

NINETY-SECOND DAY

St. Paul, Minnesota, Wednesday, March 17, 1976

The Senate met at 2:00 o'clock p.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. William D. Young.

The roll being called, the following Senators answered to their names:

Anderson	Davies	Keefe, S.	Ogdahl	Schrom
Arnold	Doty	Kirchner	Olhoft	Sillers
Ashbach	Dunn	Kleinbaum	Olson, A. G.	Solon
Bang	Fitzsimons	Knutson	Olson, H. D.	Spear
Berg	Frederick	Kowalczyk	Olson, J. L.	Stassen
Bernhagen	Gearty	Larson	O'Neill	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Patton	Stumpf
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Tennessen
Brataas	Hanson, R.	McCutcheon	Perpich, G.	Ueland
Brown	Hughes	Merriam	Pillsbury	Wegener
Chenoweth	Humphrey	Milton	Purfeerst	Willet
Chmielewski	Jensen	Moe	Renneke	
Coleman	Josefson	Nelson	Schaaf	
Conzemius	Keefe, J.	North	Schmitz	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Keefe, J. was excused from the Session of today at 3:20 o'clock p.m. Mr. Chmielewski was excused from the Session of today at 4:00 o'clock p.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mr. Arnold introduced—

S. F. No. 2570: A bill for an act relating to appropriations; converting certain open appropriations of dedicated receipts to direct appropriations; abolishing other open appropriations of dedicated receipts; abolishing certain dedicated funds and accounts; appropriating money; amending Minnesota Statutes 1974,

Sections 16A.125, Subdivision 5; 17A.11; 18.411; 18.67; 21.115; 21.116; 21.55; 29.049, Subdivision 1; 29.22, Subdivision 5; 32.394, Subdivision 9; 32B.12; 34.07; 43.31; 69.031, Subdivision 3; 69.55; 84.153; 84.154, Subdivision 5; 84.155, Subdivision 6; 84.86, Subdivision 1; 84A.03; 84A.22; 84A.32, Subdivision 2; 84A.51, Subdivision 4; 84A.52; 84A.53; 86.42, Subdivision 1; 89.035; 89.036; 89.21; 93.283, Subdivision 7; 93.335, Subdivision 4; 94.48; 97.49, Subdivisions 1, 3, 5 and 7; 116C.69, Subdivision 2; 144.175, Subdivision 4; 160.285, Subdivision 3; 163.051, Subdivisions 2 and 3; 168.54, Subdivision 5; 168A.31, Subdivision 1; 192.68, Subdivision 2; 192A.645; 197.02; 197.03; 197.05; 197.06; 246.41, Subdivision 2; 270.077; 296.421, Subdivision 4; 298.22, Subdivisions 1 and 2; 298.221; 299D.03, Subdivision 5; 299F.21; and 344.03, Subdivision 2; Minnesota Statutes, 1975 Supplement, Sections 31.39; 32A.05, Subdivision 4; 32A.09, Subdivision 6; and 298.244, Subdivision 1; repealing Minnesota Statutes 1974, Sections 16A.125, Subdivision 6; 21.114; 33.10; 33.11; 33.12 to 33.15; 33.171; 84.085; 84A.51, Subdivisions 1, 2 and 3; 84A.54; 84A.55, Subdivision 14; 86.42, Subdivision 2; 94.49; 161.085; 161.231; 162.19; 168.54, Subdivisions 2, 3 and 6; 168A.31, Subdivision 2; 190.28; 197.04; 197.07; 241.25; 246.41, Subdivisions 1 and 3; 360.389; 362.40, Subdivision 13; 424.165; 458.50 to 458.60; and 626.85, Subdivision 2; Minnesota Statutes, 1975 Supplement, Section 241.01, Subdivision 5a; and Laws 1961, Chapter 472, Section 4, as added.

Referred to the Committee on Finance.

Mr. Arnold introduced—

S. F. No. 2571: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Arnold introduced—

S. F. No. 2572: A bill for an act relating to real estate; limiting assertion of interest in tax forfeited real estate.

Referred to the Committee on Taxes and Tax Laws.

Mr. Brown introduced—

S. F. No. 2573: A bill for an act relating to the fire department relief association and firemen's service pensions in the city of St. Paul Park.

Referred to the Committee on Governmental Operations.

Mr. Chenoweth introduced—

S. F. No. 2574: 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.

Referred to the Committee on Education.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. No. 2344.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 16, 1976

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

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.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 16, 1976

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1308, and repassed said bill in accordance with the report of the Committee, so adopted.

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.

Senate File No. 1308 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 16, 1976

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

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.

Senate File No. 916 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 16, 1976

CONCURRENCE AND REPASSAGE

Mr. Perpich, A. J. moved that the Senate concur in the amendments by the House to S. F. No. 916 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 916 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Ogdahl	Schaaf
Arnold	Dunn	Keefe, S.	Olhoft	Schmitz
Ashbach	Fitzsimons	Kirchner	Olson, A. G.	Schrom
Berg	Frederick	Kleinbaum	Olson, H. D.	Sillers
Bernhagen	Gearty	Knutson	Olson, J. L.	Solon
Borden	Hansen, Baldy	Kowalczyk	O'Neill	Spear
Brown	Hansen, Mel	Larson	Patton	Stokowski
Chenoweth	Hanson, R.	Lewis	Perpich, A. J.	Stumpf
Chmielewski	Hughes	McCutcheon	Perpich, G.	Tennessen
Coleman	Humphrey	Milton	Pillsbury	Ueland
Conzenius	Jensen	Moe	Purfeerst	Wegener
Davies	Josefson	North	Renneke	Willet

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

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.

Senate File No. 1120 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 16, 1976

CONCURRENCE AND REPASSAGE

Mr. Josefson moved that the Senate concur in the amendments by the House to S. F. No. 1120 and that the bill be placed on its its repassage as amended. The motion prevailed.

S. F. No. 1120 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Olhoft	Schrom
Arnold	Dunn	Kirchner	Olson, A. G.	Sillers
Ashbach	Fitzsimons	Kleinbaum	Olson, H. D.	Solon
Berg	Frederick	Knutson	Olson, J. L.	Spear
Bernhagen	Gearity	Kowalczyk	O'Neill	Stokowski
Borden	Hansen, Baldy	Larson	Patton	Stumpf
Brataas	Hansen, Mel	Laufenburger	Perpich, A. J.	Tennessen
Brown	Hanson, R.	Lewis	Perpich, G.	Ueland
Chenoweth	Hughes	McCutcheon	Pillsbury	Wegener
Chmielewski	Humphrey	Merriam	Purfeerst	Willet
Coleman	Jensen	Milton	Renneke	
Conzemius	Josefson	Moe	Schaaf	
Davies	Keefe, J.	North	Schmitz	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which

amendments the concurrence of the Senate is respectfully requested:

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.

Senate File No. 429 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 16, 1976

CONCURRENCE AND REPASSAGE

Mr. Conzemius moved that the Senate concur in the amendments by the House to S. F. No. 429 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 429 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 56 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Olhoff	Sillers
Arnold	Doty	Kleinbaum	Olson, A. G.	Spear
Ashbach	Dunn	Knutson	Olson, H. D.	Stassen
Berg	Fitzsimons	Kowalczyk	Olson, J. L.	Stokowski
Bernhagen	Frederick	Larson	O'Neill	Stumpf
Borden	Hansen, Mel	Laufenburger	Patton	Tennessen
Brataas	Hanson, R.	Lewis	Perpich, A. J.	Ueland
Brown	Hughes	McCutcheon	Perpich, G.	Wegener
Chenoweth	Humphrey	Merriam	Pillsbury	
Chmielewski	Jensen	Moe	Renneke	
Coleman	Josefson	Nelson	Schaaf	
Conzemius	Keefe, J.	North	Schmitz	

Messrs. Hansen, Baldy; Purfeerst; Schrom and Willet voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a new Conference Committee of five members of the House, on the amendments adopted by the House to the following Senate File:

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.

There has been appointed as such committee on the part of the House:

Voss; Sabo; Anderson, I.; Haugerud and Carlson, A.

Senate File No. 250 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 16, 1976

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 2068, 2117 and 2374.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 16, 1976

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1444, 2175 and 2608.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 17, 1976

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 101, 1130, 1615, 2019 and 2560.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 16, 1976

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 345, 1456, 1576, 1763, 2355, 612, 1866, 1868 and 2152.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 17, 1976

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the Committees indicated.

H. F. No. 2068: A bill for an act relating to hospitals; providing for loans to medical students who agree to practice in the hospi-

tal district; amending Minnesota Statutes 1974, Section 447.34, Subdivision 1; and Chapter 447, by adding a section.

Referred to the Committee on Rules and Administration.

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.

Referred to the Committee on Rules and Administration.

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.

Referred to the Committee on Rules and Administration.

H. F. No. 101: A bill for an act relating to insurance; establishing certain compulsory insurance for aircraft; providing penalties; amending Minnesota Statutes 1974, Sections 60A.081; 360.59, by adding a subdivision; 360.91; and Chapter 360, by adding sections.

Referred to the Committee on Rules and Administration.

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.125, Subdivisions 1, 2, 3, 7, 8, 9, and 10; 16A.17, Subdivision 2; and 136.06.

Referred to the Committee on Finance.

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.

Referred to the Committee on Rules and Administration.

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.

Referred to the Committee on Rules and Administration.

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.

Referred to the Committee on Rules and Administration.

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.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 2608: A bill for an act relating to the city of Buhl; police officers membership in the public employees retirement association.

Referred to the Committee on Governmental Operations.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of S. F. Nos. 2165, 2018, 1995 and 2188 and H. F. No. 61.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 2218: A bill for an act relating to game and fish; increasing certain license fees; amending Minnesota Statutes 1974, Sections 98.46, Subdivisions 2, 4, 7, 8, 9, 14, 15, 16, 17 and 19; 101.44; and Minnesota Statutes, 1975 Supplement, Section 98.46, Subdivision 5.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 24, strike "\$150" and insert "\$50"

Page 6, line 5, after "deer" strike the comma and insert "or"

Page 6, line 5, strike ", or timber wolf, any or all of"

Page 6, line 6, strike "them,"

Page 6, line 9, after "deer" strike the comma and insert "or"

Page 6, line 9, strike ", or timber wolf, any or all of"

Page 6, line 10, strike "them,"

Page 6, line 13, strike "timber wolf" and insert "*deer*"

Page 7, line 3, strike "\$10" and insert "\$5"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 1995: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 23, strike "to"

Page 1, line 24, strike "agencies and subdivisions of the state"

Pages 2 to 4, strike subdivisions 4 to 7 in their entirety and insert:

"Subd. 4. Before disbursement to the commissioner of highways of an appropriation made from the fund the director of the state planning agency shall certify to the commissioner of finance that the project for which the funds are disbursed is consistent with any statewide transportation plan and has been reviewed by the appropriate regional development commission or the metropolitan council as the case may be, for consistency with the long term comprehensive development plans and guides for which that agency is responsible.

Subd. 5. Before disbursement pursuant to section 3, subdivision 1, clause 2, to the commissioner of highways of an appropriation made from the fund, the director of the state planning agency shall certify to the commissioner of finance:

(1) That the project for which the disbursement is made has been reviewed as provided in subdivision 4;

(2) That the project conforms to the program authorized by an appropriation law and rules adopted by the state planning agency consistent therewith; and

(3) That the financing of any estimated cost of the project in excess of the amount of the disbursement is assured by the appropriation of the proceeds of bonds or other funds of the subdivision, or by a grant from an agency of the federal government, within the amount of funds then appropriated to that agency and allocated by it to projects within the state, and by an irrevocable undertaking, in a resolu-

tion of the governing body of the subdivision, to use all funds so made available exclusively for the project, and to pay any additional amount by which the cost exceeds the estimate through appropriation to the construction fund of additional funds or the proceeds of additional bonds to be issued by the subdivision.

Subd. 6. Any political subdivision may submit to the state planning agency proposals for constructing or reconstructing key bridges located on any highway, street, or road under its authority. The state planning agency shall assign priorities to and determine the amount of money that may be disbursed for any proposed project according to criteria including:

(1) Effectiveness of the project in eliminating a deficiency in the transportation system;

(2) Number of persons affected by the deficiency;

(3) Cost and availability of alternative facilities;

(4) Effect on optimum land use and other concerns of state and regional planning;

(5) Availability of alternative financing for the project; and

(6) Adequacy of provision for proper operation and maintenance after construction.

Procedures for submission and review of proposals and criteria for assigning priorities and determining amounts of disbursements shall be established by rules of the state planning agency.

Subd. 7. The commissioner of highways shall develop rules, standards and criteria, including bridge specifications, in cooperation with road authorities of political subdivisions, for use in the administration of funds disbursed to the commissioner pursuant to section 3, subdivision 1, clause 2. Funds disbursed to the commissioner from the Minnesota state transportation fund shall be segregated from the highway tax user distribution fund and other funds created by article XIV of the constitution."

Page 4, line 22, strike "or subdivisions"

Page 8, line 5, strike "to the following state agencies"

Page 8, line 6, strike "and subdivisions"

Page 8, line 8, strike "the following purposes of"

Page 8, line 9, after "system" insert "as specified herein"

Page 8, line 10, strike "\$300,000,000" and insert "\$150,000,000"

Page 8, line 10, strike "use" and insert "disbursement to"

Page 8, line 11, strike "by"

Page 8, line 14, strike "use by" and insert "disbursement to"

Page 8, line 17, strike "\$160,000,000" and insert "\$80,000,000"

Page 8, line 18, strike "\$50,000,000" and insert "\$25,000,000"

Page 8, line 19, strike "\$90,000,000" and insert "\$45,000,000"

Page 8, line 24, strike "\$600,000,000" and insert \$300,000,000"

Page 8, line 31, strike "and" and insert a comma

Page 8, line 31, after "1" insert ", and section 2, subdivision 3"

Page 8, after line 31, insert

"Subd. 3. There is appropriated to the state planning agency \$50,000 for administrative costs incurred in carrying out the duties prescribed in section 1."

And when so amended the bill do pass. Mr. Tennesen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, after "health" strike "and" and insert a comma

Page 1, line 12, after "welfare" insert "*and pension*"

Page 1, strike line 13

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty 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.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Gearty 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.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Gearty 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, strike “, including”

Page 1, strike lines 17 to 18

Page 1, line 19, strike everything before the period

Page 3, line 12, after “state” insert “, when”

Page 3, line 12, after “requested” insert “by another member state”

Page 3, line 12, after “aid” insert a comma

Page 3, line 32, strike “evidencing” and insert “requested to render mutual aid under this compact which evidences”

Page 4, line 5, after “rendered” insert “; provided that this recognition shall only apply to the extent necessary to enable the administration of mutual aid pursuant to this compact”

Page 4, line 9, after “omission” insert “made”

Page 4, line 9, after “faith” insert “and in the exercise of reasonable care”

Page 5, line 1, strike “such” and insert “the recipient”

Page 6, line 20, strike everything after the period

Page 6, strike line 21

Page 7, line 10, strike “Such” at the end of the line

Page 7, strike lines 11 to 14

Page 7, line 23, strike “governor” and insert “state”

Page 7, line 23, after “may” insert “by statute”

Page 7, line 24, strike “he finds that”

Page 7, strike line 32

Page 8, strike lines 1 to 6

Page 9, strike lines 20 to 23

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

H. F. No. 746: A bill for an act relating to commerce; requiring prices on certain retail food packages.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, after the period insert "If the product is canned, bottled, boxed or bagged, but sold only in quantities of more than one in the containers in which the product came from the manufacturer or distributor, the price may be marked on the outer containers rather than on each individual item."

Page 1, line 15, strike "\$500,000" and insert "\$750,000"

Page 1, strike lines 16 to 20

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 466: A bill for an act relating to corporations; requiring domestic corporations to file an annual report with the secretary of state; requiring the secretary of state to perform certain duties; providing that corporations that fail to file reports are inactive; permitting corporations and others to utilize the names of inactive corporations; establishing filing fees; appropriating money; amending Minnesota Statutes 1974, Chapter 301 by adding a section; Sections 301.02, by adding a subdivision; 301.05, Subdivision 2; and 301.071, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Chapter 301, is amended by adding a section to read:

[301.511] [ACTIVE STATUS REPORT.] *Subdivision 1. Every corporation shall file once with the secretary of state, between*

July 1, 1977 and June 30, 1980, an active status report. Once said report has been filed by a corporation and accepted by the secretary of state, no further notices shall be mailed to, nor further reports required of, the corporation pursuant to this section. The report shall set forth:

- (a) The name of the corporation;*
- (b) The address of its registered office in this state;*
- (c) The address of its principal office or business headquarters in this state; and*
- (d) The names and addresses of the corporation's current directors and officers, or if the corporation is in the hands of a receiver or trustee, the name and address of such receiver or trustee.*

The report shall be made on a form prescribed by the secretary of state, and the information therein contained shall be given as of the date of the execution of the report. The report shall be signed by an officer of the corporation on its behalf or, if the corporation is in the hands of a trustee or receiver, by such trustee or receiver.

Subd. 2. Each report filed with and accepted by the secretary of state and accompanied by a filing fee in the amount prescribed in section 301.071, subdivision 2, clause (1), shall be deemed complete. The reports shall be maintained in the office of the secretary of state and shall be available for public inspection at regular business hours.

Subd. 3. If any corporation has failed to file the report and pay the fee required by this section on or before June 30, 1980, such corporation shall lose its exclusive right to its corporate name. If that name has, since the date of the loss of the exclusive right to its use, been adopted by another corporation, or if a person, an unincorporated association, or a foreign corporation has signified its intent to procure incorporation in this state under such name in accordance with section 301.05, subdivisions 3 or 4, and if such other corporation, person or unincorporated association does not release the name then it shall be a condition to the continued existence of the corporation which has lost the exclusive right to use of its name by failing to file an active status report as required by this section, that it adopt a new corporate name which shall comply with the provisions of section 301.05.

Sec. 2. Minnesota Statutes 1974, Section 301.05, Subdivision 2, is amended to read:

Subd. 2. [USE OF SIMILAR NAME FORBIDDEN.] The corporate name shall not be the same as, nor deceptively similar to, the name of any other domestic corporation, except a corporation which has failed to file an active status report as required by section 1 of this act, or of any foreign corporation authorized to do business in this state unless

(1) such domestic or foreign corporation is about to change its name, or to cease to do business, or is being wound up, or such foreign corporation is about to withdraw from doing business in this state, and

(2) the written consent of such other domestic or foreign corporation to the adoption of its name or a deceptively similar name has been given and is filed with the articles of incorporation.

Sec. 3. *The sum of \$76,233 is appropriated to the secretary of state for the purpose of effectuating the provisions of this act.*

Sec. 4. *This act is effective upon final enactment.*"

Further amend the title as follows:

Page 1, line 3, strike "annual" and insert "active status"

Page 1, line 6, strike "are"

Page 1, line 7, strike "inactive" and insert "shall lose exclusive right to their names"

Page 1, line 8, strike "inactive"

Page 1, line 8, after "corporations" insert "which have lost exclusive right to their names"

Page 1, line 11, strike "Sections 301.02, by adding a"

Page 1, line 12, strike "subdivision;" and insert "and Section"

Page 1, line 12, strike "; and 301.071,"

Page 1, line 13, strike "Subdivision 2"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 429.071, is amended by adding a subdivision to read:

Subd. 4. [RE-ASSESSMENT, TAX FORFEITED LAND.] When a parcel of tax forfeited land is returned to private ownership and the parcel is benefited by an improvement for which special assessments were cancelled because of the forfeiture, the municipality that made the improvement may, upon notice and hearing as provided for the original assessment, make a re-assessment or a new assessment as to the parcel in an amount equal to the amount remaining unpaid on the original assessment.

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

Amend the title by striking it in entirety and inserting:

"A bill for an act relating to local improvements; authorizing a re-

assessment or new assessment as to tax forfeited lands returned to private ownership; amending Minnesota Statutes 1974, Section 429.071, by adding a subdivision."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2165: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 20, insert:

"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 is effective on the day following its final enactment.*"

Amend the title as follows:

Page 1, line 8, strike "Section" and insert "Sections"

Page 1, line 8, after "Subdivision 6" insert "; and 609.135, Subdivision 3"

And when so amended the bill do pass. Pursuant to Joint Rule 20 the bill and report were referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 32, after "not," insert "*or any building*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty 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; and Chapters 9, by adding a section; and 12, by adding sections.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, strike "*An*" and insert "*A state of*"

Page 1, line 18, after "*disaster*" insert "*as defined in section 4*"

Page 1, lines 18 to 19, strike "*or threat of occurrence*"

Page 1, line 23, strike "*resolution or*"

Page 2, line 2, strike "*resolutions and*"

Page 2, line 5, strike "*, or makes*" and insert "*or make*"

Page 2, line 6, strike "*resolutions*" and insert "*proclamations*"

Page 2, line 8, strike "*resolution or*"

Page 2, line 8, strike "*shall activate*" and insert "*may invoke*"

Page 2, line 11, strike "*be authority for*" and insert "*order, consistent with law,*"

Page 2, line 18, after the second "*the*" insert "*disaster or*"

Page 2, line 18, after "*emergency*" insert "*as defined in section 4*"

Page 2, line 23, strike "*do so*" and insert "*delegate without executive order*"

Page 2, line 26, strike "*Take appropriate action*" and insert "*Discharge the duties of the executive council in order*"

Page 2, line 29, strike "*a proposed proclamation*" and insert "*additional necessary proclamations*"

Page 2, line 31, strike "*all or a*" and insert "*that*"

Page 2, line 32, after "*population*" insert "*whose health and safety are imminently threatened,*"

Page 2, line 32, strike "*any stricken or threatened*" and insert "*the affected*"

Page 2, line 32, strike "*state*" and insert "*disaster as defined in an executive council proclamation*"

Page 3, line 1, strike "*he deems*"

Page 3, line 1, after "*this*" insert "*is*"

Page 3, line 2, strike everything before the semicolon and insert *"prevention of serious injury"*

Page 3, line 5, strike *"a disaster"* and insert *"the affected"*

Page 3, line 14, after *"for"* insert *"a state"*

Page 3, line 14, strike *"declarations"* and insert *"declaration"*

Page 4, line 15, strike *"natural or manmade"*

Page 4, strike line 16

Page 4, line 17, strike *"action"* and insert *"disasters"*

Page 4, line 24, strike *"local governments"* and insert *"political subdivisions"*

Page 4, line 28, after *"prevention"* insert a comma

Page 4, lines 28 to 29, strike *"from disasters"*

Page 5, line 1, strike everything after the first *"and"*

Page 5, line 2, strike *"foreign"* and insert *"interjurisdictional"*

Page 5, line 14, strike *"the occurrence of imminent"*

Page 5, strike lines 15 to 20

Page 5, line 21, strike everything before the period and insert *"a situation which creates an immediate and serious impairment to the health and safety of any person, or a situation which has resulted or is likely to result in catastrophic loss to property, and for which traditional sources of relief and assistance within the affected area are unable to repair or prevent the injury or loss"*

Page 5, lines 23 to 24, strike *"protect life or property and to"*

Page 5, lines 25 to 26, strike *" , including but not limited to managing resources in a crisis"*

Page 5, line 31, strike *"caused by"*

Page 5, strike line 32

Page 6, line 1, strike everything before the period

Page 6, line 25, strike *"disaster"*

Page 7, line 1, strike *"public corporation"* and insert *"metropolitan airports commission"*

Page 7, line 5, strike *"probable enemy attack"* and insert *"an emergency"*

Page 7, line 9, after *"The"* insert *"director of the"*

Page 7, line 11, strike *"may include"* and insert *"shall provide for"*

Page 8, line 3, strike *"necessary matters"* and insert *"activities relating to disaster prevention or mitigation"*

Page 8, lines 4 to 5, strike *"take an integral part"* and insert *"assist"*

Page 8, line 6, strike *"local"* and insert *"political"*

Page 8, line 7, strike *"shall"* and insert *"may"*

Page 8, lines 10 and 31, strike *"their disaster agencies"* and insert *"local organizations for emergency services"*

Page 8, line 12, strike *"Personnel"* and insert *"The division director or his designee"*

Page 8, line 18, strike *"regulations"* and insert *"rules"*

Page 8, lines 19 to 20, strike *"which have the force of law"*

Page 8, line 21, after *"The"* insert *"director of the"*

Page 8, line 24, after *"emergency"* insert *"or disaster"*

Page 8, line 32, after *"interjurisdictional"* insert *"planning and"*

Page 9, line 3, after *"review"* insert *"and comment on"*

Page 9, line 7, after the semicolon insert *"provided, that the director is not empowered by this clause to mandate disclosure by private businesses of trade secrets or other information which the business does not desire to disclose;"*

Page 9, line 8, after *"of"* insert *"and compensation for"*

Page 9, line 9, strike *"and, if"*

Page 9, strike line 10

Page 9, line 11, strike *"conditions agreed upon"* and insert *"in connection with disaster relief"*

Page 9, lines 13 to 14, strike *"prevention of an emergency"* and insert *"disaster"*

Page 9, line 17, after *"disaster"* insert *"or"*

Page 9, line 18, after the second comma, insert *"proposed"*

Page 9, line 19, strike *"regulations"* and insert *"rules"*

Page 9, line 20, after *"with"* insert *"emergencies or"*

Page 9, line 20, after the semicolon insert *"and"*

Page 9, line 23, strike *"; and"* and insert a period

Page 9, strike lines 24 to 25

Page 10, line 7, strike *"The effect of"*

Page 10, line 8, strike *"is to activate"* and insert *"shall invoke necessary portions of"*

Page 10, line 9, strike *"any and all"*

Page 10, line 10, after *"plans"* insert a comma

Page 10, line 10, strike *"to"* and insert *"may"*

Page 10, line 13, after *"by"* insert *"the"*

Page 10, line 14, strike *"pursuant to"* and insert *"under"*

Page 10, line 16, strike *"to"* and insert *"under"*

Page 10, line 29, strike "*local governments*" and insert "*political subdivisions*"

Page 11, line 1, after "*the*" insert "*director of the*"

Page 11, line 4, strike "*it*" and insert "*he*"

Page 11, line 5, strike "*specify the*" and insert "*recommend*"

Page 11, line 5, strike "*the governor. If the*"

Page 11, strike lines 6 to 7

Page 11, line 8, strike "*recommend to*"

Page 11, lines 15, 20, 22, 24 and 32, strike "*local government*" and insert "*political subdivision*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2346: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 12, insert the following:

Section 1. Minnesota Statutes 1974, Section 15.162, is amended by adding a subdivision to read:

"Subd. 1a. "*Arrest information*" means (a) the name, age, and address of an arrested individual; (b) the nature of the charge against the arrested individual; (c) the time and place of the arrest; (d) the identity of the arresting agency; (e) information as to whether an individual has been incarcerated and the place of incarceration. "*Arrest information*" does not include data specifically made private, confidential or non-public pursuant to section 260.161 or any other statute."

Page 1, line 16, after "*is*" insert ":(a)"

Page 1, line 16, after "*made*" strike ":(a)"

Page 1, line 16, after "*public*" insert "*by statute or federal law applicable to the data*"

Page 1, line 17, strike the semicolon

Page 1, line 17, strike ", (b)" and insert "*is*"

Page 1, line 18, reinstate the stricken language

Page 1, lines 19 to 22, reinstate the stricken language

Page 1, line 23, reinstate "legal action is upon the agency"

Page 1, line 26, strike the new language and insert ". *Confidential data on individuals does not include arrest information that is reasonably contemporaneous with an arrest or incarceration.*"

Page 2, strike lines 1 to 12

Page 2, after line 32 insert "*Private data on individuals does not include arrest information that is reasonably contemporaneous with an arrest or incarceration.*"

Page 4, line 5, after "each" insert "category of"

Page 5, line 7, after "data" insert "or types of data"

Page 5, line 8, after "5a," insert "for its own use and for the use of other similar agencies, subdivisions or systems"

Page 5, after line 17, insert the following:

"(b) *That the data on individuals has been treated as either private or confidential by custom of long standing which has been recognized by other similar state agencies or other similar political subdivisions, and by the public;*"

Page 5, line 18, strike "(b)" and insert "(c)"

Page 5, line 19, after "classification" insert ", which if not granted could adversely affect the health, safety, well-being or reputation of the data subject"

Page 5, line 20, strike "(c)" and insert "(d)"

Page 5, strike lines 23 to 28 and insert "*If the commissioner grants the emergency classification, it shall be submitted with the complete record relating to the application to the attorney general, who shall review the classification as to form and legality. The attorney general shall, within 20 days, either approve or disapprove the classification.*"

Renumber the subdivisions in sequence

Page 6, line 1, after "10." insert "Section 8 of"

Page 6, line 2, after "enactment." insert "Sections 1 to 7 of this act shall be effective June 1, 1976."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, strike "4,"

Page 1, line 10, after "8" insert ", and by adding a subdivision"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, following line 1, insert:

"Sec. 2. Minnesota Statutes 1974, Section 422A.09, Subdivision 3, is amended to read:

Subd. 3. The exempt class shall consist of:

(1) Employees who are members of any other organization or association of the city on behalf of which a tax is levied by the city for the purpose of paying retirement allowances to disabled or superannuated employees.

(2) Persons filling elective position. Provided that any elective officer holding an elective city office, excepting judges of a municipal court, shall, upon written application to the retirement board, be entitled to become a member of the contributing class of the fund, and after becoming a contributor to the fund be entitled to all benefits conferred upon employees of the contributing class except retirement on a service allowance, which shall be granted only upon completion of ten or more years of service.

All retirement allowances shall be computed and determined as provided herein, except that in determining the number of years of service, credit shall be given for time ~~served~~ *served* as an elective officer or employee, or member of an executive board or commission or any combination thereof. Persons who have served in elective positions which qualified them for membership in the fund prior to July 1, 1967, and who immediately thereafter hold elective office, first being appointed to that elective office in Hennepin county in which they served as an elected official, may retain or resume membership in the fund as an elective officer of the county. The county shall collect and pay to the retirement fund the employee contribution. The employer cost of allowances and benefits credited to an elected officer as set forth above shall be paid from the county revenue fund by the proper county officials upon certification of such costs by the retirement board in the same manner as prescribed in section 422A.08 for the payment of costs by public corporations. A tax shall be levied by Hennepin county to defray the cost of such retirement allowances which may be in addition to all other taxes levied by the county. Before receiving a retirement allowance, or any other benefit, any person who claims credit for service under this section shall contribute to the fund an amount equal to the amount of contributions to the fund which such person would have made had he been a contributor to the fund since the date he first became eligible for membership in the fund, in accordance with the method of contribution herein provided for, plus four percent compound interest.

(3) Persons serving without pay.

(4) ~~Persons not citizens of the United States,~~

~~(5) Persons who have attained the age of 56, unless such person has past or present service as an employee of the city or any of its boards, departments or commissions or by a public corporation, or in retirement systems as provided in section 422A.16 that will at the time of mandatory retirement equal or exceed ten years, as determined by the retirement board, regardless of the provisions of the veterans preference act or any law, rule or bylaw to the contrary.~~

~~(6)~~ (4) Persons employed on a temporary basis, as laborers, doorkeepers, ticket takers, and attendants at the municipal auditorium, park recreation facilities, or like activities, employed less than 1000 hours, or its equivalent if employed on any other basis than an hourly basis, in any calendar year from January 1 to December 31, inclusive, provided that employees who are contributing members of the fund on July 1, 1959 shall not be affected by the exclusions contained in this section.

~~(7)~~ (5) A person who is exempted from the contributing class by *Minnesota Statutes 1974, Section 422A.09, Subdivision 3*, clauses (4) and (5), but who is employed by and paid, in whole or in part, by the city or any of its boards, departments, or commissions, operated as a department of the city government or independently, if financed in whole or in part by city funds, including any person employed by a public corporation as herein defined, and including any person employed by the Minneapolis school district, each of whom are not a member of any other retirement system, who later becomes a contributing member of the fund may elect to qualify such time for credit by paying into the fund an amount equal to the amount of contributions to the fund which such person would have made had he been a contributor to the fund since the date he first qualified as an exempt member of the contributing class, in accordance with the method of contribution herein provided, plus four percent compound interest.

~~(8)~~ (6) Any person who is employed by the city or any of its boards, departments, commissions or a public corporation, as herein outlined, and is excluded from participation in the fund by ~~paragraphs (5) or (6)~~ *paragraph (4)* shall be separated from the service upon reaching the age of 65 regardless of the provisions of the veterans preference act.

Sec. 3. Minnesota Statutes 1974, Section 422A.13, Subdivision 2, is amended to read:

Subd. 2. Subject to the limitations stated in sections 422A.01 to 422A.25, any employee in the contributing class who shall have been employed by the city for ten or more years and shall have attained the established age for retirement, or shall have been employed by the city for 30 or more years all as determined by the retirement board, shall be entitled to retire. Any ~~such~~ employee ~~who shall remain in the service thereafter contributing~~

class shall be retired upon reaching the age of 65 regardless of the provisions of the veterans preference act and receive a service allowance as specified in sections 356.30, 356.32, or 422A.01 to 422A.25."

Page 2, line 2, strike "*the day following final*" and insert "*retroactively to January 1, 1976.*"

Page 2, strike line 3

Renumber the sections

Further, amend the title as follows:

Page 1, line 3, after the semicolon, insert "classification and allowances of Minneapolis city employees;"

Page 1, line 3, after "amending" insert "Minnesota Statutes 1974, Sections 422A.09, Subdivision 3; 422A.13, Subdivision 2; and"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

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 street, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 11, strike "23" and insert "19"

Page 2, line 19, after "partnership," insert "association,"

Page 2, line 29, strike "permanently" and insert "securely"

Page 4, line 17, strike "permanently" and insert "securely"

Page 4, line 25, after "number" insert "or equivalent number designated by the commissioner"

Page 6, line 27, strike "register" and insert "commissioner"

Page 7, line 2, after the period, insert: "Nothing herein shall be construed to prevent the commissioner from contracting any service provided under this act to any private person or entity or other unit of government."

Page 7, line 6, strike "had such power" and insert "required licensing or registration"

Page 7, line 16, strike "January" and insert "March"

Page 7, lines 18 and 19, strike ". In connection with the maintenance of such records, a political subdivision" and insert "and"

Page 7, line 24, after "Sec. 14." insert "Subdivision 1. [SAFETY REGULATION STUDY.]"

Page 8, line 6, strike "The commissioner shall seek"

Page 8, strike lines 7 and 8

Page 8, after line 12, insert "Subd. 2. [MANDATORY REGISTRATION STUDY.] Before January 15, 1977, the commissioner of public safety shall study and report to the legislature its recommendations for the mandatory registration of all bicycles operated in the state.

Subd. 3. [BICYCLE EDUCATION PROPOSAL.] The state department of education in cooperation with the department of public safety shall develop a proposal for teaching bicycle safety in kindergarten through secondary school, including instruction in on-the-road bicycle operation, and shall propose 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."

Page 8, strike line 13 and insert "Sec. 15. [BICYCLE LANES AND WAYS.] Subdivision 1. [DEFINITIONS.] As used in this section,"

Page 8, lines 17 and 20, strike "self-propelled"

Page 8, lines 17 and 20, after "vehicles" insert "propelled by human power"

Page 8, line 18, strike the period and insert " ; and"

Page 8, line 21, strike "A bicycle way"

Page 8, strike lines 22 to 24

Page 8, line 25, strike "Sec. 16." and insert "Subd. 2."

Page 8, line 26, strike "Subdivision 1."

Page 8, line 31, after "way" insert "provided that the designation does not destroy a pedestrian way or pedestrian access"

Page 8, line 32, strike "2" and insert "3"

Page 9, line 24, strike "Subd. 3." and insert "Subd. 4. Notwithstanding section 169.14, subdivision 5,"

Page 9, line 27, strike "jurisdiction and" and insert "authority"

Page 9, line 32, after "highway" insert ", as provided by the governing body"

Page 10, line 2, strike "Subdivision 1."

Page 10, line 3, strike "capable of utilization" and insert "used"

Page 10, line 5, after "new" insert ", reconstructed or relocated"

Page 10, line 5, after "highway" strike "or" and insert a comma

Page 10, strike line 6

Page 10, line 7, strike "be the responsibility of"

Page 10, line 7, strike "involved to" and insert "responsible shall replace the destroyed facility or access with a comparable facility or access. Replacement is not required where it would be contrary to public safety or when sparsity of population, other available ways or other factors indicate an absence of need for such facility or access."

Page 10, strike lines 8 to 16.

Page 10, line 17, strike "Subdivision 1."

Page 10, line 21, after "provided in" insert "this section."

Page 10, strike line 22.

Page 10, after line 26, in the center of the page, insert "MODEL BICYCLE ORDINANCE"

Page 10, line 27, strike "Subd. 2." and insert "(1)"

Page 11, line 4, strike "Subd. 3." and insert "(2)"

Page 11, line 5, after "firms" insert ", partnerships, associations"

Page 11, line 24, strike "Subd. 4." and insert "(3)"

Page 11, line 29, strike "Subd. 5." and insert "(4)"

Page 12, line 2, strike "Subd. 6." and insert "(5)"

Page 12, line 10, strike "Subd. 7." and insert "(6)"

Page 13, line 8, strike "Subd. 8." and insert "(7)"

Page 14, line 11, strike "Subd. 9." and insert "(8)"

Page 14, strike section 19 in its entirety.

Page 14, strike lines 26 to 29 and insert:

"Sec. 18. [STATE BICYCLE TRAIL PROGRAM.] The commissioner of natural resources shall develop"

Page 14, line 30, strike "of"

Page 15, line 2, strike "utilize this appropriation to"

Page 15, strike line 13 and insert "include a provision that the"

Page 15, line 18, strike "This appropriation"

Page 15, strike line 19.

Page 15, after line 19, insert:

"Sec. 19. Subdivision 1. There is appropriated to the commissioner of public safety from the general fund \$243,000 to carry out the purposes of sections 1 to 14. This appropriation shall be available until June 30, 1977. The commissioner may exercise all powers necessary and convenient to apply for, accept and disburse federal money for the purposes of this act, and shall seek federal moneys for those purposes when available.

Subd. 2. There is appropriated to the commissioner of natural resources \$100,000 from the general fund to implement the state-wide bicycle trail program provided in section 18. This appropriation shall be available until June 30, 1977."

Page 15, line 20, strike "Sec. 21." and insert "Subd. 3."

Page 15, line 22, strike "for the biennium ending" and insert: "to be used exclusively to match available federal money"

Page 15, strike line 23

Page 15, line 26, strike "Of the 30 percent state contribution, 20 percent" and insert: "This appropriation is available until June 30, 1977. The political subdivisions in which any lane or way is constructed shall appropriate to the state an amount of money equal to two-thirds of the state share of the construction cost, or in lieu thereof shall provide in kind contributions equal in value to two-thirds of the construction costs."

Page 15, strike lines 27 to 31 and insert: "In constructing these bicycle ways and trails the commissioner of highways shall give due consideration to standards for bicycle and recreational vehicle lanes promulgated pursuant to"

Page 15, line 32, strike "plan" and insert "program"

Page 16, line 2, strike "20" and insert "18"

Renumber the sections in sequence.

Further, amend the title as follows:

Page 1, line 12, after "lanes;" insert: "directing the commissioner of education to submit a proposal for bicycle safety education;"

Page 1, line 15, strike "plan" and insert "program"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

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 subdivision; 360.067, Subdivision 4; 360.069; and 360.071, Subdivision 2; repealing Minnesota Statutes 1974, Section 360.063, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 2 to 3, strike Sec. 2

Page 3, strike Sec. 3

Pages 3 to 4, strike Sec. 4, and insert:

"Sec. 2. Minnesota Statutes 1974, Section 360.063, Subdivision 3, is amended to read:

Subd. 3. [HAZARD AREAS OUTSIDE OWNING MUNICIPALITY.]

(1) [REQUEST OF ZONING MUNICIPALITY.] *Where an airport is owned or controlled by a municipality and any airport hazard area appertaining to such airport is located within the territorial limits of another county or municipality, the municipality owning or controlling the airport may request any county or municipality in which an airport hazard area is located:*

(a) *To adopt and enforce airport zoning regulations for the area in question that conform to minimum standards prescribed by the commissioner pursuant to subdivision 4; or*

(b) *To join in creating a joint airport zoning board pursuant to clause (2) of this subdivision. The owning or controlling municipality shall determine which of these actions it shall request.*

(2) [JOINT AIRPORT ZONING BOARD.] *Where an airport is owned or controlled by a municipality and any airport hazard area appertaining to such airport is located outside within the territorial limits of the another county or municipality, the municipality owning or controlling the airport and the county or other municipality within which the airport hazard area is located may, by ordinance or resolution duly adopted, create a joint airport zoning board, which board shall have the same power to adopt, administer, and enforce airport zoning regulations applicable to the airport hazard area in question as that vested by subdivision 1 in the municipality within which such area is located. Each such joint board shall have as members two representatives appointed by the municipality owning or controlling the airport and two from the county or municipality, or in case more than one county or municipality is involved two from each county or municipality, in which the airport hazard is located, and in addition a chairman elected by a majority of the members so appointed.*

(3) [FAILURE TO ACT ON REQUEST.] *If any county or municipality fails within 60 days to adopt, or thereafter fails to enforce, such zoning regulations or to join in creating a joint airport zoning board as requested by the owning or controlling municipality, pursuant to clause (1), the owning or controlling municipality, or a joint airport zoning board created without participation by all subdivisions in which airport hazard areas are located, may itself adopt, administer, and enforce airport zoning regulations for the airport hazard area in question. In the event of conflict between such regulations and any airport zoning regula-*

tions adopted by the county or municipality within which the airport hazard area is located, the regulations of the municipality owning or controlling the airport or the joint zoning board shall govern and prevail.

(4) "Owning or controlling municipality," as used in this subdivision, includes:

(a) A joint airport operating board created pursuant to section 360.042 that has been granted all the powers of a municipality in zoning matters under the agreement creating the board;

(b) A joint airport operating board created pursuant to section 360.042 that has not been granted zoning powers under the agreement creating the board, provided that such a board shall not itself adopt zoning regulations nor shall any joint airport zoning board created at its request adopt zoning regulations unless all municipalities that created the joint operating board join to create the joint zoning board; and

(c) A metropolitan airports commission.

(5) A metropolitan airports commission may request creation of one joint airport zoning board for each airport or for the entire system of airports operated under its authority."

Page 5, line 5, strike "municipality and county" and insert "municipalities and counties"

Page 5, line 6, strike "the director and"

Page 5, line 6, strike "of" and insert "appointed by"

Page 5, line 9, strike "administrative"

Page 5, line 26, strike "chosen" and insert "appointed by the commission"

Page 6, line 4, strike "Subdivision 2, is" and insert "Subdivisions 2 and 5, are"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 2, strike "providing for airport" and insert:

"prescribing powers of certain political subdivisions to create joint airport zoning boards; prescribing powers of joint airport zoning boards; providing for appointment of zoning permit issuing agency and board of adjustment by metropolitan airports commission"

Page 1, strike line 3

Page 1, line 4, strike everything before the semicolon

Page 1, line 5, strike everything after "1" and insert "and 3;"

Page 1, line 6, strike everything before "360.067"

Page 1, strike line 9, and insert "Subdivisions 2 and 5."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2353: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 9 insert

"Section 1. Minnesota Statutes 1974, Section 192A.605, is amended to read:

192A.605 [GENERAL ARTICLE.] Though not specifically mentioned in this code, all disorders and neglects to the prejudice of good order and discipline in the state military forces, of which persons subject to this code may be guilty, shall be taken cognizance of by a general, special, or summary court-martial, according to the nature and degree of the offense, and shall be punished at the discretion of that court. However, cognizance may not be taken of, and jurisdiction may not be extended to, the crimes of murder, manslaughter, rape, robbery, maiming, *sodomy criminal sexual conduct in the first, second or third degree*, arson, extortion, assault, burglary or housebreaking, jurisdiction of which is reserved to civil courts.

Sec. 2. Minnesota Statutes 1974, Section 241.51, Subdivision 2, is amended to read:

Subd. 2. As used in sections 241.51 to 241.53, a "sexual attack" means any ~~non-consensual act of rape, sodomy, or indecent liberties conduct prohibited by sections 609.342 to 609.345.~~

Page 4, after line 26, insert

"Sec. 9. Minnesota Statutes, 1975 Supplement, Section 609.346, Subdivision 1, is amended to read:

609.346 [SUBSEQUENT OFFENSES.] Subdivision 1. If a person is convicted of a second or subsequent offense under sections 609.342 to 609.346 within 15 years of the prior conviction, the court shall commit the defendant to the commissioner of corrections for imprisonment for a term of not less than three years, nor more than the maximum sentence provided by law for the offense for which convicted; provided, however, that the court may invoke the provisions of section 609.135, if a specific condition of the probationary term under section 609.135 includes the successful completion of a treatment program for anti-social sexual behavior, and such. *Any person incarcerated under this section*

who has not successfully completed a treatment program for sexual-offenders shall not be eligible for parole from imprisonment until he shall either have served the full minimum sentence herein provided, or until he shall have successfully completed a treatment program for anti-social sexual behavior as herein provided except that a person may be paroled for treatment in a program for sexual offenders, notwithstanding the provisions of sections 242.19, 243.05, 609.11, 609.12 and 609.135.

Sec. 10. Minnesota Statutes, 1975 Supplement, Section 624.712, Subdivision 5, is amended to read:

Subd. 5. "Crime of violence" includes murder in the first degree, murder in the second degree, murder in the third degree, manslaughter in the first degree, manslaughter in the second degree, aiding suicide, aiding attempted suicide, aggravated assault, use of drugs to injure or to facilitate crime, simple robbery, aggravated robbery, kidnapping, false imprisonment, ~~aggravated rape, rape, aggravated sodomy~~ *criminal sexual conduct in the first, second or third degree*, felonious theft, aggravated arson, riot, burglary, reckless use of a gun or dangerous weapon, intentionally pointing a gun at or towards a human being, setting a spring gun, and unlawfully owning, possessing, or operating a machine gun, and an attempt to commit any of these offenses, as each of those offenses is defined in chapter 609.

"Sec. 11. Minnesota Statutes, 1975 Supplement, Section 626.556, Subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] As used in this section, the following terms have the meanings given them unless the specific content indicates otherwise:

(a) "Sexual abuse" means the subjection by the child's parents, guardian, or person responsible for the child's care, to any act which constitutes a violation of sections ~~609.201, 609.202, 609.293, 609.295, or 609.296~~ *609.342 to 609.345*.

(b) "Neglected child" shall have the meanings defined in section 260.015, subdivision 10. Nothing in this section shall be construed to mean that a child is neglected solely because a child's parent, guardian or other person responsible for his care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child.

(c) "Physical abuse" means:

(i) Any physical injury inflicted by a parent, guardian or other person responsible for the child's care on a child other than by accidental means; or

(ii) Any physical injury that cannot reasonably be explained by the history of injuries provided by the parent, guardian or other person responsible for the child's care.

(d) "Report" means any report received by the local welfare agency pursuant to this section.

Sec. 12. Minnesota Statutes 1974, Section 626A.05, Subdivision 2, is amended to read:

Subd. 2. [OFFENSES FOR WHICH INTERCEPTION OF WIRE OR ORAL COMMUNICATION MAY BE AUTHORIZED.] A warrant authorizing interception of wire or oral communications by investigative or law enforcement officers may only be issued when such interception may provide evidence of the commission of any criminal felony offense involving murder, manslaughter, aggravated assault, aggravated robbery, kidnapping, ~~aggravated rape~~ *criminal sexual conduct in the first or second degree*, prostitution, bribery, perjury, theft, receiving stolen property, embezzlement, burglary, forgery, aggravated forgery, gambling, and offenses relating to controlled substances, or an attempt or conspiracy to commit any such offense or said offenses, as punishable under sections 609.185, 609.19, 609.195, 609.20, 609.225, 609.245, 609.25, 609.291, 609.32, subdivisions 1, 2, and 3, 609.42, 609.48, 609.52, 609.53, 609.54, 609.58, 609.625, 609.63, 609.76, 609.825, and Chapter 152."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "Sections" insert "192A.605; 241.51, Subdivision 2;"

Page 1, line 4, after the last semicolon insert "626A.05, Subdivision 2;"

Page 1, line 7, after the semicolon insert "609.346, Subdivision 1; 624.712, Subdivision 5; 626.556, Subdivision 2;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, 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, Sections 145.14 and 525.923.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 2018: A bill for an act relating to controlled substances; scheduling certain substances; amending Minnesota Statutes 1974, Section 152.02, Subdivision 5.

Reports the same back with the recommendation that the bill do pass. Pursuant to Joint Rule 20 the bill and report were referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 5, strike "*building*" and insert "*dwelling*"

Page 2, line 8, after "*situation*" insert

" . As used in this clause, "dwelling" means the building or part of the building used by an individual as a place of residence on either a full-time or a part-time basis. The dwelling may be part of a multi-dwelling or multi-purpose building, or a mobile home as defined in section 168.011, subdivision 8"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was re-referred

S. F. No. 2188: A bill for an act relating to health; prohibiting sale and use of certain chemicals; providing penalties.

Reports the same back with the recommendation that the bill do pass. Pursuant to Joint Rule 20 the bill and report were referred to the Committee on Rules and Administration.

Mr. Perpich, A. J., from the Committee on Taxes and Tax Laws, to which was referred

S. 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, Section 273.13, Subdivision 17b; and Chapter 273, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 276.04.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, after "*17b*," insert "*or the value assessed as class 3cc property pursuant to section 273.13, subdivision 7*,"

Page 1, line 21, after "*families*" strike "*and*" and insert a comma

Page 1, line 22, after "*loans*" insert "*and on homesteads of the blind and disabled*"

Page 2, line 3, after "*Subdivisions*" insert "7,"

Page 2, line 7, after "*Subdivisions*" insert "7,"

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, strike "Laws 1975, Chapter 13, Section 100" and insert "Minnesota Statutes, 1975 Supplement, Section 473.608"

Further amend the title as follows:

Page 1, lines 5 to 6, strike "Laws 1975, Chapter 13, Section 100" and insert "Minnesota Statutes, 1975 Supplement, Section 473.608"

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 7 to 10, strike all of section 1 and insert:

"Section 1. The county of Ramsey is authorized to make grants from the proceeds of bonds issued under section 2 to cities within the county for the acquisition or betterment by the cities of parks, playgrounds and other recreational land and facilities. \$700,000 shall be allocated for each Minnesota senate district, wholly within the county, to be used for grants to cities for projects within the district. The remaining proceeds of the bonds issued under section 2 shall be allocated for grants to cities for projects within senate districts partly within the county, on the basis of the population in the district within the county."

Page 1, strike lines 11 to 14 and insert:

"Sec. 2. The county of Ramsey may issue in one or more series general obligation bonds of the county in a total aggregate amount not exceeding \$5,600,000 for the purpose of making grants to cities under section 1 for the acquisition and betterment of parks, playgrounds and other recreational land and facilities."

Page 1, line 15, strike "1."

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

"A bill for an act relating to Ramsey county; authorizing the county to make grants to cities for park purposes; authorizing bonds to finance the grant program."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 61: A bill for an act relating to highways; directing the department of highways to utilize a certain corridor in Washington county for the construction of interstate highway marked No. 1 94.

Reports the same back with the recommendation that the bill do pass. Mr. Stassen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, strike "credit" and insert "clock"

Page 1, line 17, strike "Minnesota"

Page 2, line 5, strike "and" and insert "or"

Page 2, line 5, after the semicolon insert "and"

Page 2, line 6, strike "credit" and insert "clock"

Page 2, line 8, strike the first "scientific"

Page 2, line 8, strike "and publishing" and insert "or publication in a professional journal"

Page 2, line 8, strike the semicolon and insert a period

Page 2, strike lines 9 and 10

Page 2, line 11, strike "a" and insert "an approved"

Page 2, line 12, strike "recognized"

Page 2, line 13, strike "The triennial"

Page 2, line 22, strike "satisfaction" and insert "completion"

Page 2, line 23, strike "requirement" and insert "requirements"

Page 2, line 23, strike "triennium" and insert "three year period"

Page 2, line 24, strike "the date"

Page 2, line 26, after "shall" insert "institute proceedings which may lead to the"

Page 2, line 26, after "discipline" insert a comma

Page 2, line 27, strike "and" and insert ", of any person who fails to comply with the provisions of this section. The board"

Page 2, line 27, after "may" insert "also"

Page 2, line 30, strike "and every three years thereafter,"

Page 2, strike lines 31 and 32 and insert "include, as part of every report submitted to the legislature pursuant to section 214.07, a statement containing the"

Page 3, strike line 1

Page 3, line 10, after "the" insert "number of"

Page 3, line 11, strike "aspects of"

Page 3, after line 12, insert "A copy of each statement required under this subdivision shall also be submitted to the appropriate standing committees of each house of the legislature."

Page 3, line 15, strike the comma and insert a semicolon

Page 3, line 15, after "of" strike "credit" and insert "approved clock"

Page 3, line 17, after "activities" strike the comma and insert a semicolon

Page 3, line 17, strike "credit" and insert "clock"

Page 3, line 17, after "hours" strike the comma and insert a semicolon

Page 3, line 18, after "extensions" and before the period insert "pursuant to subdivision 4 of this section"

Amend the title as follows:

Page 1, line 4, strike "credit" and insert "clock"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Moe from the Committee on Natural Resources and Agriculture, 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 penalties.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of this section the following terms shall have the meanings given:

Subd. 2. "Agency" means the Minnesota pollution control agency.

Subd. 3. "Director" means the director of the pollution control agency.

Subd. 4. "PCB" means the class of organic compounds known as polychlorinated biphenyls and includes any of several compounds produced by replacing two or more hydrogen atoms on the biphenyl molecule with chlorine. PCB does not include chlorinated biphenyl compounds that have functional groups attached other than chlorine.

Subd. 5. "Person" has the meaning specified in Minnesota Statutes, Section 115.01, Subdivision 10.

Sec. 2. [PROHIBITED USE OF PCB.] Subdivision 1. [CERTIFICATE OF EXEMPTION.] Beginning January 1, 1978, no person shall use, possess, sell, purchase or manufacture PCB or any product containing PCB unless the use, possession, sale, purchase or manufacture of PCB or products containing PCB is exempt by the agency. If the agency finds after there is opportunity for a public hearing on an application presented by any person, that no substitutes or feasible alternatives are reasonably available for PCB or a product containing PCB or class of products containing PCB, it shall grant a certificate of exemption which shall clearly set out the permitted use, possession, sale or purchase of PCB or a PCB product containing PCB. If the agency grants a certificate of exemption, it shall be valid for all subsequent uses of PCB or products containing PCB if the subsequent uses are consistent with the terms and conditions of the certificate of exemption. In granting certificates of exemption the agency shall at all times consider the public health and safety threatened by the use of PCB. In the consideration of certificates of exemption for the use or replacement of existing electrical transformers and capacitors the agency shall review, but not be limited to considerations of the safety of proven

alternatives, replacement costs and rules controlling the final disposal of PCB.

Subd. 2. [EXCLUSION.] In no event shall the certificate of exemption requirement or the labeling requirement of this section apply to any individual person who purchases or otherwise acquires a product containing PCB intended for consumer use in the home, provided that the use has previously been exempt by the agency and that the use is consistent with the terms and conditions of the certificate of exemption. Any electrical transformers or capacitors installed or ordered, used, or operating on January 1, 1978, shall be exempt from this act.

Subd. 3. [LABELS REQUIRED.] Beginning July 1, 1977, no person in this state shall add PCB in the manufacture of any new item, product or material, nor shall any person in this state sell any new item, product or material to which PCB has been added unless the PCB or products containing PCB are conspicuously labeled to disclose the presence of PCB and the concentrations of PCB.

Subd. 4. [RULES.] The agency shall promulgate rules by January 1, 1977, governing the granting of certificates of exemption and the requirements of labels specified in subdivision 3. The rules governing the requirement of labels specified in subdivision 3 may require other information relating to the public health and environmental effects of PCB and shall apply to persons holding certificates of exemption.

Subd. 5. [PENALTIES.] Violations of this act shall be subject to the provisions of Minnesota Statutes, Section 115.071."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 1944 for proper reference, recommends that it be referred to the Committee on Local Government.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 1955, 1372, 2157 and 2440 for comparison to companion Senate Files, reports the following House Files were found not identical with companion Senate Files as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1955	1922				
1372	2382				
2157	2363				
2440	2325				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1955 be amended as follows:

Page 1, line 10, delete "*of an adult*" and insert "*at a*"

Page 1, line 10, after "*state*" insert "*adult*"

Page 1, line 12, delete "*the course of pursuing*"

Page 1, line 13, delete "*requirement*"

Further, amend the title:

Page 1, line 2, delete "prison"

And when so amended, H. F. No. 1955 will be identical to S. F. No. 1922 and further recommends that H. F. No. 1955 be given its second reading and substituted for S. F. No. 1922 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1372 be amended as follows:

Strike the title in its entirety and insert:

"A bill for an act relating to drainage systems; authorizing a board or court to allow amendment of the engineer's and viewers' report for the purposes of taking into consideration certain inflationary cost factors; amending Minnesota Statutes 1974, Section 106.241."

And when so amended, H. F. No. 1372 will be identical to S. F. No. 2382 and further recommends that H. F. No. 1372 be given its second reading and substituted for S. F. No. 2382 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 2157 be amended as follows:

Page 2, line 3, delete "Chapter 256D, Chapter 261," and insert "Sections 256D.35 to 256D.41, or" and delete "or a"

Page 2, delete lines 4 to 6 and insert "who is aggrieved by any action or decision of the local agency of a type specified by rule of the commissioner"

Page 2, line 7, delete "local agency"

Page 2, line 8, delete everything after "by" and insert "filing a notice of appeal with"

Page 2, line 9, delete "hearing to"

Page 2, line 10, delete "written notice" and insert "notification" and delete ", or within 90 days"

Page 2, delete lines 11 and 12

Page 2, line 13, delete "day time limit"

Page 2, delete lines 23 and 24 and insert "who is aggrieved by any action or decision of the local agency of a type specified by rule of the commissioner"

Page 2, line 25, delete everything before ", may"

Page 2, line 27, delete everything before "the state" and insert "filing a notice of appeal with"

Page 2, line 28, delete "written notice" and insert "notification"

Page 2, line 29, delete everything after "decision"

Page 2, delete line 30

Page 2, line 30, delete everything before the period

Page 3, line 26, delete everything after "have" and insert

"access to his individual case record kept by the local agency prior to and during the hearing. Technical rules of evidence shall not apply to hearings under this section and such hearing shall not be "contested cases" "

Page 3, delete lines 27 to 32

Page 4, line 1, delete everything before "within"

Page 4, line 10, delete "state his"

Page 4, line 11, delete "reasons therefor and shall"

Page 5, line 6, delete everything after the period

Page 5, delete lines 7 and 8

Page 5, line 9, delete everything through the period

Page 5, after line 24 insert

"Subd. 9. [ORDER OF THE DISTRICT COURT.] If the court finds that the order of the commissioner is not affected by an error of law, it shall make an order affirming the order of the commissioner. If the court finds that the order of the commissioner is affected by an error of law, it may make an order reversing, modifying, or vacating the order to the commissioner for further action not inconsistent with the determination of the court, and stating its reasons therefor."

Renumber the subdivisions accordingly

Page 5, line 30, delete "nor shall any"

Page 5, line 31, delete everything except the period

Page 6, line 1, delete everything after "welfare"

Page 6, line 2, delete "court", "or services" and "or" after "paid"

Page 6, line 3, delete "provided"

Page 6, line 4, delete "or provided" and "commissioner of"

Page 6, line 5, delete "welfare,"

Page 6, line 7, delete "256D.12"

Page 6 after line 7 insert

"Sec. 3. Except as otherwise provided by this section, this act is effective on August 1, 1976. Any proceeding initiated under Minnesota Statutes, Sections 256.77, 256B.10, 256B.11 or 256D.40,

prior to the effective date of this act, shall be conducted and completed in accordance with those sections."

Further amend the title as follows:

Page 1, line 6, delete "256D.12;"

And when so amended, H. F. No. 2157 will be identical to S. F. No. 2363 and further recommends that H. F. No. 2157 be given its second reading and substituted for S. F. No. 2363 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 2440 be amended as follows:

Page 1, after line 7 insert

"Section 1. Minnesota Statutes 1974, Chapter 140, is amended by adding a section to read:

[140.211] [PROBATE FEES.] *Subdivision 1. The clerk of court of the probate court of Ramsey county in each proceeding in the probate court in the matter of the estate of a deceased person looking to the entry of a decree determining the descent of real estate or of a decree or order for distribution of estate, except in summary administrative procedures for small estates pursuant to Minnesota Statutes, Sections 524.3-1203 or 524.3-1204 or in summary proceedings instituted pursuant to Minnesota Statutes, Section 525.51, shall collect a law library fee from the petitioner instituting the proceeding at the time of the filing of the first petition therein. The disbursement shall be an item of expense of administration of the estate, entitling the petitioner to reimbursement therefor out of the estate.*

Subd. 2. The law library trustees shall, with the approval of the Ramsey county board of commissioners, set the amount of the library fee.

Sec. 2. Minnesota Statutes 1974, Chapter 140, is amended by adding a section to read:

[140.212] [RAMSEY COUNTY MUNICIPAL COURT.] *Subdivision 1. The clerk of the Ramsey county municipal court shall collect a law library fee from each plaintiff and person commencing a civil action in municipal court, at the time of the filing of the first paper in the manner in which other fees are collected.*

Subd. 2. The law library trustees shall, with the approval of the Ramsey county board of commissioners, set the amount of the library fee.

Subd. 3. The law library fee is a cost in the action and taxable as such, and is to be allotted for the support of the library.

Sec. 3. Minnesota Statutes 1974, Section 140.22, is amended to read:

140.22 [LIMITATIONS.] The provisions of section 140.21 and sections 1 and 2 of this act shall not apply to actions or proceedings commenced by the state or any municipality therein, to

garnishment proceedings, to the filing of transcripts, to compensation awards, or to complaints in intervention in receivership proceedings.

Sec. 4. Minnesota Statutes 1974, Section 140.23, is amended to read:

140.23 [FEES PAID TO COUNTY TREASURER.] On the first day of each month the clerk of the district court of the second judicial district, *and the clerks of the municipal and probate courts of Ramsey county* shall pay the fees collected to the treasurer of the county taking his receipt therefor; the Ramsey county treasurer shall upon itemized vouchers approved by the board of law library trustees, disburse the same and any other money belonging to the board to pay the necessary expenses of equipping and maintaining the library."

Page 4, delete lines 15 and 16

Renumber the sections in order

Further amend the title as follows:

Page 1, line 5, after "Sections" insert "140.22; 140.23;"

Page 1, line 6, delete "a section" and insert "sections"

And when so amended, H. F. No. 2440 will be identical to S. F. No. 2325 and further recommends that H. F. No. 2440 be given its second reading and substituted for S. F. No. 2325 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 2233 and 2489 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2233	2121				
2489	2398				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 2233 be amended as follows:

Page 1, line 19, after "2." insert "*Subdivision 1.*"

Page 1, lines 21 and 22, delete "*, by resolution of its board of county commissioners,*"

Page 2, line 2, delete "Sec. 3. Section 2" and insert "*Subd. 2. This section*"

Page 2, line 3, delete "*board of county commissioners*" and insert "*county board*"

Further, amend the title as follows:

Page 1, line 2, after the semicolon insert "changing the requirements for counties joining together to form a human services board;"

And when so amended, H. F. No. 2233 will be identical to S. F. No. 2121 and further recommends that H. F. No. 2233 be given its second reading and substituted for S. F. No. 2121 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 2489 be amended as follows:

Page 1, line 24, delete "\$25" and insert "\$100"

Page 2, delete lines 3 to 32

Page 3, delete lines 1 to 15

Renumber the remaining sections in order

Further, amend the title as follows:

Page 1, line 6, delete "redefining farm trucks;"

Page 1, delete lines 7 and 8 and insert "amending Minnesota Statutes"

And when so amended, H. F. No. 2489 will be identical to S. F. No. 2398 and further recommends that H. F. No. 2489 be given its second reading and substituted for S. F. No. 2398 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was re-referred

S. F. No. 1895: 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, Section 48.24, Subdivision 5; and Minnesota Statutes, 1975 Supplement, Sections 290.01, Subdivision 20; and 290.09, Subdivision 4.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [PURPOSE.] *In order to aid 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 15.*

Sec. 2. [DEFINITIONS.] *Subdivision 1. For the purposes of this act the following terms shall have the meanings given.*

Subd. 2. "Applicant" means a natural person applying for a family farm security loan.

Subd. 3. "Council" means the family farm advisory council.

Subd. 4. "Commissioner" means the commissioner of agriculture.

Subd. 5. "Family farm security loan" means a loan 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 guaranteed and may qualify for a payment adjustment as defined in subdivision 10 and a seller-sponsored loan as defined in subdivision 8.

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 seller-sponsored loans as authorized in section 8, "lender" also means the seller of the property.

Subd. 8. "Seller-sponsored 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. The annual interest on a seller-sponsored loan shall not exceed 7 percent.

Subd. 9. "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. 10. "Payment adjustment" means an amount of money equal to four percent interest on the principal balance of the family farm security loan.

Sec. 3. [ADMINISTRATION.] *Subdivision 1. The family farm security program shall be administered by the commissioner.*

Subd. 2. [RULES.] The commissioner shall promulgate rules necessary for the efficient administration of sections 1 to 7; section 8, subdivisions 1 and 2; section 10, subdivisions 1 and 4; and section 15.

Subd. 3. [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 COUNCIL.] *Subdivision 1. [COMPO-*

SITION.] *There is established a family farm advisory council composed of seven members appointed by the commissioner of agriculture as follows:*

- (a) Two officers from a commercial lending institution;*
- (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 council shall expire and the terms, compensation and removal of members of the council shall be governed by Minnesota Statutes, Section 15.059. The council shall meet monthly or more often as needed. Initial members shall be appointed for terms as follows: (a) for terms ending the first Monday in January, 1979: one officer from a commercial lending institution, the dairy farmer, the cash grain farmer, and the representative of consumers; and (b) for terms ending the first Monday in January, 1980: the remaining members.*

Subd. 3. [CHAIRMAN.] *The members of the council shall annually elect a chairman and other officers they deem necessary.*

Subd. 4. [DUTIES.] *The duties of the council 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 commissioner of agriculture, legislature and the public on or before December 31 or each year regarding any needed state policy or program changes to foster and promote the economic health and viability of the family farm.*

Subd. 5. [STAFF; SERVICES.] *The commissioner of agriculture shall provide the council with necessary staff, office space and administrative services.*

Sec. 5. [ELIGIBILITY.] *A family farm security loan approval may be granted if the following criteria are satisfied:*

- (a) That the applicant is a resident of the state of Minnesota, or shows sufficient evidence that he intends to become a resident;*
- (b) That the applicant has sufficient education, training, or experience in the type of farming for which he wishes the loan and*

continued participation in a farm management program, approved by the commissioner, for the duration of the family farm security loan;

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

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

(e) that the applicant is credit worthy according to standards prescribed by the commissioner.

Sec. 6. [PROCEDURE.] Subdivision 1. [APPLYING FOR LOAN; LOAN DENIED.] *Any person desiring to acquire farm land may make application with a lender for a family farm security 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 shall prescribe a screening process to determine eligibility and he may arrange for local lenders to perform this function for the state. 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 on individuals as defined in Minnesota Statutes, Section 15.162.*

Subd. 4. [DEFAULT; FILING CLAIM.] *Within 90 days of a default on a guaranteed 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 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 commissioner determines that the terms of the family farm security loan guarantee have been met, he shall authorize payment of state funds to the lender, and shall notify the defaulting party.

The state of Minnesota shall then become the holder of the mortgage 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. 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, 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.

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.] To be eligible for payment adjustment a family farm security loan shall have a maximum term of 20 years and shall provide for payments at least annually so that the loan shall be amortized over its term with equal annual payments of principal and interest. During the first ten years of a family farm security loan, the commissioner shall annually pay to the lender four percent of the outstanding balance due at the beginning of that 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 21st 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 11th year for the sums paid on the applicant's behalf under this subdivision. The obligation to repay the payment adjustment shall be a lien against the property.

Subd. 3. [ANNUAL REVIEW OF NET WORTH.] The applicant and spouse shall annually submit to the commissioner a statement of their net worth. If their 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. [SELLER-SPONSORED LOANS.] Subdivision 1. [AUTHORIZATION.] The commissioner may provide a guarantee to the lenders on seller-sponsored loans when the buyer satisfies the eligi-

bility criteria in section 5. The commissioner may also provide a payment adjustment on behalf of the applicant in the case of seller-sponsored loans.

Subd. 2. [NEGOTIABILITY AND MARKETABILITY.] A seller-sponsored loan shall be secured by a purchase money first real estate mortgage evidenced by negotiable note or notes as defined in Minnesota Statutes, Section 336.3-104. The commissioner must be notified in writing within 30 days after a family farm security loan note is sold or exchanged.

Subd. 3. [TAXABILITY.] The interest earned by the seller of the property on a seller-sponsored 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, 1975 Supplement, Section 290.08, is amended by adding a subdivision to read:

Subd. 23. The interest earned by the seller of the property on a seller-sponsored loan that is guaranteed by the commissioner of agriculture under the provisions of sections 1 to 15.

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.*

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.

Subd. 2. [TAX PENALTY ON CAPITAL GAIN.] 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. The tax imposed by chapter 290 shall be imposed on the following percentages of any gain realized on the sale of the property:

Time lapsed from issuance of loan

	<i>At least</i>	<i>but less than</i>	<i>percent</i>
(a)		<i>1 year</i>	<i>100</i>
(b)	<i>1 year</i>	<i>3 years</i>	<i>90</i>
(c)	<i>3 years</i>	<i>5 years</i>	<i>80</i>
(d)	<i>5 years</i>	<i>7 years</i>	<i>70</i>
(e)	<i>7 years</i>	<i>9 years</i>	<i>60</i>
(f)	<i>9 years</i>	<i>10 years</i>	<i>50</i>

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.

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.*

Sec. 12. 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. 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, position 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, 1972, 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 allowed 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 oper-

ating 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 on any payment adjustment received by the seller of the property on a seller-sponsored loan that is guaranteed by the commissioner of agriculture as provided by sections 5, 6, 7, and 8 of 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; and (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 corporation 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.

Sec. 15. [APPROPRIATIONS.] *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:

Page 1, line 7, after the semicolon, insert "290.08, by adding a subdivision;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, strike "*In this act:*" and insert "*Subdivision 1. As used in sections 1 to 13 the following terms have the meanings given them.*"

Page 1, line 11, strike "(1)" and insert "*Subd. 2.*"

Page 1, line 14, strike "(2)" and insert "Subd. 3."

Page 1, line 16, after "rows" strike ", all but" and insert "of spaces, with each row except"

Page 1, line 18, after "center" insert "space"

Page 1, line 18, after the period insert: "A player wins a game of bingo by completing"

Page 1, line 19, strike everything after "spaces"

Page 1, line 20, strike " "bingo"." and insert "or,"

Page 1, line 21, after "five" insert "spaces"

Page 1, line 22, strike ", constitutes" and insert a period

Page 1, strike line 23

Page 2, line 1, strike "(3)" and insert "Subd. 4."

Page 2, line 4, strike "(4)" and insert "Subd. 5."

Page 2, line 8, strike "(5)" and insert "Subd. 6."

Page 2, line 21, strike "improvement, expansion" and insert "improving, expanding"

Page 2, line 22, strike "maintenance or repair of" and insert "maintaining or repairing"

Page 2, line 29, strike "(6)" and insert "Subd. 7."

Page 3, line 1, strike "(7)" and insert "Subd. 8."

Page 3, line 3, strike "(8)" and insert "Subd. 9."

Page 3, line 9, strike "(9)" and insert "Subd. 10."

Page 3, line 25, strike "after" and insert "as"

Page 3, line 26, strike "being"

Page 4, line 7, strike "The" and insert "A"

Page 4, line 7, after "government" insert: "that permits bingo shall establish a system for licensing organizations to conduct bingo occasions, and"

Page 4, line 8, strike "new"

Page 4, line 17, strike "retailed" and insert "retained"

Page 4, line 19, after "of" insert "the conduct of"

Page 4, line 31, strike "and" and insert "or"

Page 5, line 4, before "Any" insert "(1)"

Page 5, line 4, after "corporation" insert a comma

Page 5, line 5, strike "which owns a premise which it leases directly" and insert "which leases any premises that it owns"

Page 5, line 8, strike "premise" and insert "premises"

Page 5, line 9, before "Any" insert "(2)"

Page 5, line 9, strike *"premise which it owns"* and insert *"premises"*

Page 5, line 10, strike *"or leases,"*

Page 5, after line 19, insert:

"(3) No organization shall conduct bingo on any leased premises without a written lease for a term at least equal to the remainder of the term of the bingo license of the organization. Lease payments shall be at a fixed monthly rate, or rate per bingo occasion, not subject to change during the term of the lease. No such lease shall provide that rental payments be based on a percentage of receipts or profits from bingo occasions."

Page 6, line 12, after *"manager"* insert *"designated by the organization"*

Page 6, line 12, after *"for"* insert *"gross receipts and profits from bingo and for"*

Page 6, line 14, after *"ordinances."* insert *"The bingo manager shall give a fidelity bond in the sum of \$10,000 in favor of the organization conditioned on the faithful performance of his duties. Terms of the bond shall provide that notice shall be given in writing to the licensing authority not less than 30 days prior to its cancellation."*

Pages 6 and 7, strike all of subdivisions 10 and 11.

Page 7, line 20, after "2" strike the comma and insert "and"

Page 7, line 20, strike *"and 11"*

Page 8, line 7, after *"any"* insert *"reasonable"*

Page 8, line 15, after *"to"* insert *"and investigated by"*

Page 8, line 16, strike *"county or municipality"* and insert *"place"*

Page 8, line 17, strike *"and he shall investigate the discrepancies"*

Page 8, line 21, strike "9" and insert "10"

Page 8, line 25, after *"conduct"* insert *"copies of"*

Page 8, lines 26 and 31, and page 9, line 11, strike *"A copy of"*

Page 9, line 19, strike *"Copies of"*

Page 9, line 24, strike *"nor be"* and insert *"or"*

Page 9, line 25, strike *"deemed to"*

Page 9, line 28, strike "13" and insert "12"

Page 10, line 15, strike *"as provided in"*

Page 10, line 16, before *"sections"* insert *"when conducted in compliance with"*

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, 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.

Reports the same back with the recommendations that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 256.975, is amended by adding a subdivision to read:

Subd. 3. The board shall recommend to the state legislature no later than January 1, 1977, a proposed state policy for citizens dependent on long term care and services. The proposed state policy shall address, but need not be limited to, the following:

(a) Developing alternatives to institutionalization in long term care facilities and other programs which will assist each citizen dependent on long term care and services to maintain the highest level of self-sufficiency and independence which his mental and physical condition allows;

(b) Developing methods for ensuring citizens dependent on long term care and services an effective voice in determining which programs and services are made available to them;

(c) Protecting citizens dependent on long term care and services from unnecessary governmental interference in private and personal affairs; and

(d) Informing citizens dependent on long term care and services of the programs and services for which they are eligible.

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

Amend the title as follows:

Page 1, line 2, after "elderly" and before the semicolon insert "and handicapped"

Page 1, line 2, strike "establishing" and insert "requiring the board on aging to develop a proposal for"

Page 1, line 3, strike "older"

Page 1, line 4, strike "treatment" and insert "services; amending Minnesota Statutes 1974, Section 256.975, by adding a subdivision"

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

H. F. No. 429: A bill for an act relating to labor; increasing the minimum wage; amending Minnesota Statutes 1974, Section 177.24.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 11, strike "*after January 1, 1976 and until July 1,*"

Page 1, strike line 12 except the period

Page 1, after line 12, insert:

"Sec. 2. *This act shall be effective October 1, 1976.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 465: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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 \$100,000 per passenger seat liability for both passenger bodily injury and property damage, and not less than \$100,000 per person for bodily injury to non-passengers, and not less than \$300,000 per occurrence for bodily injury to non-passengers. 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, 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. 5. 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 COVERAGE.] *Any person 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. Whoever violates or fails to comply with this section is guilty of a misdemeanor.*

Sec. 6. *This act is effective for operations of aircraft after June 1, 1976, except section 3 which shall be effective January 1, 1977."*

Amend the title as follows:

Page 1, line 6, strike "a section" and insert "sections"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, 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; and 53.07; and Minnesota Statutes, 1975 Supplement, Section 53.04.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 12, strike lines 11 to 20

Page 20, line 5, strike "city" and insert "town"

Page 20, line 17, after "Section" strike "462A.04" and insert "412.-251, is amended in lines 5 and 6 by striking "\$500,000" and inserting "\$1,500,000" "

Page 20, strike lines 18 and 19

Renumber the sections in sequence

Page 6 of the Explanation, strike lines 9 and 10

Page 9 of the Explanation, line 30, strike "Reference to metropolitan" and insert:

"Laws 1973, Chapter 773, directed the Revisor of Statutes to substitute the corrected mill rate for a previously stated mill rate whenever that rate was subject to Minnesota Statutes, Section 273.1102. The reduction in the mill rate is predicated on the assumption that by moving to a market value concept, all valuations would be increased threefold. Therefore, the \$500,000 figure in this section is equivalent to \$1,500,000 under the market value concept."

Page 9 of the Explanation, strike line 31

Renumber the sections in sequence

Amend the title as follows:

Line 18, strike "205.10, as amended;"

Line 29, after "Subdivision 4;" insert "412.251;"

Lines 30 and 31, strike "462A.04, Subdivision 1;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 2218, 466, 2353, 2410, 2564, 2346, 465 and 2565 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1271, 2534, 2159, 1891, 746, 1075, 2442, 1471, 910, 1892, 2155, 1284, 1143, 1056, 1885, 166, 2066, 2344, 2492, 1955, 1372, 2157, 2440, 2233, 1767, 2041, 429, 1929, 1828, 2441 and 2489 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Olson, A. G. moved that S. F. No. 2534 be withdrawn from the Committee on Local Government and re-referred to the Committee on Finance. The motion prevailed.

Mr. Conzemius moved that H. F. No. 1909 be withdrawn from the Committee on Health, Welfare and Corrections and re-referred to the Committee on Rules and Administration. The motion prevailed.

Mr. North moved that S. F. No. 932 and the Conference Committee Report thereon be laid on the table and the Conference Committee Report be printed in the Journal. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 932

A bill for an act relating to public welfare; permitting the commis-

sioner 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.

March 13, 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. 932 report that we have agreed upon the items in dispute and recommend as follows:

That the senate concur in the house amendments and that the unofficial engrossment be further amended as follows:

Page 1, line 17, strike everything after the period

Page 1, strike lines 18 to 20

Page 2, line 12, strike “, as defined in section 250.02,”

Page 2, line 26, strike “and regulations”

Page 5, line 8, strike “and regulation”

Page 5, line 16, strike “and regulations”

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Robert D. North, John Milton, John L. Olson

House Conferees: (Signed) Linda L. Berglin, Harold J. Dahl, O. J. Heinitz

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on:

S. F. No. 1383, pursuant to the request of the Senate:

Messrs. Chenoweth, Kirchner and North.

S. F. No. 499, pursuant to the request of the Senate:

Messrs. Laufenburger, Merriam and Bang.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the Calendar of Ordinary Matters and that the rules of the Senate be so far suspended as to waive the lie-over requirement.

CALENDAR OF ORDINARY MATTERS

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.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	North	Schaaf
Arnold	Davies	Kirchner	Ogdahl	Schmitz
Ashbach	Doty	Kleinbaum	Olhoft	Schrom
Bang	Dunn	Knutson	Olson, A. G.	Sillers
Berg	Fitzsimons	Kowalczyk	Olson, H. D.	Solon
Bernhagen	Frederick	Larson	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Stumpf
Brataas	Hughes	McCutcheon	Perpich, A. J.	Tennessee
Brown	Humphrey	Merriam	Perpich, G.	Willet
Chenoweth	Jensen	Milton	Pillsbury	
Chmielewski	Josefson	Moe	Purfeerst	
Coleman	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was 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.

With the unanimous consent of the Senate, Mr. Perpich, G. moved to amend H. F. No. 2009 as follows:

Page 1, after line 19, insert

"Sec. 2. [CHISHOLM POLICE AND FIREMEN RETIREMENT BENEFITS.] *The retirement annuities of each member of the Chisholm police relief association and the Chisholm firemen's relief association who retired from active service as a policeman or fireman with the city prior to January 1, 1970 may be increased by \$50 per month, commencing with the first pay period after the effective date of this section.*

Sec. 3. [CHISHOLM POLICE AND FIREMEN WIDOWS' PENSIONS.] *The widows' benefits of each widow receiving a pension on January 1, 1970, under the Chisholm police and Chisholm firemen's relief association bylaws, may be increased by \$50 per month, not exceeding a total payment of \$125 per month, as the bylaws of such association shall provide, for her natural life; provided, however, that if she shall remarry, then such pension shall cease and terminate as of the date of her remarriage."*

Page 1, line 20, strike "This act" and insert "Section 1"

Page 1, line 22, after "645.021." insert "Sections 2 and 3 are effective upon approval by the Chisholm city council and upon compliance with Minnesota Statutes, Section 645.021."

Renumber sections in sequence

Further, amend the title:

Page 1, line 2, strike "city" and insert "cities"

Page 1, line 2, before "Eveleth" insert "Chisholm,"

Page 1, line 2, before "firemen's" insert "police and"

The motion prevailed. So the amendment was adopted.

With the unanimous consent of the Senate, Mr. Solon moved to amend H. F. No. 2009 as follows:

Page 1, after line 19, insert:

"Sec. 4. Laws 1975, Chapter 127, Section 2, is amended to read:

Sec. 2. [DULUTH FIREMEN'S SURVIVOR BENEFITS.] When a service pensioner thereof, disability pensioner thereof, deferred pensioner thereof, or an active member of the firemen's relief association in the city of Duluth dies, leaving

(a) A widow who was his legally married wife, residing with him, and who was married to him while or prior to the time he was on the payroll of the fire department; and who, in case the deceased member was a service or deferred pensioner was legally married to said member at least three years before his retirement from said fire department; or

(b) A child or children who were living while the deceased was on the payroll of the fire department, or who were born within nine months after said decedent was withdrawn from the payroll of said fire department, such widow and said child or children shall be entitled to a pension or pensions as follows:

(1) To such a widow a pension of not less than 15 units and not to exceed the sum of 20 units per month, as the bylaws of said association provide, for her natural life; provided, however, that if she shall remarry, she shall not be entitled to such pension *during the continuance of her remarriage. The pension shall however, resume upon termination of remarriage.*

(2) To such child or children, if their mother be living, a pension of not to exceed eight units per month for each child up to the time each child reaches the age of not less than 18 years and not to exceed an age of 22 years, as may be provided by the bylaws of the association. Provided, the total pensions hereunder for the widow and children of said deceased member shall not exceed the sum of 40 units per month.

(3) A child or children of a deceased member receiving a pension or pensions hereunder shall after the death of their mother, be entitled to receive a pension or pensions in such amount or amounts as the board of trustees of such association shall deem necessary to properly support such child or children until they reach the age of not less than 18 and not more than 22 years, as the bylaws of such association may provide; but the total amount of such pension or pensions hereunder for any such child or children shall not exceed the sum of 40 units per month.

This section shall apply to the firemen's relief association in the city of Duluth in lieu of the provisions of Minnesota Statutes, Section 69.48.

Benefits shall be payable to a surviving spouse whose remarriage has terminated prior to the effective date of this act, from and after the effective date of this act."

Page 1, line 22, before the period insert "; and section 4 is effective upon approval by the Duluth city council and upon compliance with Minnesota Statutes, Section 645.021"

Renumber the sections in sequence

Amend the title as follows:

Line 2, strike "city" and insert "cities"

Line 2, after "Eveleth" insert "and Duluth"

Line 3, after "pensions" insert "and survivor benefits"

Line 4, before the period, insert "; and Laws 1975, Chapter 127, Section 2"

The motion prevailed. So the amendment was adopted.

H. F. No. 2009 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Ogdahl	Schmitz
Arnold	Dunn	Kleinbaum	Olhoft	Schrom
Ashbach	Fitzsimons	Knutson	Olson, A. G.	Sillers
Bang	Frederick	Kowalczyk	Olson, H. D.	Solon
Berg	Gearty	Larson	Olson, J. L.	Spear
Bernhagen	Hansen, Baldy	Laufenburger	O'Neill	Stassen
Blatz	Hansen, Mel	Lewis	Patton	Stokowski
Brataas	Hanson, R.	McCutcheon	Perpich, A. J.	Stumpf
Brown	Humphrey	Merriam	Perpich, G.	Tennessee
Chenoweth	Jensen	Milton	Pillsbury	Ueland
Chmielewski	Josefson	Moe	Purfeerst	Willet
Coleman	Keefe, J.	Nelson	Renneke	
Conzemius	Keefe, S.	North	Schaaf	

So the bill, as amended, passed and its title was 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.

With the unanimous consent of the Senate, Mr. Solon moved to amend H. F. No. 2010 as follows:

Page 1, after line 19, insert:

"Sec. 2. Laws 1953, Chapter 91, Section 11, Subdivision 1, as amended by Laws 1955, Chapter 187, Section 6, Laws 1959, Chapter 191, Section 5, and Laws 1975, Chapter 408, Section 4, is amended to read:

Sec. 11. [PENSIONS, PAYMENT.] Subdivision 1. The association shall grant pensions payable from the police pension fund in monthly installments in the manner and for the following purposes:

(1) To any member of the age of 50 years or more who performs duty as a member of the police department of the city for 20 years or more, upon the member's written application after retiring from such duty there shall be paid monthly during the member's lifetime a pension not to exceed 31 units and one additional unit for the first year of such service in excess of 20 years and two additional units for each year of such service in excess of 21 years, but not to exceed 40 units.

(2) To any member who performs duty as a member of the police department of the city for 20 years or more who retires from such duty before the member attains the age of 50 years, upon the member's written application after reaching the age of 50 years, there shall be paid monthly during the member's lifetime a pension not to exceed 31 units and one additional unit for the first year of such service in excess of 20 years and two additional units for each year of such service in excess of 21 years, but not to exceed 40 units.

(3) To any member who, while a member of the police department of the city, becomes diseased or sustains an injury which permanently unfits the member from the performance of police duties there shall be paid monthly during the member's lifetime a pension, as provided in the bylaws of the association but not to exceed 40 units, while so disabled; but no member shall be awarded, granted, or paid a pension pursuant to this clause, except upon the certificate of two or more physicians or surgeons chosen by the governing board. This certificate shall set forth the cause, nature, and extent of the disability, disease, or injury of the member. No member shall be awarded, granted, or paid a pension pursuant to this clause unless the certificate states that the disability, disease, or injury was incurred or sustained by the member while a member of the police department. Each such certificate shall be filed with the association; and at its discretion the governing board may require any such person to submit to a re-examination by a competent physician chosen by the board. If found by this re-examination to be physically fit such person shall be reinstated to the position held immediately prior to the commencement of the member's disability.

(4) To the spouse or to a surviving child of a member who dies while in the service of the police department of the city or to the spouse or to a surviving child of any pensioner or any deferred service pensioner during the period of the member's deferment there shall be paid monthly a benefit as follows:

(a) Not to exceed 20 units to the spouse;

(b) Not to exceed 8 units to a surviving child until such child becomes 18 years of age, except that such benefits shall continue until

the surviving child becomes 22 years of age if that child continues living with the surviving spouse, remains unmarried, and is enrolled as a full time student in an accredited college or vocational school.

In the event the spouse and such surviving children reside together, the benefits to be paid to such children shall be paid to the spouse for the support of the children, but such spouse shall not receive more than 40 units per month in any event. If a spouse remarries, the spouse's benefit shall cease as of the date of the remarriage. *Benefits shall however, resume upon termination of remarriage.* Upon the death of a spouse, each surviving child shall receive a pension as provided in the bylaws of the association of not to exceed 40 units.

Sec. 3. Benefits shall be payable to a surviving spouse whose remarriage has terminated prior to the effective date of this act, from and after the effective date of this act."

Page 1, line 20, after "2." insert "Section 1 of"

Page 1, line 22, before the period, insert "; and sections 2 and 3 are effective upon approval by the Duluth city council and upon compliance with Minnesota Statutes, Section 645.021"

Renumber the sections in sequence

Amend the title as follows:

Line 2, strike "city" and insert "cities"

Line 2, after "Eveleth" insert "and Duluth"

Line 3, after "pensions" insert "in the city of Eveleth"

Line 3, after the semicolon, insert "police survivor benefits in the city of Duluth;"

Line 4, after "added" insert "; and Laws 1953, Chapter 91, Section 11, Subdivision 1, as amended"

The motion prevailed. So the amendment was adopted.

H. F. No. 2010 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Nelson	Renneke
Arnold	Doty	Keefe, S.	North	Schaaf
Ashbach	Dunn	Kirchner	Ogdahl	Schmitz
Bang	Fitzsimons	Kleinbaum	Olhoft	Schrom
Berg	Frederick	Knutson	Olson, A. G.	Sillers
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Solon
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Spear
Brataas	Hansen, Mel	Laufenburger	O'Neill	Stassen
Brown	Hanson, R.	Lewis	Patton	Stokowski
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Stumpf
Chmielewski	Humphrey	Merriam	Perpich, G.	Tennessee
Coleman	Jensen	Milton	Pillsbury	Ueland
Conzemius	Josefson	Moe	Purfeerst	Willet

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

H. F. No. 2090: A bill for an act relating to the city of Worthington; volunteer firemen's service pensions.

Mr. Olson, J. L. moved that the amendment made to H. F. No. 2090 by the Committee on Rules and Administration in the report adopted March 12, 1976, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 2090 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Olhoft	Schrom
Arnold	Fitzsimons	Knutson	Olson, A. G.	Sillers
Ashbach	Frederick	Kowalczyk	Olson, H. D.	Solon
Bang	Gearty	Larson	Olson, J. L.	Spear
Berg	Hansen, Baldy	Laufenburger	O'Neill	Stassen
Bernhagen	Hansen, Mel	Lewis	Patton	Stokowski
Blatz	Hanson, R.	McCutcheon	Perpich, A. J.	Stumpf
Brataas	Hughes	Merriam	Perpich, G.	Tennessee
Brown	Humphrey	Milton	Pillsbury	Ueland
Chmielewski	Jensen	Moe	Purfeerst	Wegener
Conzemius	Josefson	Nelson	Renneke	Willet
Davies	Keefe, J.	North	Schaaf	
Doty	Kirchner	Ogdahl	Schmitz	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Schaaf
Bang	Frederick	Knutson	Olhoft	Schmitz
Berg	Gearty	Kowalczyk	Olson, A. G.	Schrom
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Sillers
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Solon
Brataas	Hanson, R.	Lewis	O'Neill	Stassen
Brown	Hughes	McCutcheon	Patton	Stumpf
Chmielewski	Humphrey	Merriam	Perpich, A. J.	Tennessee
Conzemius	Jensen	Milton	Perpich, G.	Ueland
Davies	Josefson	Moe	Pillsbury	Wegener
Doty	Keefe, J.	Nelson	Purfeerst	Willet

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Olson, A. G.	Sillers
Arnold	Dunn	Kleinbaum	Olson, H. D.	Solon
Ashbach	Fitzsimons	Knutson	Olson, J. L.	Spear
Bang	Frederick	Kowalczyk	O'Neill	Stassen
Berg	Gearty	Larson	Patton	Stokowski
Bernhagen	Hansen, Baldy	Laufenburger	Perpich, A. J.	Stumpf
Borden	Hansen, Mel	McCutcheon	Perpich, G.	Tennessee
Brataas	Hanson, R.	Merriam	Pillsbury	Ueland
Brown	Hughes	Milton	Purfeerst	Wegener
Chmielewski	Humphrey	Moe	Renneke	Willet
Coleman	Jensen	Nelson	Schaaf	
Conzemius	Josefson	Ogdahl	Schmitz	
Davies	Keefe, J.	Olhoft	Schrom	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Ogdahl	Schmitz
Arnold	Dunn	Kirchner	Olhoft	Schrom
Ashbach	Fitzsimons	Kleinbaum	Olson, A. G.	Sillers
Bang	Frederick	Knutson	Olson, H. D.	Solon
Berg	Gearty	Kowalczyk	Olson, J. L.	Spear
Bernhagen	Hansen, Baldy	Larson	O'Neill	Stokowski
Brataas	Hansen, Mel	Laufenburger	Patton	Stumpf
Brown	Hanson, R.	Merriam	Perpich, A. J.	Tennessee
Chmielewski	Hughes	Milton	Perpich, G.	Ueland
Coleman	Humphrey	Moe	Pillsbury	Wegener
Conzemius	Jensen	Nelson	Purfeerst	Willet
Davies	Keefe, J.	North	Renneke	

So the bill passed and its title was agreed to.

Mr. Perpich, G., moved that S. F. No. 1951 be returned to the author. The motion prevailed.

H. F. No. 595: A bill for an act relating to retirement; authorizing expenditures of firemen's relief associations; amending Minnesota Statutes 1974, Section 424.31.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Olhoft	Sillers
Arnold	Frederick	Knutson	Olson, A. G.	Solon
Ashbach	Gearty	Kowalczyk	Olson, H. D.	Spear
Bang	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Berg	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Bernhagen	Hanson, R.	Lewis	Patton	Stumpf
Brataas	Hughes	McCutcheon	Perpich, A. J.	Tennesen
Brown	Humphrey	Merriam	Perpich, G.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Davies	Keefe, J.	Nelson	Renneke	
Doty	Keefe, S.	North	Schmitz	
Dunn	Kirchner	Ogdahl	Schrom	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved that the rules of the Senate be so far suspended as to make General Orders a Special Orders Calendar for immediate consideration. The motion prevailed.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Nelson	Schmitz
Arnold	Doty	Keefe, J.	North	Schrom
Ashbach	Dunn	Keefe, S.	Olhoft	Solon
Berg	Frederick	Knutson	Olson, A. G.	Spear
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stumpf
Brataas	Hansen, Mel	Laufenburger	O'Neill	Tennesen
Brown	Hanson, R.	Lewis	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Pillsbury	Wegener
Chmielewski	Humphrey	Merriam	Purfeerst	Willet
Coleman	Jensen	Moe	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Schmitz
Arnold	Dunn	Kirchner	Ogdahl	Schrom
Ashbach	Fitzsimons	Kleinbaum	Olhoft	Sillers
Berg	Frederick	Knutson	Olson, A. G.	Solon
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Spear
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Brataas	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Brown	Hanson, R.	Lewis	Patton	Stumpf
Chenoweth	Hughes	McCutcheon	Perpich, G.	Tennessen
Chmielewski	Humphrey	Merriam	Pillsbury	Ueland
Coleman	Jensen	Milton	Porfuerst	Wegener
Conzemius	Josefson	Moe	Renneke	Willet
Davies	Keefe, J.	Nelson	SchAAF	

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

Mr. Dunn moved to amend H. F. No. 2043, as amended pursuant to Rule 49, adopted by the Senate March 5, 1976, as follows:

(The text of the amended House file is identical to S. F. No. 1942.)

Page 7, line 20, strike "local public" and insert "elected county"

Page 7, line 20, after "officials" insert "*in any county of over 100,000 population, and all elected city officials in any city of over 50,000 population*"

Page 7, line 30, after "official" insert "*as described in subdivision 7,*"

Mr. Olson, A. G., moved to amend the Dunn amendment to H. F. No. 2043 as follows:

Strike "100,000" and insert "50,000"

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

The question recurred on the Dunn amendment.

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 39 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Jensen	Ogdahl	Schrom
Arnold	Fitzsimons	Josefson	Olson, H. D.	Sillers
Ashbach	Frederick	Kirchner	Olson, J. L.	Stassen
Berg	Gearty	Kleinbaum	O'Neill	Tennessee
Bernhagen	Hansen, Baldy	Knutson	Patton	Ueland
Brataas	Hansen, Mel	Larson	Pillsbury	Wegener
Chmielewski	Hanson, R.	Laufenburger	Renneke	Willet
Davies	Hughes	Nelson	Schmitz	

Those who voted in the negative were:

Borden	Keefe, J.	McCutcheon	Olhoft	Spear
Brown	Keefe, S.	Merriam	Perpich, A. J.	Stumpf
Chenoweth	Lewis	North	Perpich, G.	

The motion prevailed. So the amendment was adopted.

Mr. Conzemius moved to amend H. F. No. 2043, as amended pursuant to Rule 49, adopted by the Senate March 5, 1976, as follows:

(The text of the amended House File is identical to S. F. No. 1942.)

Page 11, after line 17, insert:

"Sec. 22. Minnesota Statutes, 1975 Supplement, Section 202A.61, is amended to read:

202A.61 [VACANCY, CONGRESS, LEGISLATURE, SPECIAL ELECTION.] Every vacancy in the office of representative or senator in congress or member of the state legislature shall be filled for the unexpired term by election upon the writ of the governor as provided by sections 202A.61 to 202A.72 202A.71 . If there will not be any session of the congress or the legislature before the expiration of the term in which the vacancy exists, it shall not be necessary to fill the office."

Renumber the sections in sequence

Page 11, line 19, after "Sections" insert "202A.72;"

Amend the title as follows:

Line 2, after "to" insert "elections and"

Line 5, after "clerks;" insert "requiring that vacancies in the United States Senate be filled by election;"

Line 10, after "10A.33;" insert "Minnesota Statutes, 1975 Supplement, Section 202A.61;"

Line 11, after "Sections" insert "202A.72;"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 48 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Ogdahl	Sillers
Ashbach	Doty	Kirchner	Olson, H. D.	Spear
Bang	Dunn	Kleinbaum	Olson, J. L.	Stassen
Berg	Fitzsimons	Knutson	O'Neill	Stokowski
Bernhagen	Frederick	Kowalczyk	Patton	Stumpf
Blatz	Gearty	Larson	Pillsbury	Tennessen
Brataas	Hansen, Mel	Lewis	Purfeerst	Ueland
Brown	Hanson, R.	McCutcheon	Renneke	Willet
Coleman	Hughes	Nelson	Schaaf	
Conzemius	Jensen	North	Schmitz	

Those who voted in the negative were:

Arnold	Humphrey	Merriam	Olhoft	Schrom
Borden	Keefe, S.	Milton	Olson, A. G.	Solon
Chenoweth	Laufenburger	Moe	Perpich, G.	Wegener
Hansen, Baldy				

The motion prevailed. So the amendment was adopted.

H. F. No. 2043 was then progressed.

CALL OF THE SENATE

Mr. Laufenburger imposed a call of the Senate for the balance of today's proceedings. The following Senators answered to their names:

Anderson	Doty	Keefe, S.	Olhoft	Sillers
Arnold	Dunn	Kirchner	Olson, A. G.	Solon
Ashbach	Fitzsimons	Kleinbaum	Olson, J. L.	Spear
Bang	Frederick	Kowalczyk	O'Neill	Stokowski
Berg	Gearty	Larson	Patton	Stumpf
Bernhagen	Hansen, Baldy	Laufenburger	Perpich, G.	Tennessen
Blatz	Hansen, Mel	Lewis	Pillsbury	Ueland
Borden	Hanson, R.	McCutcheon	Purfeerst	Willet
Brown	Hughes	Merriam	Renneke	
Chenoweth	Humphrey	Milton	Schaaf	
Coleman	Jensen	Moe	Schmitz	
Davies	Josefson	Nelson	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Lewis	Olhoff	Schmitz
Arnold	Gearity	McCutcheon	Olson, A. G.	Spear
Bang	Hansen, Mel	Merriam	Olson, H. D.	Stassen
Borden	Hanson, R.	Milton	O'Neill	Stokowski
Coleman	Hughes	Moe	Perpich, A. J.	Stumpf
Conzemius	Kirchner	Nelson	Perpich, G.	Willet
Davies	Kleinbaum	North	Pillsbury	
Doty	Laufenburger	Ogdahl	Purfeerst	

Those who voted in the negative were:

Ashbach	Frederick	Josefson	Olson, J. L.	Sillers
Berg	Hansen, Baldy	Kowalczyk	Patton	Ueland
Bernhagen	Jensen	Larson	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 525: A bill for an act relating to state government; creating a department of transportation; prescribing its duties and responsibilities; transferring the functions of some state departments; appropriating money; amending Minnesota Statutes 1974, Sections 43.09, Subdivision 2a; and 360.017, Subdivision 1; repealing Minnesota Statutes 1974, Sections 4.20; 161.03; and 360.114.

Mr. North moved to amend H. F. No. 525, the unofficial engrossment, as follows:

Page 4, line 6, after "terms" insert "of overall"

Page 4, line 6, after "benefits," insert "specific operating and capital costs, different service characteristics usefulness in attracting additional users,"

Page 4, line 8, strike the second comma and insert "and"

Page 4, strike line 9

Page 4, line 10, strike "financial assistance"

Page 5, after line 7, insert

"Subd. 3. [RELATIONSHIP WITH NATIONAL AND LOCAL PLANS.] The statewide plan shall recognize established national transportation policies. The plan shall include matters of local or regional concern if this inclusion is needed to insure a comprehensive, statewide perspective on transportation policies and priorities. To the extent possible the commissioner shall recognize and accommodate local or regional transportation plans. However, the statewide plan shall supersede a local or regional plan to the extent inconsistent on a matter which the commissioner demonstrates is of statewide concern."

Renumber the remaining subdivisions

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

Mr. Lewis moved to amend H. F. No. 525, the unofficial engrossment, as follows:

Page 2, line 28, after the period insert: "*The commissioner shall adopt an affirmative action plan for the department in order to insure that department hiring encourages the selection of members of groups of persons who because of unfair or unlawful discriminatory practices have in the past been denied equal employment opportunity. This plan need not be promulgated as a rule, but it shall be approved by the commissioner of personnel. The plan shall provide that the affected groups of persons shall constitute at least the same proportional number of employees in the department as they constitute in the population of the state.*"

The motion prevailed. So the amendment was adopted.

H. F. No. 525 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Stassen moved that those not voting be excused from voting. The motion did not prevail.

Mr. Laufenburger moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 32 and nays 33, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Milton	Pillsbury	Tennessee
Arnold	Hughes	Moe	Purfeerst	Ueland
Borden	Keefe, S.	Ogdahl	Schaaf	Wegener
Brown	Kleinbaum	Olson, A. G.	Schmitz	Willet
Chenoweth	Lewis	Olson, H. D.	Solon	
Coleman	McCutcheon	Perpich, A. J.	Spear	
Conzemius	Merriam	Perpich, G.	Stumpf	

Those who voted in the negative were:

Ashbach	Doty	Humphrey	Laufenburger	Renneke
Bang	Dunn	Jensen	Nelson	Schrom
Berg	Fitzsimons	Josefson	North	Sillers
Bernhagen	Frederick	Kirchner	Olhoft	Stassen
Blatz	Hansen, Baldy	Knutson	Olson, J. L.	Stokowski
Brataas	Hansen, Mel	Kowalczyk	O'Neill	
Davies	Hanson, R.	Larson	Patton	

So the bill failed to pass.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Thursday, March 18, 1976. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate