCauley	Savelkoul	Wieser
Clark	Jacobs	McCollar	Schreiber	Wigley
Clawson	Jaros	McEachern	Schulz	Williamson
Corbid	Jensen	Menning	Schumacher	Zubay
Dahl	Johnson, C.	Metzen	Searle	Speaker Sabo
Dean	Johnson, D.	Moe	Setzpfandt	
DeGroat	Jopp	Munger	Sherwood	
Dieterich	Jude	Neisen	Sieben, H.	
Doty	Kahn	Nelsen	Sieben, M.	

A quorum was present.

Birnstihl, Lemke and Kalis were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of DeGroat the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2414, 1130, 1615, 101, 2019, 2072, 2560 and 2269 and S. F. Nos. 2173, 2284, 1812, 2025 and 60 have been placed in the members' files.

S. F. No. 2284 and H. F. No. 2485, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Erickson moved that S. F. No. 2284 be substituted for H. F. No. 2485 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1812 and H. F. No. 1972, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except H. F. No. 1972, page 1, lines 7 and 8 contains the language "LAKE OF THE WOODS COUNTY; TELEVISION TRANSLATOR STATION OUTSIDE THE COUNTY" whereas S. F. 1812, page 1, lines 8 to 10, contains the language "KOOCHICHING AND LAKE OF THE WOODS COUNTIES; TELEVISION TRANSLATOR STATIONS OUTSIDE THE COUNTIES".

H. F. No. 1972, page 1, line 10, contains the language "board of the county of" whereas S. F. No. 1812, page 1, line 12 contains "boards of the counties of Koochiching or".

S. F. No. 1812, page 1, lines 13 to 15, contains the language "acting singly, jointly, singly with contiguous counties, or jointly with counties contiguous to either county," whereas H. F. No. 1972, page 1, line 11, does not contain this language.

S. F. No. 1812, page 2, line 6, contains "Each" whereas H. F. No. 1972, page 2, line 2, contains "The".

H. F. No. 1972, page 2, line 3, contains the language "the provisions of" whereas S. F. No. 1812, page 2, line 7, does not contain this language.

H. F. No. 1972, page 2, lines 6 to 9, contains the language "; provided that no real estate may be acquired or bonds issued for such purposes until approved by a majority of the voters voting upon the question at any regular or special county election" whereas S. F. No. 1812, page 2, line 10, does not contain this language.

S. F. No. 1812, page 2, lines 11 and 12 contains the language "as to each county" whereas H. F. No. 1972, page 2, line 10, does not contain this language.

S. F. No. 1812, page 2, line 13, contains "that" whereas H. F. No. 1972, page 2, lines 11 and 12 contains "Lake of the Woods".

S. F. No. 1812, in the title, lines 2 and 3 reads in part "relating to the counties of Lake of the Woods and Koochiching; authorizing each" whereas H. F. No. 1972, in the title, lines 2 and 3, reads in part "relating to the county of Lake of the Woods; authorizing the".

#### SUSPENSION OF RULES

Braun moved that the rules be so far suspended that S. F. No. 1812 be substituted for H. F. No. 1972 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2173 and H. F. No. 1994, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 2173, page 2, line 31 to page 3, line 6 reads:

"Subd. 3. A folklife advisory committee shall be appointed by the director of the Minnesota historical society in consultation with the state folklorist with due consideration to regional, ethnic and occupational balance. Members of the advisory committee may be appointed from the state department of education, the department of natural resources, the Minnesota state arts council, the Minnesota Indian affairs commission, and from any other source."

Whereas, H. F. No. 1994 does not contain this language.

H. F. No. 1994, page 4, line 13 reads in part: "available any item in the archive authorized".

Whereas, S. F. No. 2173, page 4, line 21 reads in part: "available any item in the archives authorized".

H. F. No. 1994, page 4, line 19, reads in part: "support, revitalize and".

Whereas, S. F. No. 2173, page 4, line 27, reads in part: "support, revitalize, and".

Further the title of H. F. No. 1994, in lines 6 and 7 reads: "prescribing powers and duties of the state folklorist."

Whereas, line 6 of the title of S. F. No. 2173 reads: "prescribing powers and duties of the folklorist."

#### SUSPENSION OF RULES

Kahn moved that the rules be so far suspended that S. F. No. 2173 be substituted for H. F. No. 1994 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

S. F. No. 454, A bill for an act relating to intoxicating liquor; licensing of bottle clubs; amending Minnesota Statutes 1974, Section 340.119, Subdivision 3.

Reported the same back with the following amendments:

Page 2, line 4, delete "1975" and insert "1976".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

S. F. No. 1619, A bill for an act relating to intoxicating liquors; repealing certain obsolete provisions; increasing the penalty for selling or giving away poisonous liquor; amending Minnesota Statutes 1974, Sections 340.71 and 340.942; repealing Minnesota Statutes 1974, Sections 340.38; 340.70; 340.76; 340.77; 340.79; 340.80; 340.83; 340.87; 340.88; 340.89; 340.90; 340.91; 340.92; and 340.93.

Reported the same back with the following amendments:

Page 1, after line 10, insert:

"Section 1. [334.20] [DEFINITIONS:] The definitions and provisions in the Truth-In-Lending Act, Title I of the Consumer Credit Protection Act, P.L. 90-321, and in Regulation Z of the Board of Governors of the Federal Reserve System adopted pursuant thereto, 12 CFR 226, as in effect on June 5, 1971, shall apply to the terms used in sections 1 to 6.

Sec. 2. [334.21] [FINANCE CHARGES FOR OTHER THAN OPEN END CREDIT.] Subdivision 1. Unless otherwise authorized by statute, the parties to a consumer credit sale other than a sale pursuant to an open end credit plan may agree to payment by the consumer of a maximum finance charge calculated according to the actuarial method using the rate of finance charge specified by section 334.16.

Subd. 2. For the purposes of this section:

(a) The finance charge may be calculated on the assumption that all scheduled payments will be made when due;

(b) The dollar amount of the finance charge shall include the prepaid finance charge excluded from the amount financed; and

(c) The effect of prepayment is governed by the provisions on rebate upon prepayment under section 4 of this act.

Subd. 3. For the purposes of this section, the term of a consumer credit sale other than one pursuant to an open end credit plan commences with the date the credit is granted or, if goods are delivered, services performed or proceeds of a loan paid ten days or more after that date, with the date of commencement of delivery or performance. Differences in lengths of months are disregarded and a day may be counted as 1/30 of a month.

Subd. 4. A seller may contract for and receive a minimum finance charge with respect to a sale other than one pursuant to an open end credit plan, of not more than fifty cents per month for each month of the original contract term.

Sec. 3. [334.22] [PREPAYMENT PENALTIES PROHIBITED.] Subject to section 4, and unless otherwise authorized by statute, a buyer may prepay in full, or any part, the unpaid balance of a consumer credit sale at any time without penalty.

Sec. 4. [334.23] [REBATE ON PREPAYMENT.] Subdivision 1. Unless otherwise authorized by statute, and upon prepayment in full of the unpaid balance of a precomputed consumer credit sale, refinancing or consolidation, an amount not less than the unearned portion of the finance charge calculated according to this section shall be rebated to the buyer. If the total of all rebates, refunds and credits to be paid to the buyer under sections 1 to 6 is less than \$1, no rebate need be made.

Subd. 2. The unearned portion of the precomputed finance charge on consumer credit sales shall be at least as great a proportion of the time price differential as the sum of the periodic time balances after the month in which prepayment is made, bears to the sum of all the periodic time balances under the schedule of payments in the original contract. This method of calculating rebates may be referred to as the "rule of 78" or "sum of the digits" method. When a rebate computed by the "rule of 78" results in a buyer having been charged an effective rate of interest in excess of that allowable under section 334.16, it shall not be a violation of law.

Subd. 3. Unless otherwise authorized by statute, the parties to a consumer credit sale other than one pursuant to an open end credit plan, may agree in writing at any time subsequent to the transaction to a deferral of all or part of any installments and an appropriate deferral charge which may not exceed one

percent per month on the amount deferred. If prepayment in full is made on a transaction for which there was a prior agreement for a deferral and a deferral charge, the unearned portion of the finance charge shall be computed without regard to the deferral. The amount of deferral charge accumulated at the date of prepayment shall also be calculated. If the deferral charge accumulated is less than the deferral charge actually paid by the buyer, the difference shall be added to the unearned portion of the finance charge to be rebated to the buyer. If any part of a deferral charge has been accumulated but has not been paid, that part shall be subtracted from the unearned portion of the finance charge to be rebated to the buyer.

Subd. 4. In the absence of an agreement for deferral of any installment, as provided in subdivision 3, and if the contract between the seller and the buyer so provides, the seller may collect, or retain, in the event of prepayment, a delinquency charge with respect to any installment not paid in full within ten days after its due date, as originally scheduled or as deferred by agreement, in an amount which is five percent of the unpaid amount of such delinquency installment, or \$5 whichever is less. Such a delinquency charge with respect to any single delinquent installment may be collected only once, however long such installment remains in default. A separate delinquency charge, as computed above, may be imposed with respect to each separate installment that is delinquent. A delinquency charge may not be collected on an installment paid in full within ten days after its scheduled or deferred installment due date even though an earlier maturing installment or a delinquency or deferral charge on an earlier installment has not been paid in full. For purposes of this subdivision, and in the absence of specific direction by the buyer to the contrary, a payment is applied first to any installment due and not delinquent at the time in which it is received and then to delinquent installments and charges. A delinquency charge may be collected at the time it accrues or at any time thereafter.

Subd. 5. Unless otherwise authorized by statute, if the maturity of the obligation is accelerated for any reason and judgment is obtained, the buyer is entitled to the same rebate as if payment in full had been made on the date judgment is entered against the buyer excluding delinquency charges previously collected by the creditor.

Sec. 5. [334.24] [PENALTY.] Any seller who violates any of the provisions of sections 1 to 6 except as a bona fide error, shall forfeit to the buyer an amount which is three times any finance charge imposed, charged or collected, in connection with a consumer credit sale, with a minimum forfeiture of \$100 plus reasonable attorneys fees and court costs.

Sec. 6. [334.25] [ASSIGNEES AND PURCHASERS.] Any conditional sales contract, personal note or other instrument arising out of or given in connection with a consumer

credit sale which reflects or bears a finance charge higher than allowed under sections 1 to 6, or higher than otherwise authorized by statute, may not be held in good faith by an assignee or purchaser of commercial or negotiable paper, and any assignee who acquires said instrument shall be liable for the penalties provided by section 5.

Sec. 7. [334.26] [MOTOR VEHICLE RETAIL INSTALLMENT SALES ACT.] Sections 1 to 6 shall not apply to sections 168.66 to 168.77, known as the motor vehicle retail installment sales act.”.

Page 2, after line 10, insert:

“Sec. 10. Subdivision 1. [APPLICATION.] Except for random weight packages unit priced in accord with existing regulations and uniform weight packages of cheese and cheese products unit priced in the same manner and by the same type equipment as random weight packages, any retail establishment selling the packaged commodities listed below shall provide the unit price information in the manner prescribed:

Meat, poultry, and seafood	Price per pound
Fruits and vegetables	Price per pound or per individual unit, or whole unit of dry measure
Fruit and vegetable juice and drinks	Price per quart
Dry detergents, soap powders, and dry household cleaners	Price per pound
Liquid detergents and household cleaners and disinfectants	Price per quart
Relishes and condiments	Price per pound or quart
Liquid soups and condensed liquid soups	Price per pound or quart
Cereals	Price per pound
Candy	Price per pound or price per ounce
Cookies and crackers	Price per pound
Canned and bottled baby foods	Price per pound or quart

Sanitary paper products	Price per 50 sq. ft., or, if by count, per 50 units, including ply
Foil, film, and other rolls of wrapping	Price per 50 sq. ft.
Cooking oils and shortening	Price per quart or pound
Salad dressings	Price per quart
Soft drinks	Price per quart
Jams, jellies, preserves, and peanut butter	Price per pound
Sandwich spreads	Price per pound
Coffee, tea, and cocoa	Price per pound
Syrups, table and topping	Price per pound or quart
Cheese, natural and processed	Price per pound
Rice	Price per pound
Flour and sugar	Price per pound
Macaroni, spaghetti and other dry pasta products (except prepared convenience products)	Price per pound
Pet food	Price per pound
Bath soaps	Price per ounce
Mouth Washes	Price per quart
Toothpaste	Price per ounce
Deodorants, personal	Price per ounce
Shaving preparations	Price per ounce
Toilet water and colognes	Price per ounce
Hair preparations	Price per ounce
Butter, yogurt, margarine and milk	Price per pound or quart

Prepared food mixes, including but not limited to pastry mixes, pancake mixes, pizza mixes and dessert mixes	Price per pound or quart
Instant food products, including but not limited to instant breakfast, instant powdered milk, and liquid diet foods	Price per pound or quart
Dried soups	Price per pound
Air fresheners, disinfectants, waxes, household polishes and polish removers	Price per ounce
Paper plates, waxed paper, shelf paper, contact paper and paper cups	Price per 50 square feet, or if by count, per 50
Salt, pepper, tenderizers, vinegar, baking powder, and all derivatives thereof, and all other spices and herbs	Price per ounce
Honey and honey products pre-packaged bread	Price per pound
Ice cream, sherbet and frozen dairy products	Price per quart or pound
Grains, meals, lentils, flour, cornstarch, and all mixes or dried foods containing such products or by-products thereof	Price per pound

The standard of reference for all categories listed above shall be the latest edition of the "Standard Industrial Classification Manual" published by the executive office of the president of the United States, bureau of the budget.

Subd. 2. [PRICING.] The unit price information shall be to the nearest tenth of one cent when less than \$1 and to the nearest cent when \$1 or more.

Subd. 3. [KILOGRAM; LITER.] Unit pricing may be stated in price per kilogram or price per liter in addition to pricing provided in subdivision 1.

Sec. 11. [PRESENTATION OF PRICE.] Subdivision 1. In any retail establishment in which unit price information is provided in accordance with the provisions of this act that information may be displayed by means of a sign which offers the unit price for one or more brands or sizes of a given commodity, by means of a sticker, stamp, sign, label, or tag affixed to the shelf upon which the commodity is displayed, or by means of a sticker, stamp, sign, label, or tag affixed to the consumer commodity itself.

Subd. 2. Where a sign providing unit price information for one or more sizes or brands of a given commodity is used, that sign shall be provided clearly and in a nondeceptive manner in a central location as close as practical to all items to which the sign refers.

Subd. 3. If a single sign or tag does provide the unit price information for more than one brand or size of a given commodity, then the following information shall be provided:

- (a) The identity and the brand name of the commodity.
- (b) The quantity of the packaged commodity if more than one package size per brand is displayed.
- (c) The total retail sales price.
- (d) The price per appropriate unit in accordance with section 1, subdivision 1.

Sec. 12. [EXEMPTIONS.] Subdivision 1. [GROSS ANNUAL SALES.] Every person who sells at retail and whose total gross annual sales for the previous accounting year do not exceed \$500,000 shall be exempt from the provisions of this act. This exemption shall not apply to any member store of a chain store sales organization which chain has gross annual sales of \$500,000 or more, except where the store is independently owned.

Subd. 2. [CERTAIN COMMODITIES.] Sellers at retail need not comply with the provisions of section 1 as they relate to the following consumer commodities:

- (a) Prepackaged food containing separate and identifiable kinds of food segregated by physical division within the package;
- (b) Items while actually being sold through vending machines, but the same items when not sold through vending machines are not exempted by this subdivision;

(c) Consumer commodities intended to be consumed on the premises; and

(d) Any packaged commodity whose net weight is one whole unit or two whole units, and which has the retail price plainly marked thereon.

Subd. 3. [SMALL PACKAGES.] Any of the commodities listed in section 1, subdivision 1 shall be exempt from these provisions when packaged in quantities of less than one ounce (avoirdupois) or one fluid ounce or when the total retail price thereof is ten cents or less.

Subd. 4. [SINGLE ITEM.] Any of the commodities listed in section 1, subdivision 1 shall be exempt from these provisions when there is only one brand in only one size appearing in a particular retail establishment.

Sec. 13. [REGULATION.] The consumer services section of the department of commerce may promulgate rules and regulations following public hearings, which:

(a) Modify or change the measure required by this act if the director finds that the required measure does not adequately inform the consumer and that the new measure is clearly listed on the package or contents in such a manner as to satisfy the requirements of the fair trade and labeling act (15 U.S.C. 1451 et seq.) or the measure is inappropriate or unsuitable to any particular consumer commodity or commodities;

(b) Provide for disclosure for the price per measure which is more effective than the means prescribed in section 11.

Sec. 14. [EFFECTIVE DATE.] All consumer commodities required to be unit priced pursuant to section 10 shall be unit priced by January 1, 1978, except that the director of the consumer services section of the department of commerce may, by regulation, prescribe effective dates for specific consumer commodities after January 1, 1977."

Renumber the sections accordingly.

Underscore all new language.

Further, amend the title:

Page 1, line 2, delete "intoxicating liquors" and insert "consumer protection".

With the recommendation that when so amended the bill do pass.

## POINT OF ORDER

Savelkoul raised a point of order pursuant to Rule 6.9, that the committee report on S. F. No. 1619 was out of order. The Speaker ruled the point of order not well taken and the committee report on S. F. No. 1619 in order.

The report was adopted.

Moe from the Committee on Crime Prevention and Corrections to which was referred:

H. F. No. 2255, A bill for an act relating to juveniles; providing limitations on procedures for juvenile detention; providing definitions; setting standards; amending Minnesota Statutes 1974, Sections 260.015, by adding subdivisions; 260.101; 260.171, Subdivisions 1, 2, and by adding subdivisions; 641.14; and Chapter 260, by adding sections; repealing Minnesota Statutes 1974, Sections 260.171, Subdivision 3; and 260.175.

Reported the same back with the following amendments:

Page 1, line 16, delete "or".

Page 1, line 17, delete "placement after adjudication".

Page 3, line 4, delete "probable cause" and insert "reason" and after "would" insert "physically".

Page 3, line 12, strike "as".

Page 3, line 16, after "The" insert "intentional".

Page 3, line 17, delete ", whether given orally or in".

Page 3, line 18, delete "writing,".

Page 3, line 20, after "any" insert "reasonable".

Page 5, line 14, after "basis" insert "to be determined by the director of the facility".

Page 5, line 16, after "hours" insert ", excluding Sundays and holidays,".

Page 5, line 23, after "facility" insert "or secure a written transportation order from the court authorizing transportation by the sheriff or other qualified person".

Page 6, line 24, after the comma insert "excluding Sundays and holidays,".

Page 6, line 26, delete "probable cause" and insert "reason".

Page 7, line 4, after "eight" insert "court".

Page 7, line 18, after "eight" insert "court".

Page 7, line 27, delete "placed" and insert "detained only".

Page 7, line 28, delete "placed" and insert "detained".

Page 7, line 29, delete "subdivisions 2 or 3" and insert "subdivision 4" and delete "placed" and insert "detained".

Page 8, line 3, delete "act" and insert "offense".

Page 8, line 8, delete "clause" and insert "subdivision".

Page 8, line 9, delete "placed" and insert "detained" and delete "If such a".

Page 8, delete lines 10 to 14 and insert:

*"Subd. 3. If a child described under subdivision 2 has previously escaped from a shelter care facility, or is from another state and absent from his home for more than 24 hours without the permission of his parent, guardian or other custodian, he may be detained in a secure detention facility."*

Page 8, line 23, delete "placed" and insert "detained".

Page 8, line 24, delete "placed" and insert "detained".

Page 8, after line 32, insert:

*"Subd. 5. In order for a child to be detained at a state correctional institution for juveniles, the commissioner of corrections must first consent thereto, and the county must agree to pay the costs of the child's detention."*

Renumber the subdivision in order.

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

S. F. No. 1262, bill for an act relating to tax forfeited lands; authorizing the county auditor to grant easements or permits thereon for recreational trails; amending Minnesota Statutes 1974, Section 282.04, Subdivision 4.

Reported the same back with the recommendation that the bill do 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:

S. F. No. 1627, A bill for an act relating to state parks; adding lands to Kilen Woods state park in Jackson county.

Reported the same back with the following amendments:

Page 1, line 12, after the period insert:

“Sec. 2. [ADDITIONS TO ITASCA STATE PARK.] Subdivision 1. [ACQUISITION OF LAND.] The lands described in this section are added to the boundaries of Itasca State Park. The commissioner of administration for the commissioner of natural resources may acquire these lands by gift, purchase, or if expressly authorized by law, by condemnation proceedings. Any land which now is or hereafter becomes tax-forfeited land and is located within the described park boundaries is hereby withdrawn from sale and is transferred from the custody, control, and supervision of the county board of the county to the commissioner of natural resources, free from any trust in favor of the interested taxing districts. The commissioner shall execute a certificate of acceptance of the lands on behalf of the state for park purposes and transmit the same to the county auditor for recording as provided by law in the case of tax-forfeited land transferred to the commissioner by resolution of the county board for conservation purposes. Any lands within the boundaries described in this section which are owned by the United States and managed by any of its agents may be acquired by land exchange, direct transfer, or purchase as federal laws may authorize. The lands acquired pursuant to this section shall be administered in the same manner as provided for other state parks and shall be perpetually dedicated for park use.

Subd. 2. [PROPERTY DESCRIPTION.] The commissioner of administration may in accordance with this section acquire the property described as follows:

(a) In the county of Clearwater, that part of the South Half of Section 29 lying southerly of Anchor Matson Road; that part of Section 31 lying southeasterly of Anchor Matson Road; all of Section 32; that part of Section 33 lying southerly of the Min-

nesota Highway 200; all of the Northeast Quarter and that part of the West Half of Section 34 lying southerly of Minnesota Highway 200; all of the Southwest Quarter of the Northwest Quarter, that part of the North Half of the Northwest Quarter lying southerly of Minnesota Highway 200, and that part of the Southeast Quarter of the Northeast Quarter lying southerly of Minnesota Highway 200 in section 35; and that part of the South Half of Section 36 lying southerly of Minnesota Highway 200; all in Township 144 North, Range 36 West.

(b) In the county of Hubbard, that part of the Southwest Quarter of the Southwest Quarter of Section 31, Township 144 North, Range 35 West, lying southwesterly of Minnesota Highway 200; that part of the West Half of Section 8 lying southwesterly of Minnesota Highway 200; and that part of the Northwest Quarter of Section 17 lying westerly of Minnesota Highway 200; all in Township 143 North, Range 35 West.”.

Page 1, line 13, delete “2” and insert “3”.

Further amend the title as follows:

Page 1, line 3, before the period insert “; authorizing the inclusion of additional lands within the boundaries of Itasca state park”.

With the recommendation that when so amended the bill do 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:

S. F. No. 2077, A bill for an act relating to Blue Earth county; authorizing the county of Blue Earth to contract for the completion of the improvement of county ditch No. 27; setting limits for the expenditure of money for the improvement thereof; providing for the financing thereof; amending Laws 1975, Chapter 249, Section 1, Subdivision 1; and Section 2.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 175, A bill for an act relating to corrections; increasing the scope of the jurisdiction and power of the ombuds-

man; preserving the rights of complainants; providing a penalty for persons hindering the ombudsman; removing an expiration date; appropriating money; amending Minnesota Statutes 1974, Sections 241.42, Subdivision 2; 241.44, Subdivisions 1 and 3, and by adding a subdivision; and Chapter 241, by adding a section; repealing Minnesota Statutes 1974, Section 241.42, Subdivision 4; and Laws 1973, Chapter 553, Section 7.

Reported the same back with the following amendments:

Pages 4 and 5, delete all of section 5.

Renumber the remaining sections.

Further amend the title:

Page 1, line 4, delete "providing a".

Page 1, delete line 5.

Page 1, line 9, delete "Chapter 241, by".

Page 1, line 10, delete "adding a section;".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 674, A bill for an act relating to administrative procedure; requiring agency estimates of the cost of proposed rules to local public bodies; delaying the effective date of rules involving costs to local public bodies; amending Minnesota Statutes, 1975 Supplement, Section 15.0412, by adding subdivisions.

Reported the same back with the following amendments:

Page 1, line 13, after "*bodies*" insert "*and the affected local public agency has not been directly involved as provided by statute in the actions relating to implementation of the rule*".

Pages 1 and 2, delete all of section 2.

Renumber the remaining section.

Further amend the title:

Page 1, line 7, delete "subdivisions" and insert "a subdivision".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 1813, A bill for an act authorizing the conveyance by the state of certain lands located in Roseau county.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 1821, A bill for an act relating to civil service; providing for the status of persons holding positions changed to the unclassified service; amending Minnesota Statutes, 1975 Supplement, Section 43.09, Subdivision 2a.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 1841, A bill for an act relating to state agencies; providing for an open appointment process; requiring reports from appointing authorities and the secretary of state.

Reported the same back with the following amendments:

Page 5, delete lines 2 to 7.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 1876, A bill for an act relating to the operation of state government; correcting the nomenclature of or restructuring several boards and committees; limiting the use of advisory

groups; standardizing the terms, compensation and removal of members of committees; abolishing or transferring the functions of several state agencies including the public relief advisory committee, the Minnesota-South Dakota boundary waters commission, the motor vehicle reciprocity commission, the Big Island veterans camp board of directors, the publications advisory board, the Indian education committee, the advisory committee for mentally retarded and cerebral palsied community residential facilities, and the state teletypewriter advisory committee; amending Minnesota Statutes 1974, Sections 3.30, by adding a subdivision; 16.71, Subdivision 1; 17.52; 17.53, Subdivision 5; 17.54, Subdivision 2; 21A.02, Subdivision 5; 21A.03; 29.14, Subdivision 4; 30.463, Subdivision 2; 32B.03, Subdivision 4; 84.01, Subdivision 5; 114.12; 116E.02, Subdivision 1; 116E.03, Subdivision 7, and by adding a subdivision; 121.83; 136A.02, Subdivision 5; 141.24; 168.187, Subdivisions 7, 8, 9, 11, 12, 15, 18, 24 and 25; 178.02, Subdivision 2; 197.13; 197.15; 197.16; 252.28, Subdivision 2; 256.01, Subdivision 6; 326.41; 326.49; 481.01; Chapters 15, 60C, 114, and 252 by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 15.01; 15.012; 15.059, Subdivisions 3 and 4; 84B.11, Subdivision 1; 86A.10, Subdivision 1; 115.71, Subdivision 4; 115.74; 125.183, Subdivision 1; 148.231, Subdivision 2; 149.02; 151.03; 155.05; 198.055, Subdivisions 1 and 2; 326.241, Subdivision 1; 326.33, Subdivision 1; Extra Session Laws 1971, Chapter 31, Article 13, as amended; Laws 1975, Chapter 271, Section 3; repealing Minnesota Statutes 1974, Sections 15.046, as amended; 17.60; 17.601; 21A.04; 32B.04, Subdivision 2; 72B.09; 114.01 to 114.08; 126.023; 168.187, Subdivision 6; 178.02, Subdivision 3; 197.14; 252.29; 362.16; Minnesota Statutes, 1975 Supplement, Sections 86A.10, Subdivisions 3, 4 and 5; 241.023; and 299C.47.

Reported the same back with the following amendments:

Page 17, line 28, strike "governor" and insert "*appointing authority*".

Page 18, line 12, after the period insert "*The foregoing task forces shall commence their functions on July 1, 1977; however, they may not select members for the state councils until July 1, 1978.*".

Page 49, line 25, delete "17.60; 17.601;".

Page 49, line 26, delete "21A.04; 32B.04, Subdivision 2;".

Further amend the title:

Page 1, line 40, delete "17.60; 17.601; 21A.04; 32B.04;".

Page 1, line 41, delete "Subdivision 2;".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 1976, A bill for an act relating to workmen's compensation; providing for third party liability; amending Minnesota Statutes 1974, Section 176.061, Subdivision 3; repealing Minnesota Statutes 1974, Section 176.061, Subdivision 10.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 176.061, Subdivision 6, is amended to read:

Subd. 6. [COSTS, ATTORNEY FEES, EXPENSES.] The proceeds of all actions for damages or settlement thereof under section 176.061, received by the injured employee or his dependents or by the employer as provided by subdivision 5, shall be divided as follows:

(a) After deducting the reasonable cost of collection, including but not limited to attorneys fees and burial expense in excess of the statutory liability, then

(b) One-third of the remainder shall in any event be paid to the injured employee or his dependents, without being subject to any right of subrogation.

(c) Out of the balance remaining, the employer shall be reimbursed (FOR) *in an amount equal to all compensation paid under chapter 176 to the employee or his dependents by the employer less the product of the costs deducted under clause (a) divided by the total proceeds received by the employee or his dependents from the other party multiplied by all compensation paid by the employer to the employee or his dependents.*

(d) Any balance remaining shall be paid to the employee or his dependents, and shall be a credit to employer for any compensation which employer is obligated to pay, but has not paid, and for any compensation that such employer shall be obligated to make in the future.

There shall be no reimbursement or credit to employer for interest or penalties."

Further amend the title:

Page 1, line 2, after "for" insert "determination of the amount of employer reimbursement in cases of".

Page 1, line 4, delete "3; repealing".

Page 1, delete lines 5 and 6, and insert "6."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 2130, A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in Hennepin county.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 1944, A bill for an act relating to health; providing for a waiver of the certificate of need requirements by the state board of health; amending Minnesota Statutes, 1975 Supplement, Section 145.811; and Minnesota Statutes 1974, Chapter 145, by adding a section.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2405, A bill for an act relating to commitment and discharge of inebriate persons; limiting length of commitment for inebriates; amending Minnesota Statutes 1974, Section 253A.07, Subdivision 25; Minnesota Statutes, 1975 Supplement, Sections 253A.07, Subdivision 17; and 253A.15, Subdivision 1.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2444, A bill for an act relating to highway traffic regulations; driving under the influence of drugs or alcoholic beverages; providing for the revocation of a driver's license or permit by the commissioner of public safety upon receipt of chemical test that person's blood contains .10 percent or more by weight of alcohol; providing procedural safeguards; prescribing penalties; and appropriating money; amending Minnesota Statutes 1974, Chapter 169, by adding a section.

Reported the same back with the following amendments:

Page 1, after line 12, insert the following:

"Section 1. Minnesota Statutes 1974, Section 169.121, is amended by adding a subdivision to read:

*Subd. 7. Any person whose license has been revoked pursuant to section 2 shall not be subject to the mandatory revocation provisions of subdivisions 3 and 4 of this section."*

Page 1, line 19, after "breath" insert ", other than a preliminary screening test,".

Page 2, line 8, delete "or" and insert a comma.

Page 2, line 8, after "permit" insert "or nonresident operating privileges".

Page 2, line 11, after "by" insert "or at the direction of".

Page 2, line 12, delete "No revocation shall be made until".

Page 2, line 13, delete "notifies" and insert "shall notify".

Page 2, line 15, delete "allows" and insert "shall allow".

Page 2, line 17, after the period insert "When a written request for a hearing is made by the person, no revocation shall occur prior to the conclusion of the hearing."

Page 2, line 18, after "hearing" insert "shall be held as a contested case pursuant to chapter 15 and".

Page 2, line 21, delete "offense" and insert "hearing".

Page 2, line 22, delete "Upon the hearing the".

Page 2, delete lines 23 to 25.

Page 2, line 26, delete "require a re-examination of the license."

Page 2, line 27, after "sustain" delete the comma and insert "or".

Page 2, line 28, delete "or modify".

Page 2, line 28, delete "suspension,".

Page 2, line 28, after "revocation" delete "or" and insert a period.

Page 2, delete line 29.

Page 2, line 30, delete "DISTRICT COURT" and insert "COUNTY COURT".

Page 2, line 32, delete "suspended,".

Page 2, line 32, delete "or cancelled,".

Page 3, line 3, delete "district" and insert "county".

Page 3, line 6, delete "The petition shall be filed with the clerk of".

Page 3, delete lines 7 to 20.

Page 3, line 21, delete "hearing for the purpose of cross-examination" and insert "The matter shall be heard by the court pursuant to the provisions of section 171.19 except that the appeal shall be made to the county court".

Page 3, after line 23, insert:

"Subd. 5. [LIMITED LICENSE.] In any case where a license has been revoked under this section, the commissioner may issue a limited license to the driver. The commissioner in issuing a limited license may impose the conditions and limitations which in his judgment are necessary to the interests of the public safety and welfare including re-examination of the driver's qualifications, attendance at a driver improvement clinic, or attendance at counselling sessions. The license may be limited to the operation of particular vehicles and to particular classes and times of operation. The limited license issued by the commissioner shall

*clearly indicate the limitations imposed and the driver operating under a limited license shall have the license in his possession at all times when operating as a driver. In determining whether to issue a limited license, the commissioner shall consider the number and the seriousness of prior convictions and the entire driving record of the driver.*

*Subd. 6. [REINSTATED LICENSE.] If the commissioner receives notice of the driver's attendance at a driver improvement clinic, attendance at counseling sessions, or participation in treatment for an alcohol problem the commissioner may, after 60 days of the revocation period have elapsed, reinstate the driver's license for the remainder of the revocation period. The commissioner shall not reinstate a license under this subdivision to a driver who has had a license revoked under sections 169.121 or 169.123 or this act on a prior occasion during the preceding three year period for another incident."*

Page 3, delete lines 27 and 28.

Renumber the sections in sequence.

Further, amend the title as follows:

Page 1, line 9, after "safeguards;" insert "providing for issuance of a limited license; providing for reinstatement of a revoked license;"

Page 1, line 11, after "section" insert "; and Section 169.121, by adding a subdivision".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2541, A bill for an act relating to negligence; civil actions; establishing the rule of pure comparative recovery negligence; amending Minnesota Statutes 1974, Section 604.01, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 13, after the comma insert "if conduct on the part of a party seeking recovery is determined by a jury to be no more than 51 percent responsible for the death or injury".

Page 1, line 15, strike "but" and insert a period.

Page 1, line 18, after the period insert "*In comparing the proportionate responsibility of each claimant to determine the availability of recovery, the proportion of responsible conduct on the part of all opposing parties shall be aggregated.*".

Further, amend the title as follows:

Page 1, line 3, delete "pure".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

S. F. No. 4, A bill for an act relating to courts; general terms in ninth judicial district, eastern area; amending Minnesota Statutes 1974, Section 484.17.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

S. F. No. 354, A bill for an act relating to drivers' licenses; providing a new category of alcohol-related offenses; aggravated violations for driving after cancellation, suspension or revocation; providing a penalty; amending Minnesota Statutes 1974, Chapter 171, by adding a section.

Reported the same back with the following amendments:

Page 1, line 11, delete "*Subdivision 1.*".

Page 2, delete lines 2 to 16.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

S. F. No. 864, A bill for an act relating to hospitalization and commitment; providing for notice to and hearing on request of

attending physician or next of kin of patient before discharge; amending Minnesota Statutes 1974, Section 253A.15, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1974, Section 253A.15, Subdivision 2, is amended to read:

Subd. 2. (a) Where such patient is found by the committing court to be dangerous to the public or to have a psychopathic personality, such patient shall not be discharged or provisionally discharged except upon order of the commissioner and no such discharge or provisional discharge shall be ordered by the commissioner unless he is satisfied that the patient is capable of making an acceptable adjustment in society and unless the commissioner has received a favorable recommendation to that effect by a majority of the special review board appointed and acting under section 253A.16. A petition for an order of discharge or provisional discharge shall be filed with the commissioner and may be filed by the patient or by the head of the hospital. The special review board shall be convened by the commissioner at reasonable intervals and shall hold a hearing on each petition for discharge or provisional discharge prior to making any recommendation thereon. The probate court, *the spouse or, if there be none, an adult child or, if there be none, the next of kin of the patient, at their last known address*, and the county attorney of the county of commitment, and the petitioner and his attorney, if any, shall each be given written notice by the commissioner of the time and place of the hearing before the special review board at least 14 days prior to the date of such hearing and may appear before the special review board and such persons shall also be given written notice of the making of any such order by the commissioner and a copy of the same within five days after the making and entry of such order, the notice and copy thereof to be furnished by registered mail with return receipt. No order by the commissioner for the discharge or provisional discharge of a patient shall be made effective sooner than 30 days after the making and entry of such order.

(b) There shall be established by the supreme court an appeal panel composed of three probate judges and two alternate probate judges, all of whom shall be appointed from among the acting probate judges of the state by the chief justice of the supreme court for terms of one year each. Only three judges need hear any case. One of the regular three judges so appointed shall be designated as the chief judge of the appeal panel and that judge is hereby vested with power and authority to fix the time and place of all hearings before the panel, issue all notices, subpoena witnesses, appoint counsel for the patient, if necessary,

and generally to supervise and direct the operation of the appeal panel. The chief judge shall designate any other judge or any alternative judge to act as chief judge in any case where such chief judge is unable to act and with the same powers and authority. No judge appointed to the appeal panel shall take part in the consideration of any case in which that judge committed the patient in the probate court. The chief justice of the supreme court shall determine the compensation of the judges serving on the appeal panel, such compensation to be in addition to their ordinary compensation as probate judges, and all compensation and expenses of the appeal panel shall be borne by the department of public welfare.

(c) The patient or the county attorney of the county from which the patient was committed aggrieved by the action of the commissioner under clause (a), may petition for a rehearing and reconsideration of the case before the appeal panel. Such petition shall be filed with the supreme court within 30 days after the making and entry of the order of the commissioner. The supreme court shall notify the head of the hospital in which the patient is confined and refer the petition to the chief judge of the appeal panel. Written notice by mail shall be given to the patient, the county attorney of the county of commitment, the commissioner, the head of the hospital in which the patient is confined, *the spouse, or, if there be none, an adult child or, if there be none, the next of kin of the patient, at their last known address,* and such persons as the chief judge may designate, of the time and place of the hearing on such petition. Such notice is to be given not less than 14 days prior to the date of such hearing, which hearing shall be within 45 days of the filing of the petition. Any person may oppose the petition. The appeal panel may appoint examiners, and may adjourn the hearing from time to time. It shall hear and receive all relevant testimony and evidence and make a record of all such proceedings. The patient and the county attorney of the committing county shall be entitled to be present and to cross-examine all witnesses. A majority of the appeal panel shall make and enter such orders as they may deem just and equitable and the orders of the appeal panel shall supersede all orders of the commissioner of such cases.

(d) In all proceedings before the appeal panel the patient shall be afforded an opportunity to be represented by counsel, and if neither the patient or others provide counsel the chief judge of the appeal panel shall appoint counsel to represent the patient. The compensation of such appointed counsel shall be determined by the chief judge and the expense thereof shall be borne and paid by the department of public welfare.

(e) The filing with the supreme court of a petition under clause (c) shall immediately suspend the operation of any order for discharge, provisional discharge or release from custody of the patient and said patient shall not thereafter be discharged

or released in any manner except upon order of a majority of the appeal panel.

(f) A party aggrieved by an order of the appeal panel may appeal from such decision to the supreme court in the same manner as other appeals in civil actions.

Sec. 2. Minnesota Statutes 1974, Section 253A.15, Subdivision 11, is amended to read:

Subd. 11. (a) *The head of any hospital, prior to the discharge or provisional discharge of any patient committed as mentally ill, mentally deficient, or inebriate, shall notify the patient's spouse, or if there be none, an adult child, or if there be none, the next of kin of the patient, of the proposed discharge date. The notice shall be sent to the last known address of the patient's next of kin by registered mail with return receipt. Further, the notice shall include the following information: (1) the proposed date of discharge or provisional discharge; (2) the date, time and place of the meeting of the staff, who have been treating the patient, to discuss discharge and discharge planning; (3) that the patient will be present at the meeting; (4) that the next of kin may attend the designated staff meeting and present any information relevant to the discharge of the patient. The notice shall be sent to the next of kin at least one week prior to the date designated for the meeting.*

(b) The head of any hospital, upon the provisional discharge, partial hospitalization, or release of any patient hospitalized under sections 253A.01 to 253A.21, shall notify the welfare board and in the event the patient is a drug dependent person the community mental health center of the county of such patient's residence before the patient is to leave the hospital (, AND THE WELFARE BOARD SHALL THEREUPON NOTIFY THE PATIENT'S FAMILY). Whenever possible said notice shall be given at least one week before the patient is to leave the hospital. The commissioner shall provide by regulation the procedure and methods whereby such patient shall be helped to receive all public assistance benefits provided by state or federal law to which his residence and circumstances entitle him. Such regulations shall be uniformly applied in all counties, and all counties shall provide temporary relief whenever necessary to meet the intent of this (SECTION) *subdivision.*"

Further amend the title as follows:

Page 1, line 6, delete "by adding a subdivision" and insert "Subdivisions 2 and 11".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

S. F. No. 1051, A bill for an act relating to attorneys; providing for investigation of accusations against attorneys; amending Minnesota Statutes 1974, Section 481.15, by adding a subdivision.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

S. F. No. 1105, A bill for an act relating to crimes; specifying the acts constituting the offense of tampering with a witness; prescribing penalties; amending Minnesota Statutes 1974, Section 609.42, Subdivision 1.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

S. F. No. 1188, A bill for an act relating to forestry; authorizing forest officers to issue notices having the effect of a summons and complaint; amending Minnesota Statutes 1974, Section 88.10, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 20, after "to" insert "88.12 and 88.15 to".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

S. F. No. 1973, A bill for an act relating to courts; time limitations on actions when party is outside the state; amending Minnesota Statutes 1974, Section 541.13.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

S. F. No. 2208, A bill for an act relating to courts; changing the status of the Hennepin county juvenile court judge; providing for continuous district court terms in all counties; providing that retired district court judges be reimbursed for expenses incurred while acting as district judges; authorizing additional power to judges of county court; requiring certain distributions of Minnesota Statutes and Session Laws; amending Minnesota Statutes 1974, Sections 260.021, Subdivision 2; 484.08; 484.09, as amended; 484.11; 484.13; 484.14; 484.15; 484.16; 484.17; 484.18; 484.62; 648.39, Subdivision 1; and Chapter 487, by adding a section; repealing Minnesota Statutes 1974, Sections 260.021, Subdivision 3; and 490.025, Subdivision 8.

Reported the same back with the following amendments:

Pages 1 and 2 delete all of section 1.

Page 17, line 27, delete "Sections".

Page 17, line 28, delete "260.021, Subdivision 3, and" and insert "Section".

Page 17, line 28, delete "are" and insert "is".

Renumber the sections in sequence.

Further amend the title as follows:

Page 1, line 11, delete "260.021, Subdivision 2;".

Page 1, line 15, delete "Sections 260.021,".

Page 1, line 16, delete "Subdivision 3; and" and insert "Section".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2353, A bill for an act relating to counties; changing lands subject to county control; amending Minnesota Statutes 1974, Section 394.24, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 19, after "land" insert "*is located within an area subject to shoreland management zoning or wild, scenic, or recreational river zoning or both, and*".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2456, A bill for an act relating to the city of Duluth; authorizing residential property rehabilitation loans.

Reported the same back with the following amendments:

Page 1, line 9, after "loans" insert "and grants".

Page 1, line 11, delete "which loans may include payments" and insert "including grants".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2543, A bill for an act relating to the city of Orr; authorizing the city to issue its general obligation bonds for acquisition and betterment of a municipal fire hall and city hall.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1039, A bill for an act relating to plats and surveys in Olmsted county; providing for approval by the county surveyor and providing for a fee.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 2223, A bill for an act relating to the city of Albert Lea; authorizing a housing finance program; providing for the issuance of general obligation and revenue bonds to finance the program.

Reported the same back with the following amendments:

Page 3, line 5, delete “, provided that”.

Page 3, delete line 6.

Page 3, line 7, delete “required”.

Page 3, line 9, delete “\$5,000,000” and insert “\$500,000”.

Page 3, line 30, after “obligations” insert “at public sale”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 2280, A bill for an act relating to the city of Maplewood; paramedic service; authorizing the collection of taxes in excess of the levy limits for purposes of the paramedic program.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. No. 2280 was read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 2284, 1812, 2173, 454, 1619, 1262, 1627, 2077, 674, 1813, 1821, 1841, 1876, 1976, 2130, 1944, 4, 354, 864, 1051, 1105, 1188, 1973, 2208, 1039 and 2223 were read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Smith introduced:

H. F. No. 2671, A bill for an act relating to public health; providing for the establishment of standards for septic tank manufacture and certification of approved models; amending Minnesota Statutes 1974, Sections 115.28 and 144.12.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Adams, S.; Savelkoul and McCauley introduced:

H. F. No. 2672, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; providing for legislative adjournments and procedures.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Esau, Langseth, Menning and Carlson, R., introduced:

H. F. No. 2673, A bill for an act relating to administrative procedure; providing for the place of hearings; amending Minnesota Statutes 1974, Section 15.0418.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kroening, Osthoff, Metzen and Sieben, H., introduced:

H. F. No. 2674, A bill for an act relating to civil service; providing for the status of persons holding positions changed to the unclassified service; amending Minnesota Statutes, 1975 Supplement, Section 43.09, Subdivision 2a.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Osthoff, Hanson, Sabo and Norton introduced:

H. F. No. 2675, A bill for an act relating to the city of St. Paul; appropriating money for certain studies of Lake Como.

The bill was read for the first time and referred to the Committee on Appropriations.

#### HOUSE ADVISORY BILLS

Pursuant to Rule 5.3, the following House Advisory Bill was introduced:

Georgé, Dean, Rice, Begich and Munger introduced:

H. A. B. No. 69, Transferring liability on certain bonds to the city of Bloomington.

The bill was referred to the committee on Local and Urban Affairs.

#### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pursuant to Rule 1.9, Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as Special Orders for Wednesday, March 17, 1976 to be acted upon immediately following No. 7 on Special Orders for Wednesday, March 17, 1976.

S. F. Nos. 840, 1624, 1047, 2161, 10, 2373, 2155, 1411, 1825 and 749; H. F. No. 1735; S. F. Nos. 1499 and 1957; and H. F. No. 2269.

#### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Berglin reported on the progress of S. F. No. 932, now in Conference Committee.

#### CONSENT CALENDAR

S. F. No. 2152, A bill for an act relating to anatomical gifts; eye enucleation; authorizing eye enucleation upon pronouncement of death by a physician; amending Minnesota Statutes, 1975 Supplement, Section 525.924, Subdivision 6.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Nelsen	Sieben, M.
Adams, L.	Eken	Kelly, R.	Nelson	Sieloff
Adams, S.	Enebo	Kelly, W.	Niehaus	Simoneau
Albrecht	Erickson	Kempe, A.	Norton	Skoglund
Anderson, G.	Esau	Kempe, R.	Novak	Smith
Anderson, I.	Evans	Ketola	Osthoff	Smogard
Arlandson	Ewald	Knickerbocker	Parish	Spanish
Beauchamp	Faricy	Knoll	Patton	Stanton
Begich	Fjoslien	Kostohryz	Pehler	Suss
Berg	Forsythe	Kroening	Peterson	Swanson
Berglin	Friedrich	Kvam	Petrafaso	Tomlinson
Biersdorf	Fudro	Laidig	Philbrook	Ulland
Braun	Fugina	Langseth	Pleasant	Vanasek
Brinkman	George	Lindstrom	Prahl	Vento
Byrne	Graba	Luther	Reding	Volk
Carlson, A.	Hanson	Mangan	St. Onge	Voss
Carlson, L.	Haugerud	Mann	Samuelson	Wenstrom
Carlson, R.	Heinitz	McCarron	Sarna	Wenzel
Casserly	Jacobs	McCauley	Savelkoul	White
Clark	Jaros	McCollar	Schreiber	Wieser
Corbid	Jensen	McEachern	Schulz	Wigley
Dahl	Johnson, C.	Menning	Schumacher	Zubay
Dean	Johnson, D.	Metzen	Searle	Speaker Sabo
DeGroat	Jopp	Moe	Stezepfandt	
Dieterich	Jude	Munger	Sherwood	
Doty	Kahn	Neisen	Sieben, H.	

The bill was passed and its title agreed to.

S. F. No. 1576, A bill for an act relating to retirement; police pensions in cities of Crookston and Thief River Falls.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Corbid	George	Ketola	Neisen
Adams, L.	Dahl	Graba	Knickerbocker	Nelsen
Adams, S.	Dean	Hanson	Knoll	Nelson
Albrecht	DeGroat	Haugerud	Kostohryz	Niehaus
Anderson, G.	Dieterich	Heinitz	Kroening	Norton
Anderson, I.	Doty	Hokanson	Kvam	Novak
Arlandson	Eckstein	Jacobs	Laidig	Osthoff
Begich	Eken	Jaros	Langseth	Parish
Berg	Enebo	Jensen	Luther	Patton
Berglin	Erickson	Johnson, C.	Mangan	Pehler
Biersdorf	Esau	Johnson, D.	Mann	Peterson
Braun	Evans	Jopp	McCarron	Petrafaso
Byrne	Ewald	Jude	McCauley	Philbrook
Carlson, A.	Faricy	Kahn	McCollar	Pleasant
Carlson, L.	Fjoslien	Kaley	McEachern	Prahl
Carlson, R.	Forsythe	Kelly, R.	Menning	Reding
Casserly	Friedrich	Kelly, W.	Metzen	St. Onge
Clark	Fudro	Kempe, A.	Moe	Samuelson
Clawson	Fugina	Kempe, R.	Munger	Sarna

Savelkoul	Sieben, H.	Smogard	Vanasek	White
Schreiber	Sieben, M.	Spanish	Vento	Wieser
Schulz	Sieloff	Stanton	Volk	Wigley
Schumacher	Simoneau	Swanson	Voss	Zubay
Searle	Skoglund	Tomlinson	Wenstrom	Speaker Sabo
Sherwood	Smith	Ulland	Wenzel	

Those who voted in the negative were:

Beauchamp

The bill was passed and its title agreed to.

S. F. No. 1456, A bill for an act relating to soil and water conservation; providing for the operation of the soil and water conservation commission; amending Minnesota Statutes, 1975 Supplement, Section 40.03, Subdivision 1; Minnesota Statutes 1974, Sections 40.03, Subdivisions 2 and 4; and 40.06, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kahn	Nelsen	Sieben, M.
Adams, L.	Eken	Kaley	Nelson	Sieloff
Adams, S.	Enebo	Kelly, R.	Niehaus	Simoneau
Albrecht	Erickson	Kelly, W.	Norton	Skoglund
Anderson, G.	Esau	Kempe, A.	Novak	Smith
Anderson, I.	Evans	Kempe, R.	Osthoff	Smogard
Arlandson	Ewald	Ketola	Parish	Spanish
Beauchamp	Fariay	Knickerbocker	Patton	Stanton
Begich	Fjoslien	Knoll	Pehler	Suss
Berg	Forsythe	Kostohryz	Peterson	Swanson
Berglin	Friedrich	Kroening	Petraleso	Tomlinson
Biersdorf	Fudro	Kvam	Philbrook	Ulland
Braun	Fugina	Laidig	Pleasant	Vanasek
Byrne	George	Langseth	Prahl	Vento
Carlson, A.	Graba	Luther	Reding	Volk
Carlson, L.	Hanson	Mangan	St. Onge	Voss
Carlson, R.	Haugerud	Mann	Samuelson	Wenstrom
Cassery	Heimitz	McCarron	Sarna	Wenzel
Clark	Hokanson	McCauley	Savelkoul	White
Clawson	Jacobs	McCollar	Schreiber	Wieser
Corbid	Jaros	McEachern	Schulz	Wigley
Dahl	Jensen	Menning	Schumacher	Zubay
Dean	Johnson, C.	Metzen	Searle	Speaker Sabo
DeGroat	Johnson, D.	Moe	Setzpfandt	
Dieterich	Jopp	Munger	Sherwood	
Doty	Jude	Neisen	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 1444, A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act; amending Minnesota Statutes 1974, Sections 490.121, Subdivisions 2, 4, and

13; 490.123, Subdivision 1; 490.124, Subdivisions 1, 3, 6, 8, 10, and by adding a subdivision; 490.125, Subdivision 2; 490.132; and Minnesota Statutes, 1975 Supplement, Sections 356.30, Subdivision 3; and 490.124, Subdivisions 2 and 9.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Eken	Kelly, R.	Nelson	Sieloff
Adams, L.	Enebo	Kelly, W.	Niehaus	Simoneau
Adams, S.	Esau	Kempe, A.	Norton	Skoglund
Anderson, G.	Evans	Kempe, R.	Novak	Smith
Anderson, I.	Ewald	Ketola	Osthoff	Smogard
Arlandson	Faricy	Knickerbocker	Parish	Spanish
Beauchamp	Fjoslien	Knoll	Patton	Stanton
Begich	Forsythe	Kostohryz	Pehler	Suss
Berg	Friedrich	Kroening	Peterson	Swanson
Berglin	Fudro	Kvam	Petraleso	Tomlinson
Biersdorf	Fugina	Laidig	Philbrook	Ulland
Braun	George	Langseth	Pleasant	Vanasek
Brinkman	Graba	Lindstrom	Prahl	Vento
Byrne	Hanson	Luther	Reding	Volk
Carlson, A.	Haugerud	Mangan	St. Onge	Voss
Carlson, L.	Heinitz	Mann	Samuelson	Wenstrom
Carlson, R.	Hokanson	McCarron	Sarna	Wenzel
Casserly	Jacobs	McCaulley	Savelkoul	White
Clark	Jaros	McCollar	Schreiber	Wieser
Corbid	Jensen	McEachern	Schulz	Wigley
Dahl	Jensen, C.	Menning	Schumacher	Zubay
Dean	Johnson, D.	Metzen	Searle	Speaker Sabo
DeGroat	Jopp	Moe	Setzepfandt	
Dieterich	Jude	Munger	Sherwood	
Doty	Kahn	Neisen	Sieben, H.	
Eckstein	Kaley	Nelsen	Sieben, M.	

Those who voted in the negative were:

Erickson

The bill was passed and its title agreed to.

S. F. No. 2355, A bill for an act relating to state employees; limiting severance allowances for certain employees; amending Minnesota Statutes, 1975 Supplement, Section 43.224.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

## Those who voted in the affirmative were:

Abeln	Doty	Jude	Neisen	Sieben, H.
Adams, L.	Eckstein	Kahn	Nelsen	Sieben, M.
Adams, S.	Eken	Kaley	Nelson	Sieloff
Albrecht	Enebo	Kelly, R.	Niehaus	Simoneau
Anderson, G.	Erickson	Kelly, W.	Norton	Skoglund
Anderson, I.	Esau	Kempe, A.	Novak	Smith
Arlandson	Evans	Ketola	Osthoff	Smogard
Beauchamp	Ewald	Knickerbocker	Parish	Spanish
Begich	Faricy	Knoll	Patton	Stanton
Berg	Fjoslien	Kostohryz	Pehler	Suss
Berglin	Forsythe	Kroening	Peterson	Swanson
Biersdorf	Friedrich	Kvam	Petrafaso	Tomlinson
Braun	Fudro	Laidig	Philbrook	Ulland
Brinkman	Fugina	Langseth	Pleasant	Vanasek
Byrne	George	Lindstrom	Prahl	Vento
Carlson, A.	Graba	Luther	Reding	Volk
Carlson, L.	Hanson	Mangan	St. Onge	Voss
Carlson, R.	Haugerud	Mann	Samuelson	Wenstrom
Casserly	Heinitz	McCarron	Sarna	Wenzel
Clark	Hokanson	McCauley	Savelkoul	White
Clawson	Jacobs	McCollar	Schreiber	Wieser
Corbid	Jaros	McEachern	Schulz	Wigley
Dahl	Jensen	Menning	Schumacher	Zubay
Dean	Johnson, C.	Metzen	Searle	Speaker Sabo
DeGroat	Johnson, D.	Moe	Setzpfandt	
Dieterich	Jopp	Munger	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 2608, A bill for an act relating to the city of Buhl; police officers membership in the public employees retirement association.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

## Those who voted in the affirmative were:

Abeln	Casserly	Forsythe	Kahn	Mann
Adams, L.	Clark	Friedrich	Kaley	McCarron
Adams, S.	Clawson	Fudro	Kelly, R.	McCauley
Albrecht	Corbid	Fugina	Kelly, W.	McCollar
Anderson, G.	Dahl	George	Kempe, A.	McEachern
Anderson, I.	Dean	Graba	Kempe, R.	Menning
Arlandson	DeGroat	Hanson	Ketola	Metzen
Beauchamp	Dieterich	Haugerud	Knickerbocker	Munger
Begich	Doty	Heinitz	Knoll	Neisen
Berg	Eckstein	Hokanson	Kostohryz	Nelsen
Berglin	Eken	Jacobs	Kroening	Nelson
Biersdorf	Enebo	Jaros	Kvam	Niehaus
Braun	Erickson	Jensen	Laidig	Norton
Byrne	Esau	Johnson, C.	Langseth	Novak
Carlson, A.	Evans	Johnson, D.	Lindstrom	Osthoff
Carlson, L.	Ewald	Jopp	Luther	Parish
Carlson, R.	Faricy	Jude	Mangan	Patton

Pehler	Samuelson	Sieben, H.	Stanton	Voss
Peterson	Sarna	Sieben, M.	Suss	Wenstrom
Petraleso	Schreiber	Sieloff	Swanson	Wenzel
Philbrook	Schulz	Simoneau	Tomlinson	White
Pleasant	Schumacher	Skoglund	Ulland	Wieser
Prahl	Searle	Smith	Vanasek	Wigley
Reding	Setzpfandt	Smogard	Vento	Zubay
St. Onge	Sherwood	Spanish	Volk	Speaker Sabo

The bill was passed and its title agreed to.

S. F. No. 345, A bill for an act relating to insurance; providing for indemnification and subrogation in certain cases; amending Minnesota Statutes 1974, Section 65B.53; repealing Minnesota Statutes 1974, Section 65B.62.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Nelsen	Sieben, M.
Adams, L.	Eken	Kelly, R.	Nelson	Sieloff
Albrecht	Enebo	Kelly, W.	Niehaus	Simoneau
Anderson, G.	Erickson	Kempe, A.	Norton	Skoglund
Anderson, I.	Esau	Kempe, R.	Novak	Smith
Arlandson	Evans	Ketola	Osthoff	Smogard
Beauchamp	Ewald	Knickerbocker	Parish	Spanish
Begich	Faricy	Knoll	Patton	Stanton
Berg	Fjoslien	Kostohryz	Pehler	Suss
Berglin	Forsythe	Kroening	Peterson	Swanson
Biersdorf	Friedrich	Kvam	Petraleso	Tomlinson
Braun	Fudro	Laidig	Philbrook	Ulland
Brinkman	Fugina	Langseth	Pleasant	Vanasek
Byrne	George	Lindstrom	Prahl	Vento
Carlson, A.	Graba	Luther	Reding	Volk
Carlson, L.	Hanson	Mangan	St. Onge	Voss
Carlson, R.	Haugerud	Mann	Samuelson	Wenstrom
Casserly	Heinitz	McCarron	Sarna	Wenzel
Clark	Hokanson	McCauley	Savelkoul	White
Clawson	Jacobs	McCollar	Schreiber	Wieser
Corbid	Jaros	McEachern	Schulz	Wigley
Dahl	Jensen	Menning	Schumacher	Zubay
Dean	Johnson, D.	Metzen	Searle	Speaker Sabo
DeGroat	Jopp	Moe	Setzpfandt	
Dieterich	Jude	Munger	Sherwood	
Doty	Kahn	Neisen	Sieben, H.	

The bill was passed and its title agreed to.

S. F. No. 1636 was reported to the House.

There being no objection, S. F. No. 1636 was continued on the Consent Calendar for one day.

S. F. No. 1763, A bill for an act relating to motor vehicle sales finance companies; establishing fees and permitting refunds of fees; requiring written agreements to extend, defer or renew contracts; amending Minnesota Statutes 1974, Sections 168.67; and 168.74.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Jude	Munger	Sherwood
Adams, L.	Eckstein	Kahn	Neisen	Sieben, H.
Adams, S.	Eken	Kaley	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Faricy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Braun	Fudro	Kvam	Petrafeso	Tomlinson
Brinkman	Fugina	Laidig	Philbrook	Uliand
Byrne	George	Langseth	Pleasant	Vanasek
Carlson, A.	Graba	Lindstrom	Prahl	Vento
Carlson, L.	Hanson	Luther	Reding	Volk
Carlson, R.	Haugerud	Mangan	St. Onge	Voss
Cassery	Heinitz	Mann	Samuelson	Wenzel
Clark	Hokanson	McCarron	Sarna	White
Clawson	Jacobs	McCauley	Savelkoul	Wieser
Corbid	Jaros	McCollar	Schreiber	Wigley
Dahl	Jensen	McEachern	Schulz	Zubay
Dean	Johnson, C.	Menning	Schumacher	Speaker Sabo
DeGroat	Johnson, D.	Metzen	Searle	
Dieterich	Jopp	Moe	Setzefandt	

The bill was passed and its title agreed to.

S. F. No. 1866, A bill for an act relating to Blue Earth county; welfare board; authorizing the welfare board to maintain certain contingency funds.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Jude	Munger	Sherwood
Adams, L.	Eckstein	Kahn	Neisen	Sieben, H.
Adams, S.	Eken	Kaley	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Skoglund
Anderson, I.	Esau	Kempe, A.	Norton	Smith
Arlandson	Evans	Kempe, R.	Novak	Smogard
Beauchamp	Ewald	Ketola	Osthoff	Stanton
Begich	Faricy	Knickerbocker	Parish	Suss
Berg	Fjoslien	Knoll	Patton	Swanson
Berglin	Forsythe	Kostohryz	Pehler	Tomlinson
Biersdorf	Friedrich	Kroening	Peterson	Ulland
Braun	Fudro	Kvam	Petraleso	Vanasek
Brinkman	Fugina	Laidig	Philbrook	Vento
Byrne	George	Langseth	Pleasant	Volk
Carlson, A.	Graba	Lindstrom	Prahl	Voss
Carlson, L.	Hanson	Luther	Reding	Wenstrom
Carlson, R.	Haugerud	Mangan	St. Onge	Wenzel
Casserly	Heinitz	Mann	Samuelson	White
Clark	Hokanson	McCarron	Sarna	Wieser
Clawson	Jacobs	McCauley	Savelkoul	Wigley
Corbid	Jaros	McCollar	Schreiber	Zubay
Dahl	Jensen	McEachern	Schulz	Speaker Sabo
Dean	Johnson, C.	Menning	Schumacher	
DeGroat	Johnson, D.	Metzen	Searle	
Dieterich	Jopp	Moe	Setzpfandt	

The bill was passed and its title agreed to.

S. F. No. 1868, A bill for an act relating to certain counties; requiring the filing of certain surveys with the county surveyor; amending Minnesota Statutes, 1975 Supplement, Section 389.08.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, R.	Fjoslien	Jude	Mangan
Adams, L.	Casserly	Forsythe	Kahn	Mann
Adams, S.	Clark	Friedrich	Kaley	McCarron
Albrecht	Clawson	Fudro	Kelly, R.	McCauley
Anderson, G.	Corbid	Fugina	Kelly, W.	McCollar
Anderson, I.	Dahl	George	Kempe, A.	McEachern
Arlandson	Dean	Graba	Kempe, R.	Menning
Beauchamp	DeGroat	Hanson	Ketola	Metzen
Begich	Dieterich	Haugerud	Knickerbocker	Moe
Berg	Doty	Heinitz	Knoll	Munger
Berglin	Eckstein	Hokanson	Kostohryz	Neisen
Biersdorf	Eken	Jacobs	Kroening	Nelsen
Braun	Enebo	Jaros	Kvam	Nelson
Brinkman	Erickson	Jensen	Laidig	Niehaus
Byrne	Esau	Johnson, C.	Langseth	Norton
Carlson, A.	Evans	Johnson, D.	Lindstrom	Novak
Carlson, L.	Ewald	Jopp	Luther	Osthoff

Parish	St. Onge	Sherwood	Stanton	Wenstrom
Patton	Samuelson	Sieben, H.	Suss	Wenzel
Pehler	Sarna	Sieben, M.	Swanson	White
Peterson	Savelkoul	Sieloff	Tomlinson	Wieser
Petrafeso	Schreiber	Simoneau	Ulland	Wigley
Philbrook	Schulz	Skoglund	Vanasek	Zubay
Pleasant	Schumacher	Smith	Vento	Speaker Sabo
Prahl	Searle	Smogard	Volk	
Reding	Setzepfandt	Spanish	Voss	

Those who voted in the negative were:

Faricy

The bill was passed and its title agreed to.

S. F. No. 2051 was reported to the House.

There being no objection, S. F. No. 2051 was continued on the Consent Calendar for one day.

#### CONSIDERATION UNDER RULE 1.10

Pursuant to Rule 1.10, Kelly, W., requested immediate consideration of H. F. No. 2175.

H. F. No. 2175, A bill for an act relating to taxation; altering calculation of levy limit base adjustments; amending Minnesota Statutes, 1975 Supplement, Section 275.52, Subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Evans	Jensen	Kvam
Adams, L.	Carlson, R.	Ewald	Johnson, C.	Laidig
Adams, S.	Casserly	Faricy	Johnson, D.	Langseth
Albrecht	Clark	Fjoslien	Jopp	Lindstrom
Anderson, G.	Clawson	Forsythe	Jude	Luther
Anderson, I.	Corbid	Friedrich	Kahn	Mangan
Arlandson	Dahl	Fudro	Kaley	Mann
Beauchamp	Dean	Fugina	Kelly, R.	McCarron
Begich	DeGroat	George	Kelly, W.	McCauley
Berg	Dieterich	Graba	Kempe, A.	McCollar
Berglin	Doty	Hanson	Kempe, R.	McEachern
Biersdorf	Eckstein	Haugerud	Ketola	Menning
Braun	Eken	Heinitz	Knickerbocker	Metzen
Brinkman	Enebo	Hokanson	Knoll	Moe
Byrne	Erickson	Jacobs	Kostohryz	Munger
Carlson, A.	Esau	Jaros	Kroening	Neisen

Nelsen	Petraleso	Schumacher	Smogard	Voss
Nelson	Philbrook	Searle	Spanish	Wenstrom
Niehaus	Pleasant	Setzepfandt	Stanton	Wenzel
Norton	Reding	Sherwood	Suss	White
Novak	St. Onge	Sieben, H.	Swanson	Wieser
Osthoff	Samuelson	Sieben, M.	Tomlinson	Wigley
Parish	Sarna	Sieloff	Ulland	Zubay
Patton	Savelkoul	Simoneau	Vanasek	Speaker Sabo
Pehler	Schreiber	Skoglund	Vento	
Peterson	Schulz	Smith	Volk	

Those who voted in the negative were:

Prahl

The bill was passed and its title agreed to.

### SPECIAL ORDERS

S. F. No. 612, A bill for an act relating to retirement; withdrawal of share values by members of the unclassified employees retirement program; amending Minnesota Statutes, 1975 Supplement, Section 352D.05, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 69, and nays 48, as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Kahn	Neisen	Smogard
Adams, S.	Dean	Kelly, R.	Nelsen	Spanish
Anderson, G.	Dieterich	Knickerbocker	Norton	Stanton
Anderson, I.	Ewald	Kroening	Novak	Suss
Beauchamp	Fudro	Langseth	Parish	Swanson
Biersdorf	George	Lindstrom	Philbrook	Tomlinson
Braun	Graba	Luther	Prahl	Vanasek
Byrne	Hanson	Mangan	Reding	Vento
Carlson, L.	Heinitz	Mann	Rice	Volk
Carlson, R.	Jacobs	McCarron	Samuelson	Voss
Casserly	Jaros	McCollar	Sieben, H.	Wenzel
Clark	Jensen	Menning	Sieben, M.	Wieser
Clawson	Johnson, C.	Metzen	Sieloff	Speaker Sabo
Corbid	Jude	Munger	Skoglund	

Those who voted in the negative were:

Albrecht	Esau	Kaley	Nelson	Sherwood
Begich	Evans	Kelly, W.	Niehaus	Simoneau
Berg	Faricy	Kempe, R.	Pehler	Smith
Berglin	Fjoslien	Ketola	Peterson	Ulland
Brinkman	Friedrich	Knoll	Petraleso	Wenstrom
Carlson, A.	Fugina	Kostohryz	Pleasant	White
DeGroat	Haugerud	Kvam	Schulz	Wigley
Doty	Hokanson	Laidig	Schumacher	Zubay
Eken	Johnson, D.	McCauley	Searle	
Erickson	Jopp	Moe	Setzepfandt	

The bill was passed and its title agreed to.

H. F. No. 1881 was reported to the House.

Casserly moved that H. F. No. 1881 be returned to the top of General Orders. The motion prevailed.

H. F. No. 2002 was reported to the House.

There being no objection, H. F. No. 2002 was continued on Special Orders for one day.

Kempe, A., was excused until 2:00 p.m.

H. F. No. 2154 was reported to the House.

Carlson, A. moved to amend H. F. No. 2154, as follows:

Page 1, after line 21, insert a new section to read:

*"Sec. 2. In making the appointment the governor shall give equal consideration to a minority person who shall be defined as a member of an affected class as defined by federal and state affirmative action guidelines. Any person serving as an assistant or deputy commissioner as of January 1, 1976, shall not be appointed commissioner of personnel unless he would have qualified for the position under the terms of Minnesota Statutes 43.001 before the effective date of this act."*

Renumber the following section accordingly.

A roll call was requested and properly seconded.

Knoll requested division of the amendment.

Norton moved to amend the Carlson, A., amendment as follows:

Delete *"primary"* and insert *"equal"*.

A roll call was requested and properly seconded.

The question was taken on the adoption of the Norton amendment to the Carlson, A., amendment and the roll being called, there were yeas 89, and nays 36, as follows:

Those who voted in the affirmative were:

Abeln	Ewald	Knoll	Novak	Sieben, M.
Adams, L.	Fudro	Kostohryz	Osthoff	Simoneau
Anderson, G.	Fugina	Kroening	Parish	Skoglund
Anderson, I.	George	Langseth	Patton	Smogard
Arlandson	Graba	Lindstrom	Pehler	Spanish
Beauchamp	Haugerud	Luther	Petrafeso	Suss
Begich	Heinitz	Mangan	Philbrook	Swanson
Berg	Hokanson	Mann	Prahl	Tomlinson
Brinkman	Jacobs	McCarron	Reding	Vanasek
Carlson, L.	Jensen	McCollar	Rice	Vento
Carlson, R.	Johnson, C.	McEachern	St. Onge	Volk
Clawson	Johnson, D.	Menning	Samuelson	Voss
Corbid	Jude	Metzen	Sarna	Wenstrom
Dahl	Kelly, R.	Moe	Schulz	Wenzel
Doty	Kelly, W.	Munger	Schumacher	White
Eckstein	Kempe, R.	Neisen	Setzepfandt	Wieser
Eken	Ketola	Niehaus	Sherwood	Speaker Sabo
Enebo	Knickerbocker	Norton	Sieben, H.	

Those who voted in the negative were:

Adams, S.	Dean	Friedrich	Nelson	Stanton
Albrecht	Dieterich	Jopp	Peterson	Ulland
Berglin	Erickson	Kahn	Pleasant	Wigley
Biersdorf	Esau	Kaley	Savelkoul	Zubay
Braun	Evans	Kvam	Schreiber	
Byrne	Faricy	Laidig	Searle	
Carlson, A.	Fjoslien	McCauley	Sieloff	
Clark	Forsythe	Nelsen	Smith	

The motion prevailed and the amendment to the Carlson, A., amendment was adopted.

The first portion of the Carlson, A., amendment, as amended, reads as follows:

Page 1, after line 21, insert a new section to read:

*"Sec. 2. In making the appointment the governor shall give equal consideration to a minority person who shall be defined as a member of an affected class as defined by federal and state affirmative action guidelines."*

Renumber the following section accordingly.

The question was taken on the first portion of the Carlson, A., amendment, as amended, and the roll being called, there were yeas 100, and nays 19, as follows:

Those who voted in the affirmative were:

Abeln	Biersdorf	Corbid	Enebo	Forsythe
Adams, S.	Brinkman	Dahl	Erickson	Friedrich
Albrecht	Byrne	Dean	Esau	Fudro
Anderson, G.	Carlson, A.	DeGroat	Evans	Fugina
Anderson, I.	Carlson, L.	Doty	Ewald	George
Begich	Carlson, R.	Eckstein	Faricy	Graba
Berg	Clark	Eken	Fjoslien	Hanson

Heinitz	Kvam	Nelson	Rice	Smogard
Hokanson	Laidig	Niehaus	St. Onge	Spanish
Jacobs	Luther	Norton	Samuelson	Suss
Johnson, C.	Mangan	Novak	Sarna	Swanson
Johnson, D.	Mann	Osthoff	Savelkoul	Tomlinson
Jopp	McCarron	Patton	Schreiber	Ulland
Jude	McCauley	Pehler	Schulz	Vanasek
Kaley	McCollar	Peterson	Schumacher	Vento
Kelly, R.	Menning	Petraleso	Searle	Volk
Kelly, W.	Metzen	Philbrook	Setzepandt	Wenstrom
Ketola	Moe	Pleasant	Sherwood	White
Knoll	Neisen	Prahl	Sieloff	Wieser
Kostohryz	Nelsen	Reding	Skoglund	Wigley

Those who voted in the negative were:

Adams, L.	Clawson	Langseth	Sieben, M.	Wenzel
Arlandson	Haugerud	Lindstrom	Simoneau	Zubay
Beauchamp	Jensen	Parish	Smith	Speaker Sabo
Braun	Knickerbocker	Sieben, H.	Voss	

The motion prevailed and the first portion of the Carlson, A., amendment, as amended, was adopted.

The second portion of the Carlson, A., amendment reads as follows:

*"Any person serving as an assistant or deputy commissioner as of January 1, 1976, shall not be appointed commissioner of personnel unless he would have qualified for the position under the terms of Minnesota Statutes 43.001 before the effective date of this act."*

The question was taken on the second portion of the Carlson, A., amendment and the roll being called, there were yeas 22, and nays 97, as follows:

Those who voted in the affirmative were:

Adams, S.	Evans	Kaley	Peterson	Sieloff
Biersdorf	Fjoslien	Knickerbocker	Pleasant	Ulland
Carlson, A.	Forsythe	Laidig	Savelkoul	
Dean	Friedrich	Nelsen	Schreiber	
Erickson	Heinitz	Niehaus	Searle	

Those who voted in the negative were:

Abeln	Braun	Doty	Hokanson	Ketola
Adams, L.	Brinkman	Eckstein	Jacobs	Knoll
Albrecht	Carlson, L.	Eken	Jensen	Kostohryz
Anderson, G.	Carlson, R.	Enebo	Johnson, C.	Kroening
Anderson, I.	Casserly	Ewald	Johnson, D.	Langseth
Arlandson	Clark	Fudro	Jude	Lindstrom
Beauchamp	Clawson	Fugina	Kahn	Luther
Begich	Corbid	George	Kelly, R.	Mangan
Berg	Dahl	Graba	Kelly, W.	Mann
Berglin	Dieterich	Haugerud	Kempe, R.	McCarron

McCauley	Osthoff	Samuelson	Smith	Voss
McCollar	Parish	Sarna	Smogard	Wenstrom
McEachern	Patton	Schulz	Spanish	Wenzel
Menning	Pehler	Schumacher	Stanton	White
Metzen	Petraffeso	Setzepfandt	Suss	Wieser
Moe	Philbrook	Sherwood	Swanson	Zubay
Munger	Prahl	Sieben, H.	Tomlinson	Speaker Sabo
Neisen	Reding	Sieben, M.	Vanasek	
Norton	Rice	Simoneau	Vento	
Novak	St. Onge	Skoglund	Volk	

The motion did not prevail and the second portion of the Carlson, A., amendment was not adopted.

H. F. No. 2154, A bill for an act relating to the operation and structure of state government; eliminating certain qualifications for the office of commissioner of personnel; amending Minnesota Statutes 1974, Section 43.001, Subdivision 2.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 60, and nays 69, as follows:

Those who voted in the affirmative were:

Adams, L.	Eckstein	Kempe, A.	Metzen	Sarna
Anderson, G.	Eken	Ketola	Moe	Schumacher
Anderson, I.	Enebo	Knoll	Munger	Setzepfandt
Begich	Fudro	Kroening	Osthoff	Sieben, H.
Berg	Fugina	Langseth	Parish	Sieben, M.
Braun	George	Lindstrom	Patton	Simoneau
Brinkman	Graba	Luther	Petraffeso	Smogard
Carlson, L.	Jacobs	Mangan	Philbrook	Tomlinson
Carlson, R.	Jensen	Mann	Reding	Vento
Casserly	Johnson, D.	McCarron	Rice	Voss
Corbid	Jude	McCollar	St. Onge	Wenzel
Dahl	Kelly, W.	McEachern	Samuelson	Speaker Sabo

Those who voted in the negative were:

Abeln	Doty	Johnson, C.	Nelson	Skoglund
Adams, S.	Erickson	Jopp	Niehaus	Smith
Albrecht	Esau	Kahn	Norton	Spanish
Arlandson	Evans	Kaley	Novak	Stanton
Beauchamp	Ewald	Kelly, R.	Pehler	Suss
Berglin	Faricy	Kempe, R.	Peterson	Swanson
Biersdorf	Fjoslien	Knickerbocker	Pleasant	Ulland
Byrne	Forsythe	Kostohryz	Prahl	Volk
Carlson, A.	Friedrich	Kvam	Savelkoul	Wenstrom
Clark	Hanson	Laidig	Schreiber	White
Clawson	Haugerud	McCauley	Schulz	Wieser
Dean	Heinitz	Menning	Searle	Wigley
DeGroat	Hokanson	Neisen	Sherwood	Zubay
Dieterich	Jaros	Nelsen	Sieloff	

The bill was not passed, as amended.

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

## RECESS

## RECONVENED

The House reconvened and was called to order by the Speaker.

There being no objection the order of business reverted to Reports of Standing Committees.

## REPORTS OF STANDING COMMITTEES

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2604, A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Rice county to the city of Faribault for the purpose of establishing a nature and agricultural interpretative center.

Reported the same back with the following amendments:

Pages 4 and 5, delete subdivision 3 and insert:

“Subd. 3. The commissioner of administration shall cause the lands to be appraised by not less than three appraisers, at least two of whom shall be residents of Rice county. Each appraiser shall before entering upon the duties of this office take and subscribe to an oath that he will faithfully and impartially discharge his duties as appraiser according to the best of his ability and that he is not interested directly or indirectly in any lands to be appraised or the timber or improvements thereon or in the purchase thereof and has entered into no agreement or combination to purchase the same or any part thereof, which oath shall be attached to the report of such appraisal.

Subd. 4. The consideration to be paid by the city of Faribault to the state for the conveyance provided for herein shall not be less than the appraised value of the land plus the cost of the appraisal.”

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 2627, A bill for an act relating to public lands; authorizing the commissioner of natural resources to sell certain

state owned lands; and authorizing certain county boards to sell certain tax-forfeited lands.

Reported the same back with the following amendments:

Page 1, line 7, after "1." insert "Subdivision 1."

Page 1, line 14, delete ", lands acquired".

Page 1, line 15, delete "pursuant to Laws 1941, Chapter 511,".

Page 1, after line 19, insert:

"Subd. 2. Notwithstanding Minnesota Statutes, Sections 94.09 to 94.16, before January 1, 1977, and after the issuance of all necessary permits for the construction and operation of a taconite tailings disposal facility for Reserve Mining Company, the commissioner of natural resources may sell at public auction in the manner specified in Minnesota Statutes, Sections 92.12 to 92.16, any lands acquired pursuant to Laws 1941, Chapter 511, regardless if they are determined to be surplus state lands, which are located within the site which the state of Minnesota and Reserve Mining Company agree is suitable for disposal of the latter's taconite tailings if the executive council by an affirmative vote of four members authorizes the commissioner to convey such lands. The public meeting of the executive council shall be based only on the commissioner's record of the proceedings concerning permits issued by the commissioner pursuant to Minnesota Statutes, Section 105.42."

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2029, A bill for an act relating to public indebtedness; revising and clarifying provisions as to manner of sale and execution of obligations; maximum interest rates; designation of paying agents; cremation of obligations; use of investment income from proceeds; administration of debt service funds; re-funding; method of payment and interest rate on special assessments and obligations payable from special assessments; amending Minnesota Statutes 1974, Sections 48.15, by adding a subdivision; 138.17, Subdivision 1; 429.061, Subdivision 2; 429.091, Subdivisions 1, 3 and 4; 475.51, Subdivision 6; 475.55; 475.553, Subdivisions 1 and 2; 475.60, Subdivisions 2 and 3; 475.65; 475.66; and 475.67, Subdivisions 7 and 12; and repealing Minnesota Statutes 1974, Section 475.553, Subdivision 4.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1974, Section 475.51, Subdivision 6, is amended to read:

Subd. 6. (“SINKING FUND”) *“Debt service fund” means any (FUND OR) money (HELD) and investments in the treasury of a municipality appropriated (OR SET ASIDE) to pay the principal (AND), interest, or (EITHER OF THEM, OR) premiums for the redemption of any of its obligations. “Sinking fund” means debt service fund. A separate balance sheet need not be maintained for any debt service fund, and the fund need not be segregated from other funds of the municipality in a separate bank deposit account or in a separate investment fund or account, unless so provided in a resolution or other instrument securing obligations payable from the debt service fund; but a separate bookkeeping account or accounts shall be maintained in the official financial records of the municipality reflecting all receipts and disbursements of money and investments of principal and income appropriated for the purposes of each debt service fund.*

Sec. 2. Minnesota Statutes 1974, Section 475.51, is amended by adding a subdivision to read:

Subd. 11. *“Reporting dealer to the federal reserve bank of New York” means a securities broker-dealer licensed pursuant to chapter 80A, or an affiliate thereof, which makes primary markets in United States government securities and reports daily to the federal reserve bank of New York its position with respect to such securities held by it and amounts borrowed thereon.*

Sec. 3. Minnesota Statutes 1974, Section 475.52, Subdivision 1, is amended to read:

475.52 [BOND ISSUES; PURPOSES.] Subdivision 1. [STATUTORY CITIES.] (ANY CITY NOT GOVERNED BY A HOME RULE CHARTER, OR) Any statutory city may issue bonds or other obligations for the acquisition or betterment of public buildings, means of garbage disposal, hospitals, nursing homes, homes for the aged, schools, libraries, museums, art galleries, parks, playgrounds, stadia, sewers, sewage disposal plants, subways, streets, sidewalks; for any utility or other public convenience from which a revenue is or may be derived; for a permanent improvement revolving fund; for changing, controlling or bridging streams and other waterways; for the acquisition and betterment of bridges and roads within two miles of the corporate limits; and for acquisition of equipment for snow removal, street construction and maintenance, or fire fighting. Without limitation by the foregoing (ANY

SUCH) *the city may issue bonds to provide money for any authorized corporate purpose except current expenses.*

Sec. 4. Minnesota Statutes 1974, Section 475.55, is amended to read:

475.55 [EXECUTION; NEGOTIABILITY; INTEREST RATES.] Subdivision 1. All obligations shall be signed by (THE) officers (AS) authorized by resolution of the governing body or by persons authorized to sign on behalf of a bank designated by the resolution as authenticating agent, and shall express the amount and the terms of payment. Interest thereon shall not exceed the rate of seven percent per annum, payable half yearly. All obligations shall be negotiable (INSTRUMENTS NOTWITHSTANDING ANY LIMITATION IN THE SOURCE OF THE FUNDS FOR PAYMENT) *investment securities as provided in the uniform commercial code, chapter 336, article 8.* The validity of (EVERY) an obligation (SO EXECUTED) shall (REMAIN UNIMPAIRED) *not be impaired* by the fact that one or more (OF SUCH) officers *authorized to execute it* shall have ceased to be in office before delivery to the purchaser or shall not have been in office on the formal *issue date* of the (BONDS) *obligation.* (SUCH RESOLUTION MAY PROVIDE THAT ONE OF THE OFFICERS SHALL SIGN SUCH BONDS MANUALLY AND THAT THE) *Every obligation shall be signed manually by one officer or authenticating agent.* Other signatures and the seal of the issuer may be printed, lithographed, stamped or engraved thereon *and on any interest coupons to be attached thereto.* (WHERE) The (MUNICIPALITY HAS A SEAL SUCH) seal (MAY) *need not be* (IMPRESSED ON EACH BOND OR A FACSIMILE THEREOF MAY BE PRINTED, LITHOGRAPHED OR ENGRAVED ON EACH BOND AS DETERMINED BY THE RESOLUTION OF THE GOVERNING BODY) *used.*

Subd. 2. The (INTEREST LIMITATION STATED IN THIS SECTION) *provisions of subdivision 1* shall supersede all (LOWER LIMITATIONS CONTAINED IN) *provisions of any law or charter (APPLICABLE) fixing a lower maximum interest rate with respect to obligations of the state or any municipality or governmental or public subdivision, district, corporation, commission, board, council, or authority of whatsoever kind, including warrants or orders issued in evidence of allowed claims for property or services furnished to the issuer,* but shall not restrict the power of the issuer to fix the interest on any obligation in accordance with the law authorizing its issuance.

Sec. 5. Minnesota Statutes 1974, Section 475.553, Subdivision 1, is amended to read:

475.553 [PAYING AGENT; DESTRUCTION OF OBLIGATIONS AND COUPONS.] Subdivision 1. The governing

body may appoint as paying agent for an issue of obligations one or more national banks, or banks incorporated under the laws of any state, *provided that no bank shall be appointed as paying agent for obligations of any issuer except one within whose corporate limits the principal office of the bank is situated, unless it is authorized to execute corporate trust powers pursuant to the laws under which it is organized; and the governing body* may direct the treasurer to remit funds for payment of both principal and interest to such paying agent although such paying agent has not complied with statutes relating to public depositories. It may also direct the county treasurer to remit any proceeds from assessments or taxes levied for payment of obligations directly to such paying agent. In such case, the county treasurer shall furnish a duplicate statement of each remittance to the treasurer of the municipality who shall enter the amount on his books.

Sec. 6. Minnesota Statutes 1974, Section 475.553, Subdivision 2, is amended to read:

Subd. 2. The governing body may by resolution direct that all bonds, obligations, coupons appertaining thereto, or any specified obligations or coupons, when paid, shall be cancelled (**AND CREMATED**) by the paying agent *and destroyed as herein provided*. Before such authority is granted, the municipality shall enter into an agreement with (**THE PAYING AGENT**) *a bank or banking association incorporated under the laws of the United States or of any state and authorized by such laws to exercise corporate trust powers*, specifying (a) the obligations and coupons to be (**CREMATED**) *destroyed*, (b) the (**PROCEDURE THEREFOR**) *method of destruction*, (c) the information to be recorded in a (**CREMATION**) *certificate of destruction* to be delivered (**BY THE PAYING AGENT**) to the municipality *and the paying agent*, (d) the indemnification of the municipality (**BY THE PAYING AGENT**) in the event of duplicate payment, wrongful and improper payment to unauthorized persons and nonpayment to authorized persons (**BY THE AGENT**) occurring as a result of any (**CREMATION**) *destruction* of bonds, obligations, or coupons, *and* (e) such other terms and conditions as may be determined by the governing body of such municipality. *Obligations and coupons may be destroyed by cremation, shredding, or any other effective means.*

Sec. 7. Minnesota Statutes 1974, Section 475.553, Subdivision 3, is amended to read:

Subd. 3. (**CREMATION**) Certificates provided under subdivision 2 shall be retained in the official records of the municipality and the paying agent. Such (**CREMATION**) certificates may subsequently be destroyed at the times and upon the conditions otherwise permitted by law, but no earlier than the time of final payment and redemption of all obligations of the respective issues to which they pertain.

Sec. 8. Minnesota Statutes 1974, Section 475.553, Subdivision 5, is amended to read:

Subd. 5. Any obligation, as defined in section 475.51, issued or to be issued by the state or any agency, instrumentality, or subdivision thereof, by written order and agreement executed by the officer or officers authorized by law to issue such obligations, may be (CREMATED) *destroyed* as provided herein, and for this purpose such officers shall have all the powers granted herein to governing bodies of municipalities. The state auditor, pursuant to the administrative procedures act, may formulate and prescribe requirements for resolutions, orders, agreements, and certificates relating to the (CREMATION) *destruction* of public obligations and coupons. The provisions of any other law relating to the destruction of public records shall not apply to the (CREMATION) *destruction* of obligations and coupons.

Sec. 9. Minnesota Statutes 1974, Section 475.60, Subdivision 2, is amended to read:

Subd. 2. [REQUIREMENTS WAIVED.] The requirements as to public sale shall not apply to:

(1) Obligations issued under the provisions of a home rule charter or of a law specifically authorizing a different method of sale, *or authorizing them to be issued in such manner or on such terms and conditions as the governing body may determine;*

(2) Obligations (PAYABLE WHOLLY OR PARTLY FROM THE PROCEEDS OF SPECIAL ASSESSMENTS WHEN SUCH OBLIGATIONS DO NOT EXCEED) *sold by an issuer in an amount not exceeding the total sum of \$100,000 in any three month period;*

(3) Obligations (PAYABLE WHOLLY FROM THE INCOME OF REVENUE PRODUCING CONVENIENCES WHEN SUCH OBLIGATIONS DO NOT EXCEED THE TOTAL SUM OF \$50,000) *issued in anticipation of the collection of taxes or other revenues appropriated for expenditure in a single year, if sold in accordance with the most favorable of two or more proposals solicited privately; and*

(4) Obligations sold to any board, department, or agency of the United States of America or of the state of Minnesota, in accordance with rules or regulations promulgated by such board, department, or agency.

Sec. 10. Minnesota Statutes 1974, Section 475.60, Subdivision 3, is amended to read:

Subd. 3. Published notice, where required, shall specify the principal amount (AND PURPOSE) of the obligations, the time

and place of receipt and consideration of bids and such other details as to the obligations and terms of sale (WHICH) as the governing body deems suitable. *The governing body may employ an agent to receive and open the bids at any place within or outside the corporate limits of the municipality, in the presence of an officer of the municipality, but the obligations shall not be sold except by action of the governing body or authorized officers of the municipality after communication of the bids to them.* Additional notice may be given for such time and in such manner as the governing body deems suitable. At the time and place so fixed, the bids shall be opened and the offer complying with the terms of sale and deemed most favorable shall be accepted, but the governing body may reject any and all such offers (AND), *in which event, or if no offers have been received, it may award the (BONDS) obligations to (A LOWER BIDDER) any person who within 30 days thereafter presents an offer complying with the terms of sale and deemed more favorable than any received previously, or upon like notice (IT) the governing body may invite other bids upon the same or different terms and conditions.*

Sec. 11. Minnesota Statutes 1974, Section 475.61, Subdivision 5, is amended to read:

Subd. 5. When all conditions exist precedent to the (ISSUANCE) offering for sale of obligations of any municipality in any amount for any purpose authorized by law, and the municipality has applied for a grant or loan of state or federal funds to aid in payment of cost incurred for the authorized purpose, its governing body may by resolution issue and sell temporary obligations not exceeding the total amount authorized, maturing within not more than three years from the date such obligations are issued. In this event *so much of the proceeds of the grant or loan when received shall be (IRREVOCABLY APPROPRIATED) credited to the (SINKING) debt service fund for the temporary obligations as may be needed for the payment thereof, with interest, when due, and the (ESTIMATED AMOUNT THEREOF MAY BE DEDUCTED FROM THE)* tax which would otherwise be required by subdivision 1 (TO) need not be levied. Any amount of the temporary obligations which cannot be paid at maturity, from the proceeds of the grant or loan or from any other funds appropriated by the governing body for the purpose, shall be paid from the proceeds of definitive obligations to be issued and sold before the maturity date; or if sufficient funds are not available for payment in full of the temporary obligations at maturity, the holders thereof shall have the right to require the issuance in exchange therefor of definitive obligations secured in the manner provided in subdivision 1 and bearing interest at the maximum rate permitted by law.

Sec. 12. Minnesota Statutes 1974, Section 475.65, is amended to read:

**475.65 [DELIVERY OF BONDS; USE OF PROCEEDS.]**

Upon payment to the treasurer of the purchase price by the successful bidder, the obligations shall be delivered, and the treasurer shall (HOLD) *account for the receipt and disbursement of the proceeds thereof (AS A SEPARATE FUND) for the use named in the resolution or other instrument or instruments authorizing such obligations, in a separate fund or account in the official financial records of the municipality. Pending such use the proceeds may be invested and reinvested in accordance with law, and the income and gain therefrom shall be held as part of the proceeds and applied to such use or to the payment of the obligations and interest thereon or otherwise as provided in any city charter or any other law.* The purchaser shall not be obligated to see to the application of the purchase price. When the use authorized is the acquisition or betterment of any land, easements, buildings, structures, machinery, or equipment, the proceeds may be used to pay all expenses, incurred and to be incurred, which are reasonably necessary and incidental to such acquisition or betterment, including, but without limitation, the cost of necessary professional planning studies to determine desirable locations, architectural, engineering, legal, *financial advisory*, and other professional services, printing and publication, and interest to accrue on the obligations prior to the anticipated date of commencement of the collection of taxes or special assessments to be levied or other (REVENUES) *funds* pledged for the payment of the obligations and interest thereon. When the obligations are payable wholly from the income from a utility or other (PUBLIC CONVENIENCE) *project*, for the acquisition or betterment of which the obligations are issued, the proceeds may be used in part to establish a reserve (IN AN AMOUNT NOT EXCEEDING THE MAXIMUM AMOUNT OF PRINCIPAL AND INTEREST TO BECOME DUE ON THE OBLIGATIONS IN ANY SUBSEQUENT YEAR,) as *further security* for the payment of (ALL) such principal and interest when due. If the contemplated use be afterward abandoned, or if any balance of the proceeds of the obligations remains after the use is accomplished, such fund may be devoted to any other public use authorized by law, and approved by resolution adopted or vote taken in the manner required to authorize bonds for such new use and purpose. Any balance remaining after the improvement has been completed and paid for, unless devoted to a new use as herein authorized, shall become a part of the (SINKING) *debt service fund* of the municipality.

Sec. 13. Minnesota Statutes 1974, Section 475.66, is amended to read:

**475.66 [DEBT SERVICE FUND.]** *Subdivision 1.* All (SINKING) *debt service funds* shall be deposited and secured as provided in chapter 118, except for amounts invested as authorized in this section, and may be deposited in interest bearing accounts, and such deposits may be evidenced by certificates of

deposit with fixed maturities. (THERE SHALL ALWAYS BE RETAINED IN ANY SINKING FUND) Sufficient cash (TO PROVIDE) for (THE ANNUAL PAYMENTS) payment of principal (AND), interest (ON), and redemption premiums when due with respect to the obligations for which (THE) any debt service fund (WAS) is created shall be provided by crediting to the fund the collections of tax, special assessment, or other revenues appropriated for that purpose, and depositing all such receipts in a depository bank or banks duly qualified according to law or investing and reinvesting such receipts in securities authorized in this section. Time deposits shall be withdrawable and certificates of deposit and investments shall mature and shall bear interest payable at times and in amounts which, in the judgment of the governing body or its treasurer or other officer or committee to which it has delegated investment decisions, will provide cash at the times and in the amounts required for the purposes of the debt service fund; except that the governing body may authorize the purchase of longer term investments subject to an agreement, with a bank or dealer referred to in subdivision 2, to repurchase such investments at times and prices sufficient to yield the amounts estimated to be so required.

*Subd. 2. Investments may be held in safekeeping with any federal reserve bank or any bank authorized under the laws of the United States or any state to exercise corporate trust powers, including but not limited to the bank from which the investment is purchased, provided that the municipality's ownership of all securities in which the fund is invested is evidenced by written acknowledgements signed by authorized officers or employees of the custodian banks and identifying the securities by the names of the issuers, maturity dates, interest rates, and serial numbers or other distinguishing marks. Repurchase agreements may be entered into with a bank qualified as depository of money held in the debt service fund, or with any national or state bank in the United States which is a member of the federal reserve system and whose combined capital and surplus equals or exceeds \$10,000,000 or a reporting dealer to the federal reserve bank of New York.*

*Subd. 3. Subject to the provisions of any resolutions (OF THE GOVERNING BODY RELATING TO THE MAINTENANCE OF RESERVES OF CASH OR INVESTMENTS FOR THE SECURITY OF HOLDERS OF SUCH) or other instruments securing obligations payable from a debt service fund, any (SURPLUS) balance in (ANY SINKING) the fund (ABOVE SUCH AMOUNT) may be invested (UNDER THE DIRECTION OF THE GOVERNING BODY) in any (GENERAL) security which is a direct obligation of or is guaranteed as to payment of principal and interest by the United States (,) or any agency or instrumentality of the United States, or in shares of an investment company registered under the federal investment company act of 1940, whose shares are registered under the federal securities act of 1933, and whose only investments are in securities described in the preceding clause, or in any security which*

is a general obligation of the state of Minnesota or any of its municipalities (, AND IN SECURITIES ISSUED BY THE FOLLOWING AGENCIES OF THE UNITED STATES: FEDERAL HOME LOAN BANKS, FEDERAL INTERMEDIATE CREDIT BANKS, FEDERAL LAND BANKS, BANKS FOR COOPERATIVES, AND THE FEDERAL NATIONAL MORTGAGE ASSOCIATION AND IN SHARES OF AN INVESTMENT COMPANY REGISTERED UNDER THE INVESTMENT COMPANY ACT OF 1940, WHOSE SHARES ARE REGISTERED UNDER THE SECURITIES ACT OF 1933, PROVIDED THAT THE ONLY INVESTMENTS OF THAT COMPANY ARE IN OBLIGATIONS OF THE UNITED STATES GOVERNMENT, IN OBLIGATIONS FULLY GUARANTEED BY THE UNITED STATES GOVERNMENT OR IN OBLIGATIONS OF INSTRUMENTALITIES OF THE UNITED STATES GOVERNMENT SUCH AS THOSE LISTED ABOVE. IN ADDITION, SUCH SURPLUS MAY BE DEPOSITED IN TIME DEPOSITS OF ANY STATE OR NATIONAL BANKS SUBJECT TO THE LIMITATION AND REQUIREMENTS OF CHAPTER 118). (SUCH SURPLUS) *The fund* may also be used to purchase any obligation, whether general or special, of (THE) *an issue* (FOR) which *is payable from the fund* (IS CREATED), at such price, which may include a premium, as shall be agreed to by the holder, or may be used to redeem any obligation of (SAID) *such an issue* prior to maturity in accordance with its terms. The (OBLIGATIONS) *securities* representing any such investment may be sold or hypothecated by the (GOVERNING BODY) *municipality* at any time, but the money so received remains a part of (SUCH) *the fund* until used for the purpose for which the fund was created.

*Subd. 4* Any obligation held in the (SINKING) *debt service* fund from which it is payable may be cancelled at any time (WHEN MONEYS IN SUCH FUND ARE SUFFICIENT TO PAY ALL OTHER OBLIGATIONS ISSUED PRIOR TO JULY 1, 1961, PAYABLE THEREFROM WITH INTEREST TO MATURITY OR TO THEIR EARLIEST REDEMPTION DATES. ANY OBLIGATION ISSUED AFTER JULY 1, 1961, HELD IN THE SINKING FUND FROM WHICH IT IS PAYABLE MAY BE CANCELLED AT ANY TIME) unless otherwise provided (IN THE OTHER OBLIGATIONS PAYABLE FROM SUCH FUND OR) in a resolution or (ORDINANCE AUTHORIZING THEIR ISSUANCE) *other instrument securing obligations payable from the fund.*

Sec. 14. Minnesota Statutes 1974, Section 475.67, Subdivision 7, is amended to read:

*Subd. 7.* Notice of the call of (ALL PREPAYABLE) *any refunded* obligations (OF EACH ISSUE REFUNDED) *to be redeemed before maturity* shall be given in accordance with their terms, and in accordance with section 475.54, subdivision 4. (EACH PREPAYABLE OBLIGATION OF THE ISSUE REFUNDED SHALL BE CALLED FOR REDEMPTION ON THE

EARLIEST DATE ON WHICH, ACCORDING TO ITS TERMS, IT MAY BE PREPAID FROM THE PROCEEDS OF REFUNDING OBLIGATIONS OR FROM SUCH OTHER FUNDS, IF ANY, AS ARE APPROPRIATED FOR SUCH PREPAYMENT, AND) *No such obligation* shall (NOT) subsequently be called for redemption on any date earlier than that designated in the notice, unless such call is required by the terms of the refunded bonds to be made from (SURPLUS) funds subsequently becoming available *from a designated source*.

Sec. 15. Minnesota Statutes 1974, Section 475.67, Subdivision 12, is amended to read:

Subd. 12. In the refunding of general obligations, for which the full faith and credit of the issuing municipality has been pledged, the following additional conditions shall be observed: No refunding obligations shall be issued and sold more than ten years before the date on which all general obligations of the issue to be refunded will have matured or (ARE) *been redeemed, and each such obligation shall be called for redemption on the earliest date on which it may be redeemed* in accordance with (THEIR) *its* terms. No refunding obligations shall be issued and sold more than six months before said date, unless the average annual net interest rate of the refunding obligations, computed to their stated maturity dates, is lower by at least one fourth of one percent per annum than the average annual net interest rate of the general obligations refunded, computed to their stated maturity dates; provided that in computing the average annual net interest rate of the refunding obligations, the expenses of the refunding shall be added to the dollar amount of interest on the refunding obligations. Expenses of the refunding include the amount, if any, in excess of the proceeds of the refunding obligations, which is required to be deposited in escrow to provide cash and purchase securities sufficient to retire the refunded obligations in accordance with subdivision 5; charges of the escrow agent and of the paying agent for the refunding obligations; and expenses of printing and publications and of fiscal, legal, or other professional service necessarily incurred in the issuance of the refunding obligations.

Sec. 16. Minnesota Statutes 1974, Section 471.56, Subdivision 1, is amended to read:

471.56 [MUNICIPAL FUNDS.] Subdivision 1. Any municipal funds, not presently needed for other purposes, may be *deposited or invested in (ANY OBLIGATIONS IN WHICH SINKING FUNDS ARE NOW AUTHORIZED TO BE INVESTED PURSUANT TO) the manner and subject to the conditions provided in section 475.66 (, INCLUDING APPRECIATION BONDS ISSUED BY THE UNITED STATES OF AMERICA ON A DISCOUNT BASIS) for the deposit and investment of debt service funds. (MUNICIPAL FUNDS MAY ALSO BE DEPOSITED IN TIME DEPOSITS OF ANY STATE OR NATIONAL BANK SUBJECT TO THE LIMITATIONS AND REQUIREMENTS OF CHAPTER*

118.) The term "municipal funds" as used herein shall include all general, special, permanent, trust, and other funds, regardless of source or purpose, held or administered by any county or city, or by any officer or agency thereof, in the state of Minnesota.

Sec. 17. Minnesota Statutes 1974, Section 471.56, Subdivision 3, is amended to read:

Subd. 3. Such county, city, or official or agency thereof, may at any time sell (SUCH) obligations purchased pursuant to this section, and the money received from such sale, and the interest and profits or loss on such investment shall be credited or charged, as the case may be, to the fund from which the investment was made. Neither such official nor agency, nor any other official responsible for the custody of such funds shall be personally liable for any loss (SO) sustained *from the deposit or investment of funds in accordance with the provisions of section 475.66.* (ANY SUCH OBLIGATION MAY BE DEPOSITED FOR SAFEKEEPING WITH ANY BANK OR TRUST COMPANY.)

Sec. 18. Minnesota Statutes 1974, Section 429.061, Subdivision 2, is amended to read:

Subd. 2. [ADOPTION; INTEREST.] At such meeting or at any adjournment thereof the council shall hear and pass upon all objections to the proposed assessment, whether presented orally or in writing. The council may amend the proposed assessment as to any parcel and by resolution adopt the same as the special assessment against the lands named in the assessment roll. Notice of any adjournment of the hearing shall be adequate if the minutes of the meeting so adjourned show the time and place when and where the hearing is to be continued, or if three days notice thereof be published in the newspaper. The assessment, with accruing interest, shall be a lien upon all private and public property included therein, from the date of the resolution adopting the assessment, concurrent with general taxes; but the lien shall not be enforceable against public property as long as it is publicly owned, and during such period the assessment shall be recoverable from the owner of such property only in the manner and to the extent provided in section 435.19. *Except as provided below*, all assessments shall be payable in equal annual installments extending over such period, not exceeding 30 years, as the resolution determines (. THE FIRST INSTALLMENT SHALL BE), payable on the first Monday in January (NEXT FOLLOWING THE ADOPTION OF THE ASSESSMENT UNLESS THE ASSESSMENT IS ADOPTED TOO LATE TO PERMIT ITS COLLECTION DURING THE FOLLOWING) *in each year, but the number of installments need not be uniform for all assessments included in a single assessment roll if a uniform criterion for determining the number of installments is provided by the resolution. The first installment of each assessment*

shall be included in the first tax rolls completed after its adoption and shall be payable in the same year as the taxes contained therein; except that the payment of the first installment of any assessment levied upon unimproved property may be deferred until a designated future year, or until the platting of the property or the construction of improvements thereon, upon such terms and conditions and based upon such standards and criteria as may be provided by resolution of the council. In any event, every assessment the payment of which is so deferred, when it becomes payable, shall be divided into a number of installments such that the last installment thereof will be payable not more than 30 years after the levy of the assessment. All assessments shall bear interest at such rate as the resolution determines, not exceeding eight percent per annum, except that the rate may in any event equal the average annual interest rate on bonds issued to finance the improvement for which the assessments are levied. To the first installment of each assessment shall be added interest on the entire assessment from (THE) a date (OF) specified in the resolution levying the assessment, not earlier than the date of the resolution, until December 31 of the year in which the first installment is payable(.), and to each subsequent installment shall be added interest for one year on all unpaid installments(.) ; or alternatively, (SPECIAL ASSESSMENTS) any assessment may be made payable in equal annual installments including principal and interest, each in the amount annually required to pay the principal over such period with interest at such rate as the resolution determines, not exceeding the maximum period and rate specified above. In (THIS) the latter event no prepayment shall be accepted under subdivision 3 without payment of all installments due to and including December 31 of the year of prepayment, (AND) together with the original principal amount reduced only by the amounts of principal included in such installments, computed on an annual amortization basis. When payment of an assessment is deferred, as authorized in this subdivision, interest thereon for the period of deferment may be made payable annually at the same times as the principal installments of the assessment would have been payable if not deferred; or interest for this period may be added to the principal amount of the assessment when it becomes payable; or, if so provided in the resolution levying the assessment, interest thereon to December 31 of the year before the first installment is payable may be forgiven.

Sec. 19. Minnesota Statutes 1974, Section 429.091, Subdivision 1, is amended to read:

429.091 [FINANCING.] Subdivision 1. [AUTHORITY.] At any time after (A CONTRACT FOR THE CONSTRUCTION OF ALL OR PART OF AN IMPROVEMENT HAS BEEN ENTERED INTO OR THE WORK HAS BEEN ORDERED DONE WITHOUT A CONTRACT AS AUTHORIZED IN SECTION 429.041) one or more improvements are ordered as contemplated in section 429.031, the council may issue obligations in such amount as it deems necessary to defray in whole or in part the

expense incurred and estimated to be incurred in making (AN) *the improvement or improvements*, including every item of cost (FROM INCEPTION TO COMPLETION AND ALL FEES AND EXPENSES INCURRED IN CONNECTION WITH THE IMPROVEMENT OR THE FINANCING THEREOF. MORE THAN ONE IMPROVEMENT MAY BE FINANCED BY A SINGLE ISSUE OF OBLIGATIONS WITHOUT OTHER CONSOLIDATION OF THE PROCEEDINGS) *of the kinds authorized in section 475.65. In the event of any omission, error, or mistake in any of the proceedings required precedent to the ordering of any improvement, the validity of the obligations shall not be affected thereby. The council shall cause all further actions and proceedings to be taken with due diligence that are required for the construction of each improvement financed wholly or partly from the proceeds of obligations issued hereunder, and for the final and valid levy of special assessments and the appropriation of any other funds needed to pay the obligations and interest thereon when due.*

Sec. 20. Minnesota Statutes 1974, Section 429.091, Subdivision 3, is amended to read:

Subd. 3. [METHOD OF ISSUANCE.] All obligations shall be issued in accordance with the provisions of chapter 475, except that an election shall be required for bonds if less than 20 percent of the cost of the improvement to the municipality is to be assessed against benefited property. The maturities shall be such as in the opinion of the council are warranted by the anticipated collections of assessments and ad valorem levies for the municipality's share of the cost; except that the council may in its discretion issue and sell temporary improvement bonds at any time prior to completion of the work to be financed, maturing within not more than three years from their date of issue, in which event the municipality shall be obligated to pay such bonds and the interest thereon out of the proceeds of definitive improvement bonds which the council shall issue and sell at or prior to the maturity of the temporary bonds, to the extent that the same cannot be paid out of the assessments and taxes theretofore collected, or out of any other municipal funds which are properly available and are appropriated by the council for such purpose. The holders of such temporary bonds, and the taxpayers of the municipality, shall have and may enforce, by mandamus or other appropriate proceedings, all rights respecting the levy and collection of sufficient assessments and taxes to pay the cost of the improvements financed thereby which are granted by law to holders of other improvement bonds, except the right to require such levies to be collected prior to the maturity of the temporary bonds, and shall have the additional right to require the offering of said definitive improvement bonds (FOR) *at public sale or, if such bonds have not been sold and delivered prior to the maturity of the temporary bonds, to require the issuance (OF BONDS) in exchange therefor, on a par for par basis, of either new temporary bonds or definitive bonds, bearing interest at the maximum rate (OF SIX PERCENT PER ANNUM) per-*

*mitted by law.* (THE BONDS SO ISSUED IN EXCHANGE FOR ANY ISSUE OF TEMPORARY IMPROVEMENT BONDS SHALL BE NUMBERED AND SHALL MATURE SERIALLY AT SUCH TIMES AND IN SUCH AMOUNTS THAT THE PRINCIPAL AND INTEREST CAN BE PAID WHEN DUE BY THE COLLECTION OF TAXES AND ASSESSMENTS LEVIED FOR THE IMPROVEMENTS FINANCED BY THE TEMPORARY BOND ISSUE, AND SHALL BE SUBJECT TO REDEMPTION AND PREPAYMENT ON ANY INTEREST PAYMENT DATE, UPON 30 DAYS' NOTICE MAILED TO EACH HOLDER THEREOF WHO HAS REGISTERED HIS NAME AND ADDRESS WITH THE MUNICIPAL TREASURER; AND SUCH BONDS SHALL BE DELIVERED IN ORDER OF THEIR SERIAL NUMBERS, LOWEST NUMBERS FIRST, TO THE HOLDERS OF THE TEMPORARY BONDS IN ORDER OF THE SERIAL NUMBERS HELD BY THEM.) Any funds of the issuing municipality may be invested in temporary improvement bonds in accordance with the provisions of sections 471.56 and 475.66, except that such temporary bonds may be purchased upon their initial issue, and they shall be purchased only out of funds which the council determines will not be required for other purposes prior to their maturity, and shall be resold prior to maturity only in case of unforeseen emergency. When such purchase is made out of moneys held in a (SINKING) *debt service* fund for other bonds of the municipality, the holders of such other bonds shall have the right to enforce the municipality's obligation to sell definitive bonds at or before the maturity of the temporary bonds, or to exchange the same, in the same manner as holders of such temporary bonds. All obligations shall state upon their face the purpose of the issue and the fund from which they are payable. The amount of any obligations issued hereunder shall not be included in determining the net indebtedness of any municipality under the provisions of any law limiting such indebtedness.

Sec. 21. Minnesota Statutes 1974, Section 429.091, Subdivision 4, is amended to read:

Subd. 4. [FUNDS.] (A SEPARATE FUND SHALL BE PROVIDED FOR EACH IMPROVEMENT.) The proceeds from the sale of (ANY) *each issue of obligations* (ISSUED) and from collections of special assessments (AND TAXES) levied *and other moneys appropriated* for (THE) *each improvement to be financed wholly or partly from such proceeds* (AND ANY OTHER MONEYS APPROPRIATED THERETO BY THE MUNICIPALITY) shall be (PAID TO SUCH) *credited to a separate construction fund* (, AND IT) which shall be used solely to defray expenses of (THE IMPROVEMENT) *such improvements* and payment of principal and interest due upon the obligations (UNTIL) *prior to completion and payment of all costs of the* (IMPROVEMENT) *improvements so financed.* (THERE-

UPON THE FUND MAY BE DISCONTINUED, AND) Any balance of the proceeds of bonds remaining therein may be (TRANSFERRED BY THE COUNCIL TO THE FUND) *used to pay the cost, in whole or in part, of any other improvement instituted pursuant to this chapter. (ALL MONEYS NOT SO TRANSFERRED AND) A separate account shall be maintained in the construction fund to record expenditures for each improvement, and when the total cost thereof has been paid all subsequent collections of special assessments (AND TAXES) levied for the improvement shall be credited and paid into (A SEPARATE SINKING FUND CREATED) the debt service fund for the obligations issued to finance the improvement, as provided in (MINNESOTA STATUTES,) Section 475.61 (, OR TO THE GENERAL FUND IF NO SUCH OBLIGATIONS HAVE BEEN ISSUED). Any taxes levied for improvements financed by an issue of obligations shall be credited directly to the debt service fund.*

Sec. 22. Minnesota Statutes 1974, Section 138.17, Subdivision 1, is amended to read:

138.17 [PUBLIC RECORDS; ADMINISTRATION.] Subdivision 1. [DESTRUCTION, PRESERVATION, REPRODUCTION OF RECORDS; PRIMA FACIE EVIDENCE.] The attorney general, legislative auditor and director of the Minnesota state historical society, hereinafter director, collectively referred to as the records disposition panel, if all consent, shall have power to direct the destruction, the sale for salvage or the disposition by gift or otherwise of public records as they may determine to be no longer of any value, and for the preservation of which no reason exists. The records disposition panel may by unanimous consent order any of such records to be reproduced by photographic or other means, and may make an order that such photographic or other reproductions be substituted for the originals thereof, and may direct the destruction or sale for salvage or other disposition of the originals from which the same were made. Any such photographic or other reproductions so made shall for all purposes be deemed the originals of such records so reproduced when so ordered by the records disposition panel, and shall be admissible as evidence in all courts and in proceedings of every kind. A facsimile, exemplified or certified copy of any such photographic or other reproduction, or any enlargement or reduction thereof, shall have the same effect and weight as evidence as would a certified or exemplified copy of the original. The records disposition panel, by unanimous consent, shall have power to direct the storage of any public records of the state, except as herein provided, and to direct the storage of such photographic or other reproductions. For the purposes of this chapter: (1) The term public "records" means state records, local records, all cards, correspondence, discs, maps, memoranda, microfilms, papers, photographs, recordings, reports, tapes, writings and other data, information or documentary material, regardless of physical form or char-

acteristics, storage media or conditions of use, made or received by any officer or agency of the state and any officer or agency of a county, city, town, school district, municipal subdivision or corporation or other public authority or political entity within the state in pursuance of state law or in connection with the transaction of public business by such officer or agency; (2) The term "state record" means a record of a state agency; that is, a department, office, officer, commission, board or any other agency, however styled or designated, of the executive branch of state government; a record of the state legislature; a record of any court, whether of statewide or local jurisdiction; and any other record designated or treated as a state record under state law; (3) The term "local record" means a record of an agency of local government; that is, a county, city, town, school district, municipal subdivision or corporation or other public authority or political entity; (4) Not included within the definition of the term "records" as used in (LAWS 1973, CHAPTER 32) *this chapter* are data and information that does not become part of an official transaction, library and museum material made or acquired and kept solely for reference or exhibit purposes, extra copies of documents kept only for convenience of reference and stock of publications and processed documents, *and bonds, coupons, or other obligations or evidences of indebtedness, the destruction or other disposition of which is governed by other laws*; (5) Those records preserved or appropriate for preservation as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of government or because of the value of the information contained therein, when determined to have sufficient historical or other value to warrant continued preservation by the state of Minnesota and accepted for deposit in the collections of the Minnesota Historical Society, shall be known as the state archives.

Sec. 23. Minnesota Statutes 1974, Section 124.05, Subdivision 3, is amended to read:

Subd. 3. When the board (BY UNANIMOUS RESOLUTION,) deems it advisable, it may (INVEST) *authorize the investment or deposit of* such amount of funds as will not in the opinion of the board be currently needed by the district in (ANY OF THE BONDS OF ANY COUNTY, CITY, TOWN, SCHOOL DISTRICT, DRAINAGE OR OTHER DISTRICT CREATED PURSUANT TO LAW FOR PUBLIC PURPOSES IN MINNESOTA, IOWA, WISCONSIN, AND NORTH AND SOUTH DAKOTA, OR IN U.S. TREASURY BONDS WITH MATURITY DATE NOT TO EXCEED FIVE YEARS FROM THE TIME OF PURCHASE, OR IN SECURITIES ISSUED BY THE FOLLOWING AGENCIES OF THE UNITED STATES, MATURING NOT TO EXCEED FIVE YEARS FROM THE TIME OF PURCHASE. FEDERAL HOME LOAN BANKS, FEDERAL INTERMEDIATE CREDIT BANKS, FEDERAL LAND BANKS, AND THE FEDERAL NATIONAL MORTGAGE ASSOCIATION, OR IN U.S. TREASURY BILLS, U.S. CERTIFICATES OF INDEBTEDNESS, OR U.S. TREASURY NOTES.

THE BOARD MAY ALSO INVEST SUCH AMOUNT OF FUNDS AS IN ITS OPINION MAY NOT BE CURRENTLY NEEDED IN CERTIFICATES OF DEPOSIT OF ANY STATE OR NATIONAL BANK, PROVIDED THE BANK SHALL DEPOSIT A BOND TO THE DISTRICT, EXECUTED BY A CORPORATE SURETY COMPANY EQUAL TO THE AMOUNT OF THE CERTIFICATE OF DEPOSIT OR, IN LIEU OF SUCH BOND, SHALL ASSIGN TO THE SCHOOL DISTRICT COLLATERAL SECURITIES FOR DEPOSITS IN ACCORDANCE WITH MINNESOTA STATUTES 1961, SECTION 118.01 TO THE EXTENT SUCH CERTIFICATES OF DEPOSIT MAY NOT BE INSURED UNDER THE PROVISIONS OF MINNESOTA STATUTES 1961, SECTION 118.10, AND ANY ACTS AMENDATORY THEREOF) *the manner and subject to the conditions provided in section 475.66 for the deposit and investment of debt service funds.*

Sec. 24. Minnesota Statutes 1974, Section 124.05, Subdivision 4, is amended to read:

Subd. 4. Any board investing funds in (SUCH) authorized securities shall deposit such securities for safekeeping with the county treasurer of the county wherein (SUCH) *the* district is located or with any bank (MAINTAINING A SAFEKEEPING DEPARTMENT. SUCH COUNTY TREASURER OR BANK SHALL GIVE A RECEIPT FOR EACH AND ALL OF SUCH SECURITIES TO THE BOARD, AND SUCH COUNTY TREASURER OR BANK SHALL KEEP SUCH SECURITIES FOR SAFEKEEPING UNTIL SUCH TIME AS THE BOARD SHALL ADOPT A RESOLUTION REQUESTING THE COUNTY TREASURER OR BANK TO TURN SUCH SECURITIES OR ANY OF THEM OVER TO THE TREASURER OF SUCH DISTRICT) *or dealer qualified as provided in section 475.66.*

Sec. 25. Minnesota Statutes 1974, Section 48.15, is amended by adding a subdivision to read:

*Subd. 3. No such bank shall act as paying agent of any municipality or other public issuer of obligations, other than an issuer within whose corporate limits the principal office of the bank is situated, unless the bank is authorized to execute the powers conferred in section 48.38.*

Sec. 26. [INSTRUCTION TO REVISOR.] *In the next edition of Minnesota Statutes the revisor of statutes is directed to delete the words "sinking fund" wherever they appear in chapter 475 and in sections referring to that chapter and to substitute in lieu thereof the words "debt service fund".*

Sec. 27. *Minnesota Statutes 1974, Section 475.553, Subdivision 4, and Minnesota Statutes, 1975 Supplement, Section 471.561, are repealed.*

Sec. 28. *This act is effective the day following final enactment.*"

Further delete the title in its entirety and insert:

"A bill for an act relating to public indebtedness; revising and clarifying provisions as to manner of sale and execution of obligations; designation of paying agents; cremation of obligations; payment of grant anticipation certificates; use of investment income from proceeds; administration of debt service funds; refunding; method of payment and interest rate on special assessments and obligations payable from special assessments; amending Minnesota Statutes 1974, Sections 48.15, by adding a subdivision; 124.05, Subdivisions 3 and 4; 138.17, Subdivision 1; 429.061, Subdivision 2; 429.091, Subdivisions 1, 3, and 4; 471.56, Subdivisions 1 and 3; 475.51, Subdivision 6, and adding a subdivision; 475.52, Subdivision 1; 475.55; 475.553, Subdivisions 1, 2, 3, and 5; 475.60, Subdivisions 2 and 3; 475.61, Subdivision 5; 475.65; 475.66; and 475.67, Subdivisions 7 and 12; and repealing Minnesota Statutes 1974, Section 475.553, Subdivision 4, and Minnesota Statutes, 1975 Supplement, Section 471.561."

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Mr. Fudro from the Committee on Transportation to which was referred:

S. F. No. 2151, A bill for an act relating to motor vehicles; registration and taxation; exempting certain vehicles from license fees; amending Minnesota Statutes, 1975 Supplement, Section 168.012, Subdivision 2b.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

## SECOND READING OF SENATE BILLS

S. F. No. 2151 was read for the second time.

Heinitz was excused for the remainder of today's session.

## CONSIDERATION UNDER RULE 1.10

Pursuant to Rule 1.10, Kelly, W., requested immediate consideration of S. F. No. 2174.

S. F. No. 2174 was reported to the House.

Anderson, I., moved to amend S. F. No. 2174, as follows:

Page 1, line 13, after "liquor" insert "*or fermented malt beverages*".

Page 2, line 8, delete "*takes effect*" and insert "*is effective*".

The motion prevailed and the amendment was adopted.

S. F. No. 2174, A bill for an act relating to intoxicating liquor; importation of limited quantities without payment of tax; amending Minnesota Statutes 1974, Section 340.601.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being take on the passage of the bill and the roll being called, there were yeas 121, and nays 2, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kaley	Nelson	Simoneau
Adams, L.	Eckstein	Kelly, R.	Niehaus	Skoglund
Adams, S.	Eken	Kelly, W.	Norton	Smith
Albrecht	Enebo	Kempe, A.	Novak	Smogard
Anderson, G.	Evans	Kempe, R.	Osthoff	Spanish
Anderson, I.	Ewald	Ketola	Pehler	Stanton
Arlandson	Faricy	Knickerbocker	Peterson	Suss
Beauchamp	Fjoslien	Knoll	Petrafeso	Swanson
Begich	Forsythe	Kostohryz	Philbrook	Tomlinson
Berg	Friedrich	Kroening	Pleasant	Ulland
Berglin	Fudro	Kvam	Prahl	Vanasek
Biersdorf	Fugina	Laidig	Reding	Vento
Braun	George	Lindstrom	Rice	Volk
Brinkman	Graba	Luther	St. Onge	Voss
Byrne	Hanson	Mangan	Samuelson	Wenstrom
Carlson, A.	Haugerud	Mann	Sarna	Wenzel
Carlson, L.	Hokanson	McCarron	Savelkoul	White
Carlson, R.	Jacobs	McCauley	Schreiber	Wieser
Casserly	Jaros	McCollar	Schulz	Wigley
Clark	Jensen	McEachern	Schumacher	Zubay
Clawson	Johnson, C.	Menning	Searle	Speaker Sabo
Corbid	Johnson, D.	Metzen	Setzefandt	
Dahl	Jopp	Moe	Sieben, H.	
Dean	Jude	Munger	Sieben, M.	
DeGroat	Kahn	Neisen	Sieloff	

Those who voted in the negative were:

Erickson      Sherwood

The bill was passed, as amended, and its title agreed to.

Volk was excused for the remainder of today's session.

Pursuant to Rule 1.10, Norton requested immediate consideration of H. F. No. 1997.

H. F. No. 1997 was reported to the House.

Carlson, R. moved to amend H. F. No. 1997 as follows:

Page 14, after line 21, insert a new subdivision to read as follows:

*"Subd. 11. All area Vocational Technical Institute administrators in order to be certified as an administrator in said Vocational-Technical School must have teaching experience in one of the occupations that said administrator is in charge of. All administrators in said Vocational-Technical Schools shall have practical work experience in one or more of the occupations that said administrator is in charge of. All administrators employed in the State Department of Education Vocational Education Division shall have teaching experience in one or more of the occupations which are being offered in the Area Vocational Technical Institutes in the State of Minnesota."*

The motion did not prevail and the amendment was not adopted.

Carlson, R. moved to amend H. F. No. 1997 as follows:

Page 14, after line 21, insert a new subdivision to read as follows:

*"Subd. 11. All superintendents and assistant superintendents of public school districts and Area Vocational Technical School directors and assistant directors in the State of Minnesota shall complete three semester hours of graduate credit or its equivalent each year prior to receiving any increase in salary. The State Board of Education shall approve all graduate credit work and report the same to the local governing board prior to any increase in said administrator's salary."*

The motion did not prevail and the amendment was not adopted.

Peterson moved to amend H. F. No. 1997, as follows:

Page 26, line 15, after the period, insert the following language:

*"The provisions of this clause do not apply to handicapped children as defined in M.S. 120.03, Subd. 4."*

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 22, and nays 92, as follows:

Those who voted in the affirmative were:

Albrecht	Friedrich	Laidig	Peterson	Wigley
Eckstein	Jopp	Mann	Savelkoul	Zubay
Erickson	Kaley	McCauley	Schreiber	
Evans	Kostohryz	Nelsen	Steloff	
Fjoslien	Kvam	Niehaus	Ulland	

Those who voted in the negative were:

Abeln	Corbid	Kahn	Norton	Simoneau
Adams, L.	Dahl	Kelly, R.	Novak	Skoglund
Adams, S.	Dean	Kelly, W.	Osthoff	Smith
Anderson, G.	Doty	Kempe, A.	Parish	Smogard
Anderson, I.	Eken	Kempe, R.	Patton	Spanish
Arlandson	Enebo	Knickerbocker	Pehler	Stanton
Beauchamp	Ewald	Knoll	Petraleso	Suss
Begich	Fariy	Kroening	Philbrook	Swanson
Berg	Fudro	Langseth	Prahl	Tomlinson
Berglin	Fugina	Lindstrom	Rice	Vanasek
Braun	George	Luther	St. Ouge	Vento
Brinkman	Graba	Mangan	Samuelson	Voss
Byrne	Hanson	McCarron	Sarna	Wenstrom
Carlson, A.	Jacobs	McCollar	Schulz	Wenzel
Carlson, L.	Jaros	McEachern	Schumacher	Wieser
Carlson, R.	Jensen	Menning	Setzepfandt	Speaker Sabo
Casserly	Johnson, C.	Metzen	Sherwood	
Clark	Johnson, D.	Moe	Sieben, H.	
Clawson	Jude	Nelson	Sieben, M.	

The motion did not prevail and the amendment was not adopted.

Peterson moved to amend H. F. No. 1997 as follows:

Pages 41 and 42, delete all of Section 37 and renumber the remaining sections.

The motion did not prevail and the amendment was not adopted.

H. F. No. 1997, A bill for an act relating to the operation of state government; providing for aids to education, tax levies and the distribution of tax revenues; changing the funding of special education, adult vocational education and secondary vocational education to a current funding basis; granting certain powers and duties to school districts, the commissioner of education, and the state board of education; establishing a uniform financial accounting and reporting system for Minnesota school districts; requiring the provision of special education on a shared time basis to nonpublic school pupils; appropriating money; amending Minnesota Statutes 1974, Sections 120.17, by adding a subdivision; 120.73, Subdivision 1; 120.74, Subdivision 1; 121.21, by adding a subdivision; 122.45, Subdivisions 2 and 3a; 124.212,

by adding a subdivision; 124.32, as amended; Chapter 124, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 122.23, Subdivision 15; 122.45, Subdivision 1; 124.04; 124.17, Subdivisions 1 and 2; 124.212, Subdivision 8a; 124.271, Subdivision 2; 124.43, Subdivision 1; 124.561, Subdivision 3, and by adding a subdivision; 124.562, Subdivision 2; 124.563, Subdivision 3, and by adding a subdivision; 124.564; 124.565, Subdivision 2; 124.611, Subdivisions 1 and 2; 275.125, Subdivisions 2a, 4, 5, 8, 9, and 14; repealing Minnesota Statutes 1974, Sections 122.54 and 275.39.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Neisen	Sherwood
Adams, L.	Eckstein	Kaley	Nelsen	Sieben, H.
Adams, S.	Eken	Kelly, R.	Nelson	Sieben, M.
Albrecht	Enebo	Kelly, W.	Niehaus	Sieloff
Anderson, G.	Erickson	Kempe, A.	Norton	Simoneau
Anderson, I.	Esau	Kempe, R.	Novak	Skoglund
Arlandson	Evans	Ketola	Osthoff	Smith
Beauchamp	Ewald	Knickerbocker	Parish	Smogard
Begich	Fariy	Knoll	Patton	Spanish
Berg	Fjoslien	Kostohryz	Pehler	Stanton
Berglin	Forsythe	Kroening	Peterson	Suss
Biersdorf	Friedrich	Kvam	Petrafeso	Swanson
Braun	Fudro	Laidig	Philbrook	Tomlinson
Brinkman	Fugina	Langseth	Pleasant	Ulland
Byrne	George	Lindstrom	Prahl	Vanasek
Carlson, A.	Graba	Luther	Reding	Vento
Carlson, L.	Hanson	Mangan	Rice	Voss
Carlson, R.	Haugerud	Mann	St. Onge	Wenstrom
Cassery	Hokanson	McCarron	Samuelson	Wenzel
Clark	Jacobs	McCauley	Sarna	White
Clawson	Jaros	McCollar	Savelkoul	Wieser
Corbid	Jensen	McEachern	Schreiber	Wigley
Dahl	Johnson, C.	Menning	Schulz	Williamson
Dean	Johnson, D.	Metzen	Schumacher	Zubay
DeGroat	Jopp	Moe	Searle	Speaker Sabo
Dieterich	Jude	Munger	Setzpfandt	

The bill was passed and its title agreed to.

Pursuant to Rule 1.10, Kelly, W., requested immediate consideration of H. F. No. 2072.

H. F. No. 2072 was reported to the House.

Savelkoul moved to amend H. F. No. 2072, as follows:

Page 25, after line 16, insert:

"Sec. 24. Minnesota Statutes 1974, Section 290.06, is amended by adding a subdivision to read:

*Subd. 12. The portion of adjusted gross income for a taxable year beginning after December 31, 1975 that would have been paid as federal tax but for Public Law 94-164 is exempt from taxation pursuant to Chapter 290. The commissioner shall prepare tables of credits to effectuate this subdivision."*

Renumber the sections in order.

Further, amend the title in line 7, after "Subdivision 9a;" by inserting "290.06, by adding a subdivision;"

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 31, and nays 90, as follows:

Those who voted in the affirmative were:

Adams, S.	Erickson	Jopp	Niehaus	Ulland
Albrecht	Esau	Kaley	Peterson	Wigley
Biersdorf	Evans	Knickerbocker	Pleasant	Zubay
Carlson, A.	Ewald	Kvam	Savelkoul	
Clawson	Fjoslien	Laidig	Schreiber	
Dean	Forsythe	McCauley	Searle	
DeGroat	Friedrich	Nelsen	Sieloff	

Those who voted in the negative were:

Abeln	Doty	Kelly, R.	Neisen	Sieben, M.
Adams, L.	Eckstein	Kelly, W.	Nelson	Simoneau
Anderson, G.	Eken	Kempe, A.	Novak	Skoglund
Anderson, I.	Enebo	Ketola	Osthoff	Smogard
Arlandson	Faricy	Knoll	Patton	Spanish
Beauchamp	Fudro	Kostohryz	Pehler	Stanton
Begich	Fugina	Kroening	Petraieso	Suss
Berg	George	Langseth	Philbrook	Swanson
Berglin	Graba	Lindstrom	Prahl	Tomlinson
Braun	Hanson	Luther	Reding	Vanasek
Brinkman	Haugerud	Mangan	Rice	Vento
Byrne	Hokanson	Mann	St. Onge	Voss
Carlson, L.	Jacobs	McCarron	Sarna	Wenstrom
Casserly	Jensen	McCollar	Schulz	Wenzel
Clark	Johnson, C.	McEachern	Schumacher	White
Corbid	Johnson, D.	Menning	Setzepfandt	Wieser
Dahl	Jude	Metzen	Sherwood	Williamson
Dieterich	Kahn	Moe	Sieben, H.	Speaker Sabo

The motion did not prevail and the amendment was not adopted.

Savelkoul moved to amend H. F. No. 2072, as follows:

Page 24, after line 12, insert:

"Sec. 22. Minnesota Statutes 1974, Section 290.01, Subdivision 23, is amended to read:

Subd. 23. [ADJUSTED GROSS INCOME.] The term "adjusted gross income" means the gross income, as defined in subdivision 20, less the allowable deductions provided in sections 290.09, 290.075, 290.077, and 290.16, subdivision 6, to the extent allowed by section 290.18. *No deduction shall be allowed by section 290.09, subdivision 6; for any worthless debt owed to the taxpayer by a candidate for any public office or by a political party or a national, state, or local committee of a political party or a committee, association, or organization which accepts gifts, subscriptions, loans, advances, or deposits of money or anything of value or makes expenditures for the purpose of influencing the election of any individual to any public office."*

Renumber the remaining sections.

Further, amend the title in line 15 by deleting "Subdivision 20" and inserting "Subdivisions 20 and 23".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 33, and nays 80, as follows:

Those who voted in the affirmative were:

Adams, S.	Esau	Kaley	Peterson	Wenzel
Albrecht	Evans	Knickerbocker	Pleasant	White
Biersdorf	Ewald	Kvam	Savekoul	Wieser
Carlson, A.	Fjoslien	Laidig	Schreiber	Wigley
Dean	Forsythe	McCauley	Searle	Zubay
DeGroat	Friedrich	Nelsen	Sieloff	
Erickson	Jopp	Niehaus	Ulland	

Those who voted in the negative were:

Abeln	Corbid	Johnson, D.	Moe	Sieben, H.
Adams, L.	Dahl	Jude	Neisen	Sieben, M.
Anderson, G.	Dieterich	Kahn	Nelson	Simoneau
Anderson, I.	Doty	Kelly, R.	Norton	Skoglund
Arlandson	Eckstein	Kelly, W.	Novak	Smogard
Beauchamp	Eken	Ketola	Parish	Spanish
Begich	Enebo	Kostohryz	Pehler	Stanton
Berg	Fugina	Kroening	Petrafeso	Suss
Berglin	George	Langseth	Philbrook	Swanson
Braun	Graba	Lindstrom	Reding	Tomlinson
Byrne	Haugerud	Luther	Rice	Vanasek
Carlson, L.	Hokanson	Mangan	Samuelson	Vento
Carlson, R.	Jacobs	McCollar	Schulz	Voss
Casserly	Jaros	McEachern	Schumacher	Westrom
Clark	Jensen	Menning	Setzepfandt	Williamson
Clawson	Johnson, C.	Metzen	Sherwood	Speaker Sabo

The motion did not prevail and the amendment was not adopted.

McCauley moved to amend H. F. No. 2072, as follows:

Page 25, after line 16, insert:

"Sec. 24. Minnesota Statutes 1974, Section 290.06, is amended by adding a subdivision to read:

*Subd. 12. For taxable years beginning after December 31, 1975, the taxes imposed by chapter 290 shall be calculated on Minnesota inflation adjusted gross income. The commissioner of revenue shall annually determine the percentage increase in the consumer price index for the Minneapolis-St. Paul metropolitan area prepared by the United States department of labor with 1967 as a base year. The commissioner shall determine the increase from September 1, 1976 to August 30 of each succeeding year. Adjusted gross income under \$12,500 shall be multiplied by the percentage. The product shall be deducted from such taxpayer's adjusted gross income to yield their Minnesota inflation adjusted gross income."*

Renumber the sections in order.

Further, amend the title in line 7, after "Subdivision 9a;" by inserting "290.06, by adding a subdivision;".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called; there were yeas 35, and nays 88, as follows:

Those who voted in the affirmative were:

Adams, S.	Erickson	Jopp	Laidig	Schreiber
Albrecht	Esau	Kaley	McCauley	Searle
Biersdorf	Evans	Kempe, A.	Nelsen	Sieloff
Carlson, A.	Ewald	Kempe, R.	Niehaus	Ulland
Dean	Fjoslien	Ketola	Peterson	Wieser
DeGroat	Forsythe	Knickerbocker	Pleasant	Wigley
Dieterich	Friedrich	Kvam	Saveikoul	Zubay

Those who voted in the negative were:

Abeln	Clawson	Jacobs	Luther	Pehler
Adams, L.	Corbid	Jaros	Mangan	Petraleso
Anderson, G.	Dahl	Jensen	Mann	Philbrook
Anderson, I.	Doty	Johnson, C.	McEachern	Prahl
Arlandson	Eckstein	Johnson, D.	Menning	Reding
Beauchamp	Eken	Jude	Metzen	Rice
Berg	Enebo	Kahn	Moe	St. Onge
Berglin	Faricy	Kelly, R.	Munger	Samuelson
Brinkman	Fudro	Kelly, W.	Neisen	Sarna
Byrne	Fugina	Knoll	Norton	Schulz
Carlson, L.	George	Kostohryz	Novak	Schumacher
Carlson, R.	Graba	Kroening	Osthoff	Setzepfandt
Casserly	Haugerud	Langseth	Parish	Sherwood
Clark	Hokanson	Lindstrom	Patton	Sieben, H.

Sieben, M.  
Simoneau  
Skoglund  
Smith

Smogard  
Spanish  
Stanton  
Suss

Swanson  
Tomlinson  
Vanasek  
Vento

Voss  
Wenstrom  
Wenzel  
White

Williamson  
Speaker Sabo

The motion did not prevail and the amendment was not adopted.

Sieloff moved to amend H. F. No. 2072, as follows:

Page 25, after line 28 insert:

"Sec. 25. Minnesota Statutes 1974, Chapter 290, is amended by adding a section to read:

[290.067] [REFUNDABLE CREDIT FOR SOCIAL SECURITY BENEFITS DEDUCTED ON ACCOUNT OF EXCESS EARNINGS.] *Subdivision 1. [CREDIT.] A credit may be claimed against taxes due under Minnesota Statutes, Chapter 290, by any person who receives old age insurance benefits pursuant to the Social Security Act, 42 U.S.C.A. 402, and whose benefits are reduced or required to be repaid in whole or in part because he has had wages or self-employment income which amount to excess income according to the provisions of 42 U.S.C.A. 403(b) and regulations issued pursuant to that section. The amount of the credit shall equal the amount of Social Security benefits so reduced or repaid.*

*Subd. 2. [FILING; PROOF OF CLAIM.] Upon receipt of notice from the Social Security Administration indicating the amount of benefits which he will be required to be repaid or have deducted from future benefits due to excess earnings in the preceding calendar year, the claimant shall enter that amount in the space which shall be provided for that entry on the annual state income tax return which he is filing for the taxable year in which he earned the income on which his benefit amount is contingent. The claimant shall supply proof of that amount in support of his claim.*

*Subd. 3. [REFUND OF CREDIT.] If an allowable claim made pursuant to this section exceeds the tax liability of the claimant under Minnesota Statutes, Chapter 290, for the taxable year for which the claim is made, the commissioner of revenue shall make payment of the excess to the claimant from money appropriated from the general fund."*

Renumber the remaining sections.

Page 41, line 3, after the period insert: "There is appropriated from the general fund to the commissioner of revenue the sum of \$33,000,000 to pay claims made pursuant to section 25,".

Page 21, line 29, after the period insert: "*Section 25 is effective for claims made for Social Security benefits required to be deducted or repaid in 1977 on account of income earned in 1976.*".

Further, amend the title as follows:

Page 1, line 9 after "273," insert "and Chapter 290".

The motion did not prevail and the amendment was not adopted.

Laidig, Sieloff and Dean moved to amend H. F. No. 2072, as follows:

Page 25, after line 16, insert:

"Sec. 24. Minnesota Statutes 1974, Section 290.06, is amended by adding a subdivision to read:

*Subd. 12. [COST OF PREPARATION OF INCOME TAX RETURNS.] There shall be allowed a nonrefundable credit against income tax due under chapter 290 for amounts paid to a person who prepares tax returns for others in the course of his business or profession for preparation of individual federal and state income tax returns and income-adjusted homestead credit claims in an amount not to exceed 50 percent of the amount of fees so paid or incurred. The maximum credit shall be \$25. Any credit taken hereunder shall be in lieu of any income tax deduction now allowed for such amounts paid or incurred. In the case of married persons eligible to file a joint return only one such credit shall be allowed and may be allocated between the spouses as they determine."*

Renumber the remaining sections.

Page 41, line 8, delete "24, 37, 38, 39, and 42 to 48" and insert "25, 38, 39, 40, and 43 to 49".

Page 41, line 9, delete "28, 32," and insert "29,".

Page 41, line 10, after "34," insert "35," and delete "41" and insert "42".

Page 41, line 11, delete "29, 31, and 40" and insert "24, 30, 32, and 41".

Page 41, line 13, delete "49" and insert "50".

Page 41, line 16, delete "25" and insert "26".

Page 41, line 19, delete "26, 27, 30, and 35" and insert "27, 28, 31 and 36".

Page 41, line 21, delete "36" and insert "37".

Further, amend the title as follows:

Page 1, line 7, after "Subdivision 9a" insert ", and by adding a subdivision".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 32, and nays 86, as follows:

Those who voted in the affirmative were:

Adams, S.	Erickson	Jopp	Nelsen	Sieloff
Albrecht	Esau	Kaley	Niehaus	Ulland
Biersdorf	Evans	Kempe, R.	Peterson	Wigley
Carlson, A.	Ewald	Knickerbocker	Pleasant	Zubay
Clawson	Fjoslien	Kvam	Savelkoul	
Dean	Forsythe	Laidig	Schreiber	
Doty	Friedrich	McCauley	Searle	

Those who voted in the negative were:

Adams, L.	Eken	Knoll	Parish	Smcgard
Anderson, G.	Enebo	Kostohryz	Patton	Spanish
Anderson, I.	Faricy	Kroening	Pehler	Stanton
Arlandson	Fudro	Lindstrom	Petrafeso	Suss
Beauchamp	Fugina	Luther	Prahl	Tomlinson
Begich	Graba	Mangan	Reding	Vanasek
Berg	Hanson	Mann	Rice	Vento
Berglin	Haugerud	McCarron	St. Onge	Voss
Braun	Jacobs	McCollar	Samuelson	Wenstrom
Brinkman	Jaros	McEachern	Schulz	Wenzel
Byrne	Jensen	Menning	Schumacher	White
Carlson, L.	Johnson, C.	Metzen	Setzpfandt	Wieser
Carlson, R.	Johnson, D.	Moe	Sherwood	Williamson
Casserly	Jude	Munger	Sieben, H.	Speaker Sabo
Clark	Kahn	Neisen	Sieben, M.	
Corbid	Kelly, R.	Nelson	Simoneau	
Dahl	Kelly, W.	Norton	Skoglund	
Dieterich	Ketola	Novak	Smith	

The motion did not prevail and the amendment was not adopted.

Kempe, A., moved to amend H. F. No. 2072 as follows:

Page 41, line 6, after "*repealed*" insert a new section to read:

"Sec. 50. Minnesota Statutes 1974, Section 290.09 is amended by adding a subdivision to read:

Subd. 30. [COST OF REMOVAL OF DISEASED TREES.]  
*Expenses arising from the removal of trees infected with Dutch*

*elm disease caused by ceratocystis ulmi, pursuant to and within the time limit established by an order of the tree inspector of a municipality or a person appointed by the commissioner of agriculture to perform the duties of a tree inspector pursuant to the provisions of Minnesota Statutes, section 18.023, subdivision 5, or by a local or state officer or employee acting pursuant to the provisions of Minnesota Statutes, section 18.022, subdivisions 6 or 7, shall be deductible from the gross income of the taxpayer incurring those expenses during that taxable year. No deduction shall be allowed for any portion of the cost of removal which had been subsidized by the municipality."*

Renumber the remaining section.

Page 41, line 11, strike "and" and after "40" insert ", and 50".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 55, and nays 65, as follows:

Those who voted in the affirmative were:

Adams, S.	Fariicy	Kahn	McCauley	Schreiber
Biersdorf	Fjoslien	Kaley	McEachern	Setzepfandt
Carlson, A.	Forsythe	Kelly, R.	Metzen	Sieben, M.
Clawson	Friedrich	Kempe, A.	Munger	Sieloff
Dean	Fudro	Kempe, R.	Neisen	Skoglund
Dieterich	George	Ketola	Osthoff	Spanish
Doty	Hanson	Kniekerbocker	Pleasant	Tomlinson
Eckstein	Jensen	Knoll	Prahl	Ulland
Enebo	Johnson, D.	Kostohryz	Reding	Wenstrom
Erickson	Jopp	Kvam	Sarna	White
Ewald	Jude	Laidig	Savelkoul	Wigley

Those who voted in the negative were:

Abeln	Carlson, R.	Kelly, W.	Novak	Smith
Adams, L.	Casserly	Kroening	Parish	Smogard
Albrecht	Clark	Langseth	Patton	Stanton
Anderson, G.	Corbid	Lindstrom	Pehler	Suss
Anderson, I.	DeGroat	Luther	Peterson	Swanson
Arlandson	Eken	Mangan	Petrafaso	Vanasek
Beauchamp	Fugina	Mann	Philbrook	Vento
Begich	Graba	McCarron	Samuelson	Voss
Berg	Haugerud	McCollar	Schulz	Wenzel
Braun	Hokanson	Menning	Schumacher	Wieser
Brinkman	Jacobs	Neisen	Searle	Williamson
Byrne	Jaros	Niehaus	Sieben, H.	Zubay
Carlson, L.	Johnson, C.	Norton	Simoneau	Speaker Sabo

The motion did not prevail, and the amendment was not adopted.

Smith was excused for the remainder of today's session.

Sieloff, Hokanson, Byrne and Biersdorf moved to amend H. F. No. 2072, as follows:

Page 41, after line 3, insert a new section as follows:

"Sec. 49. *The Commissioner of Revenue shall publish instructions and tables relating to the income adjusted property tax relief act in oversize type to facilitate the reading thereof by senior citizens and shall, if feasible, insert in the tax materials that are mailed to senior citizens a special insert in oversize type to facilitate the reading thereof, setting forth tax benefits which are unique to or which normally apply to senior citizens and retired persons.*"

Renumber the following sections accordingly.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 81, and nays 35, as follows:

Those who voted in the affirmative were:

Adams, L.	Esau	Kelly, R.	Nelsen	Sherwood
Adams, S.	Evans	Kempe, A.	Nelson	Sieloff
Albrecht	Ewald	Kempe, R.	Niehaus	Skoglund
Arlandson	Fariy	Ketola	Novak	Spanish
Begich	Fjoslien	Knickerbocker	Osthoff	Stanton
Biersdorf	Forsythe	Knoll	Patton	Swanson
Byrne	Friedrich	Kostohryz	Peterson	Ulland
Carlson, A.	Fudro	Kroening	Philbrook	Wenstrom
Carlson, L.	Fugina	Kvam	Pleasant	Wenzel
Carlson, R.	George	Laidig	Prahl	Wieser
Clark	Hanson	Langseth	Reding	Wigley
Clawson	Hokanson	Luther	Rice	Williamson
Dean	Jensen	McCarron	Sarna	Zubay
DeGroat	Jopp	McCauley	Savelkoul	
Doty	Jude	Menning	Schreiber	
Eckstein	Kahn	Metzen	Schumacher	
Enebo	Kaley	Neisen	Setzpfandt	

Those who voted in the negative were:

Abeln	Corbid	Johnson, D.	Parish	Suss
Anderson, G.	Dahl	Kelly, W.	St. Onge	Tomlinson
Anderson, I.	Dieterich	Lindstrom	Samuelson	Vanasek
Beauchamp	Eken	Mangan	Sieben, H.	Vento
Berg	Graba	McCollar	Sieben, M.	Voss
Berglin	Jaros	Munger	Simoneau	White
Braun	Johnson, C.	Norton	Smogard	Speaker Sabo

The motion prevailed and the amendment was adopted.

Schreiber moved to amend H. F. No. 2072, as follows:

Page 37, after line 3, insert:

"Sec. 41. Minnesota Statutes, 1975 Supplement, Section 290A.21, is amended to read:

290A.21 [EXCLUSIVE RELIEF.] Sections (290.981 TO 290.992,) 290.0601 to 290.0616 (,) and 290.0618 shall not be effective with respect to any rent paid after December 31, 1974 or property taxes payable after December 31, 1975. Sections 290.-981 to 290.992 shall be effective with respect to rent paid after December 31, 1975 in any taxable year in which the claimant elects to file a claim pursuant to sections 290.981 to 290.992 and does not claim the credit given pursuant to sections 290A.01 to 290A.21."

Renumber the remaining sections.

Page 41, line 8, after "39," insert "41," and delete "42 to 48" and insert "43 to 49".

Page 41, line 10, delete "41" and insert "42".

Page 41, line 13, delete "49" and insert "50".

Further, amend the title as follows:

Page 1, line 19, after "290A.19;" insert "290A.21;".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 33, and nays 90, as follows:

Those who voted in the affirmative were:

Adams, S.	Esau	Kaley	Novak	Sieloff
Albrecht	Evans	Knickerbocker	Peterson	Tomlinson
Biersdorf	Ewald	Kvam	Philbrook	Ulland
Carlson, A.	Fjoslien	Laidig	Pleasant	Wigley
Dean	Forsythe	McCauley	Savelkoul	Zubay
DeGroat	Friedrich	Nelsen	Schreiber	
Erickson	Fugina	Niehaus	Searle	

Those who voted in the negative were:

Abeln	Clawson	Jensen	McCarron	Reding
Adams, L.	Corbid	Johnson, C.	McCollar	Rice
Anderson, G.	Dieterich	Johnson, D.	McEachern	St. Onge
Anderson, I.	Doty	Jude	Menning	Samuelson
Arlandson	Eckstein	Kahn	Metzen	Sarna
Beauchamp	Eken	Kelly, R.	Moe	Schulz
Begich	Enebo	Kelly, W.	Munger	Schumacher
Berg	Faricy	Kempe, A.	Neisen	Setzepfandt
Berglin	Fudro	Knoll	Nelson	Sherwood
Braun	George	Kostohryz	Norton	Sieben, H.
Brinkman	Graba	Kroening	Osthoff	Sieben, M.
Byrne	Hanson	Langseth	Parish	Simoneau
Carlson, L.	Hangerud	Lindstrom	Patton	Skoglund
Carlson, R.	Hokanson	Luther	Pehler	Smogard
Cassery	Jacobs	Mangan	Petrafeso	Spanish
Clark	Jaros	Mann	Prahl	Stanton

Suss Swanson	Vanasek Vento	Voss Wenstrom	Wenzel White	Wieser Speaker Sabo
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The motion did not prevail and the amendment was not adopted.

H. F. No. 2072, A bill for an act relating to taxes on or measured by net income and on the sale of intoxicating liquors and to assessment of ad valorem taxes; appropriating funds; amending Minnesota Statutes 1974, Sections 4.12, Subdivision 4; 270.13; 273.138, Subdivisions 2 and 5; 276.05; 276.06; 290.06, Subdivision 9a; 290.066, Subdivision 1; 340.51; 340.55; and Chapters 256 and 273, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 270.16, Subdivision 2; 273.012, Subdivision 3; 273.11, Subdivision 2; 273.122, Subdivision 1; 273.13, Subdivisions 6, 7, and 14a; 273.17, Subdivision 1; 274.14; 276.04; 281.17; 290.01, Subdivision 20; 290.012, Subdivision 4; 290.21, Subdivision 4; 290A.03, Subdivisions 3, 7, 8, 12, and 13, and by adding a subdivision; 290A.04, Subdivisions 2 and 3; 290A.05; 290A.06; 290A.07, Subdivisions 1 and 2; 290A.14; 290A.19; and Chapter 290A, by adding a section; and Laws 1975, Chapter 349, Section 32; and Laws 1976, Chapter 5, Sections 2, Subdivision 1; and 3; repealing Minnesota Statutes 1974, Section 273.11, Subdivision 4, and Minnesota Statutes, 1975 Supplement, Section 124.03.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dean	Jaros	Mann	Prahl
Adams, L.	DeGroat	Jensen	McCarron	Reding
Adams, S.	Dieterich	Johnson, C.	McCauley	Rice
Albrecht	Doty	Johnson, D.	McCollar	St. Onge
Anderson, G.	Eckstein	Jopp	McEachern	Samuelson
Anderson, I.	Eken	Jude	Menning	Sarna
Arlandson	Enebo	Kahn	Metzen	Savelkoul
Beauchamp	Erickson	Kaley	Moe	Schreiber
Begich	Esau	Kelly, R.	Munger	Schulz
Berg	Evans	Kelly, W.	Neisen	Schumacher
Berglin	Ewald	Kempe, A.	Nelsen	Searle
Biersdorf	Faricy	Kempe, R.	Nelson	Setzepfandt
Braun	Fjoslien	Ketola	Niehaus	Sherwood
Brinkman	Forsythe	Knickerbocker	Norton	Sieben, H.
Byrne	Friedrich	Knoll	Novak	Sieben, M.
Carlson, A.	Fudro	Kostohryz	Osthoff	Sieloff
Carlson, L.	Fugina	Kroening	Parish	Simoneau
Carlson, R.	George	Kvam	Patton	Skoglund
Casserly	Graba	Laidig	Pehler	Smogard
Clark	Hanson	Langseth	Peterson	Spanish
Clawson	Hangerud	Lindstrom	Petrafeso	Stanton
Corbid	Hokanson	Luther	Philbrook	Suss
Dahl	Jacobs	Mangan	Pleasant	Swanson

Tomlinson	Vento	Wenzel	Wigley	Speaker Sabo
Ulland	Voss	White	Williamson	
Vanasek	Wenstrom	Wieser	Zubay	

The bill was passed, as amended, and its title agreed to.

Wieser was excused for the remainder of today's session.

#### MOTION FOR RECONSIDERATION

Jaros moved that the vote whereby H. F. No. 2154, as amended, was not passed on Special Orders today be now reconsidered.

A roll call was requested and properly seconded.

#### CALL OF THE HOUSE

On the motion of Savelkoul and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeln	Doty	Kahn	Neisen	Sherwood
Adams, L.	Eckstein	Kaley	Nelsen	Sieben, H.
Adams, S.	Eken	Kelly, R.	Nelson	Sieben, M.
Albrecht	Enebo	Kelly, W.	Niehau	Sieloff
Anderson, G.	Erickson	Kempe, A.	Norton	Simoneau
Anderson, I.	Esau	Kempe, R.	Novak	Skoglund
Arlandson	Evans	Ketola	Osthoff	Smogard
Beauchamp	Ewald	Knickerbocker	Parish	Spanish
Begich	Faricy	Knoll	Patton	Stanton
Berg	Fjoslien	Kostohryz	Pehler	Suss
Berglin	Forsythe	Kroening	Peterson	Swanson
Biersdorf	Friedrich	Kvam	Petráfeso	Tomlinson
Braun	Fudro	Laidig	Philbrook	Ulland
Brinkman	Fugina	Langseth	Pleasant	Vanasek
Byrne	George	Lindstrom	Prahl	Vento
Carlson, A.	Graba	Luther	Reding	Voss
Carlson, L.	Hanson	Mangan	Rice	Wenstrom
Carlson, R.	Haugerud	Mann	St. Onge	Wenzel
Casserly	Hokanson	McCarron	Samuelson	White
Clark	Jacobs	McCauley	Sarna	Wigley
Clawson	Jaros	McCollar	Savelkoul	Williamson
Corbid	Jensen	McEachern	Schreiber	Zubay
Dahl	Johnson, C.	Menning	Schulz	Speaker Sabo
Dean	Johnson, D.	Metzen	Schumacher	
DeGroat	Jopp	Moe	Searle	
Dieterich	Jude	Munger	Setzpfandt	

Anderson, I., moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The question recurred on the motion to reconsider and the roll being called, there were yeas 73, and nays 54, as follows:

## Those who voted in the affirmative were:

Adams, L.	Eckstein	Ketola	Neisen	Sieben, H.
Anderson, G.	Eken	Knoll	Norton	Sieben, M.
Anderson, I.	Enebo	Kostohryz	Novak	Simoneau
Arlandson	Fudro	Kroening	Osthoff	Smogard
Beauchamp	Fugina	Lindstrom	Parish	Spanish
Begich	George	Luther	Patton	Suss
Berg	Graba	Mangan	Pehler	Swanson
Braun	Jacobs	Mann	Petrafeso	Tomlinson
Brinkman	Jaros	McCarron	Reding	Vanasek
Carlson, L.	Johnson, C.	McCollar	Rice	Vento
Carlson, R.	Johnson, D.	McEachern	St. Onge	Wenzel
Casserly	Jude	Menning	Samuelson	Williamson
Clark	Kelly, W.	Metzen	Sarna	Speaker Sabo
Corbid	Kempe, A.	Moe	Schumacher	
Dahl	Kempe, R.	Munger	Setzepfandt	

## Those who voted in the negative were:

Abeln	Doty	Hokanson	Nelsen	Sherwood
Adams, S.	Erickson	Jensen	Nelson	Sieloff
Albrecht	Esau	Jopp	Niehaus	Skoglund
Berglin	Evans	Kahn	Peterson	Stanton
Biersdorf	Ewald	Kaley	Philbrook	Ulland
Byrne	Faricy	Kelly, R.	Pleasant	Voss
Carlson, A.	Fjoslien	Knickerbocker	Prahl	Wenstrom
Clawson	Forsythe	Kvam	Savelkoul	White
Dean	Friedrich	Laidig	Schreiber	Wigley
DeGroat	Hanson	Langseth	Schulz	Zubay
Dieterich	Haugerud	McCauley	Searle	

The motion prevailed.

H. F. No. 2154, as amended, was reported to the House.

Sieben, H., moved that H. F. No. 2154, as amended, be continued on Special Orders for one day. The motion prevailed.

There being no objection the order of business reverted to Introduction and First Reading of House Bills.

### INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Norton, for the Committee on Appropriations, introduced:

H. F. No. 2676, A bill for an act relating to the organization, operation and financing of state government; appropriating money; amending Minnesota Statutes Section 177.44, Subdivision 3; Section 179.74 by adding a subdivision; and Section 238.04 by adding a subdivision.

The bill was read for the first time and laid over one day.

Norton, for the Committee on Appropriations, introduced:

H. F. No. 2677, A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings; appropriating money.

The bill was read for the first time and laid over one day.

Norton, for the Committee on Appropriations, introduced:

H. F. No. 2678, A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; authorizing issuance of state building bonds; appropriating money; amending Minnesota Statutes 1974, Section 16.16, Subdivision 2; 16A.28; 137.02, Subdivision 3; repealing Laws 1973, Chapter 778, Section 20.

The bill was read for the first time and laid over one day.

#### 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 Files, herewith returned:

H. F. No. 595, A bill for an act relating to retirement; authorized expenditures of firemen's relief associations; amending Minnesota Statutes 1974, Section 424.31.

H. F. No. 1963, A bill for an act relating to the city of Mound; firemen's service pensions; amending Laws 1973, Chapter 175, Section 1, as amended.

H. F. No. 1966, A bill for an act relating to judges; authorizing certain retired judges and their dependents to participate in the state employee hospital benefits and medical benefits program; amending Minnesota Statutes 1974, Section 43.491, by adding a subdivision.

H. F. No. 2090, A bill for an act relating to the city of Worthington; volunteer firemen's service pensions.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Conference Committee on S. F. No. 499 was discharged pursuant to Joint Rule 23a and that the Senate has moved that a new Conference Committee of 3 members was appointed by the Committee on Committees on the part of the Senate, to act with a like new Conference Committee to be appointed on the part of the House.

S. F. No. 499, A bill for an act relating to insurance; authorizing an insurer to refuse to renew an automobile insurance policy under certain circumstances; amending Minnesota Statutes 1974, Section 65B.17.

Messrs. Laufenburger, Merriam and Bang have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Prahl moved that the House accede to the request of the Senate for the appointment of a new Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 499. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 1383, A bill for an act relating to metropolitan government; regulating solid waste; amending Laws 1975, Chapter 13, Sections 1, by adding subdivisions; 11, Subdivision 1; 139; 140, Subdivision 1; 141; 142; 143; and 144; and by adding sections; repealing Laws 1975, Chapter 13, Section 140, Subdivision 2.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Chenoweth, Kirchner and North have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Casserly moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 1383. The motion prevailed.

Knoll moved that the Message from the Senate relating to H. F. No. 1137 be taken from the table. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate has moved that H. F. No. 1137 and the Conference Committee Report be returned to the House of Representatives, that the Conference Committee be discharged, and that a new Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like new Conference Committee appointed on the part of the House.

H. F. No. 1137, A bill for an act relating to housing; increasing range of eligibility for assistance from housing finance agency; providing for revolving loan funds and direct subsidies; appropriating money; amending Minnesota Statutes 1974, Sections 462A.03, Subdivision 13; 462A.05, Subdivisions 2 and 14; 462A.07, by adding a subdivision; 462A.19, Subdivision 1; 462A.21, by adding subdivisions; and 462A.22, Subdivision 9.

The Senate has appointed as such committee Messrs. Humphrey; Keefe, J.; Borden, Schaaf and Ogdahl.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Knoll moved that the House accede to the request of the Senate regarding H. F. No. 1137; that the vote whereby the bill was repassed as amended by the Conference Committee be reconsidered; that the vote whereby the Conference Committee report was adopted be reconsidered; that the present House Conference Committee be discharged; and that the Speaker appoint a new Conference Committee consisting of five members on the part of the House. The motion prevailed.

The question was taken on the Knoll motion to reconsider the vote whereby H. F. No. 1137 was repassed, as amended by the Conference Committee. The motion prevailed.

The question was taken on the Knoll motion to reconsider the vote whereby the Conference Committee Report on H. F. No. 1137 was adopted. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2254 and 2362.

PATRICK E. FLAHAVER, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 2254, A bill for an act relating to unemployment compensation; providing that an individual who has voluntarily left or indefinitely separated from employment with a school and is hired for the next school year by another school may not collect benefits during the period between successive school years; amending Minnesota Statutes, 1975 Supplement, Section 268.08, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 2362, A bill for an act relating to counties; changing lands subject to county control; amending Minnesota Statutes 1974, Section 394.24, Subdivision 3.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

### ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 1383:

Casserly, Berg and Schreiber.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1137:

Knoll, Norton, Lindstrom, Kroening and Ewald.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 109:

Sieben, H.; Jude and Patton.

## SPECIAL ORDERS, Continued

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders for Thursday, March 18, 1976, immediately following the Consent Calendar. The motion prevailed.

## GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued until Thursday, March 18, 1976.

## MOTIONS AND RESOLUTIONS

Sieben, M., moved that his name be stricken as an author on H. F. No. 1236. The motion prevailed.

Osthoff moved that the name of Dieterich be added as an author on H. F. No. 2675. The motion prevailed.

McEachern moved that the name of McCarron be added as chief author and the name of Volk be stricken as an author on H. F. No. 2407. The motion prevailed.

Anderson, I., moved that the following bills be unofficially engrossed and printed for the House to include committee amendments:

S. F. Nos. 454, 1627, 674, 1619, 1841, 1876, 1976, 354, 864, 1188, 2208 and 2223.

The motion prevailed.

Swanson, Abeln, Pleasant and Williamson introduced:

House Resolution No. 32, A house resolution congratulating the hockey team of the Bloomington Kennedy High School on winning the consolation championship in the state high school hockey tournament.

The resolution was referred to the Committee on Rules and Legislative Administration.

Swanson and Hokanson introduced:

House Resolution No. 33, A house resolution congratulating the Richfield High School hockey team on winning second place in the state hockey tournament.

The resolution was referred to the Committee on Rules and Legislative Administration.

**ADJOURNMENT**

Anderson, I., moved that when the House adjourns today it adjourn until 11:00 a.m., Thursday, March 18, 1976. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 11:00 a.m., Thursday, March 18, 1976.

**EDWARD A. BURDICK, Chief Clerk, House of Representatives**

