

## NINETY-FOURTH DAY

St. Paul, Minnesota, Friday, March 19, 1976

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

## CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the balance of today's proceedings. The following Senators answered to their names:

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

The Sergeant-at-Arms was instructed to bring in the absent members.

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

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

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

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. Patton was excused from the early part of today's Session.

Mrs. Brataas and Messrs. North and Olson, J. L. were excused from the Session of today. Mr. Chmielewski was excused from the Session of today at 1:00 o'clock p.m. Mr. Larson was excused from the Session of today at 3:00 o'clock p.m. Messrs. Hanson, R. and Moe were excused from the Session of today at 4:30 o'clock p.m. Messrs. Fitzsimons and Ueland were excused from the Session of today at 5:00 o'clock p.m. Messrs. Laufenburger and Pillsbury were excused from the Session of today at 5:30 o'clock p.m.

### INTRODUCTION OF BILLS

The following bill was read the first time.

Mr. Arnold, for the Committee on Finance, introduced—

S. F. No. 2581: A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money for the general administrative expenses of state government and limiting the use thereof; providing for payment of claims against the state; abolishing the state claims commission; amending Minnesota Statutes 1974, Sections 3.732, Subdivisions 1, 2, and 5; 3.751, Subdivision 1; 176.011, Subdivision 9; 192.38; 238.04, by adding a subdivision; 345.48, Subdivision 2; and Chapter 3, by adding a section; repealing Minnesota Statutes 1974, Sections 3.66 to 3.7311; 3.735; 3.752; 3.753; 3.76 to 3.83; and 15.315.

Under the rules of the Senate, laid over one day.

### MESSAGES FROM THE HOUSE

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. 1411: A bill for an act relating to education; agreements when school district has insufficient funds to pay orders; increasing the maximum permissible interest rate to eight percent per year; amending Minnesota Statutes 1974, Section 124.06.

Senate File No. 1411 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1976

Mr. Davies moved that S. F. No. 1411 be laid on the table. The motion prevailed.

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. 1273: A bill for an act relating to fair campaign practices; permitting corporations to conduct non-partisan voter regis-

tration campaigns and provide meeting facilities to political parties and candidates; authorizing the state ethics commission to issue and publish certain advisory opinions; amending Minnesota Statutes 1974, Section 10A.02, Subdivision 12; and Minnesota Statutes, 1975 Supplement, Section 210A.34, by adding a subdivision.

Senate File No. 1273 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1976

Mr. Keefe, S. moved that S. F. No. 1273 be laid on the table. The motion prevailed.

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. 1499: A bill for an act relating to the conduct of public officials and campaigns for public office; defining "lobbying"; redefining "lobbyist" and certain other terms; providing for the filing of certain reports and statements; providing penalties; amending Minnesota Statutes 1974, Sections 10A.01, Subdivisions 2, 5, 7, 10 and 11, and by adding a subdivision; 10A.02, Subdivisions 1, 5, 8 and 11; 10A.04, Subdivision 4; 10A.07, Subdivision 1; 10A.09, Subdivision 5; 10A.11, Subdivision 6; 10A.14, Subdivision 2; 10A.19, Subdivision 1; 10A.20, Subdivisions 1, 2, and 3, and by adding a subdivision; 10A.21, Subdivision 1; 10A.22, Subdivision 5; 10A.23; 10A.25, Subdivisions 3, 6 and 7; 10A.27, Subdivision 3; repealing Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; 10A.20, Subdivision 4; 10A.22, Subdivisions 2 and 8.

Senate File No. 1499 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1976

Mr. Keefe, S. moved that S. F. No. 1499 be laid on the table. The motion prevailed.

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. 1957: A bill for an act relating to medical assistance for the needy; prohibiting false claims for reimbursement; making certain vendors ineligible for reimbursement; providing access to certain medical records for verification of claims; providing for a penalty; amending Minnesota Statutes 1974, Sections 256B.064; 256B.27; Chapters 256B and 609, by adding sections; Minnesota

Statutes, 1975 Supplement, Sections 256B.12 and 609.52, Subdivision 2.

Senate File No. 1957 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned March 18, 1976

Mr. Tennesen moved that S. F. No. 1957 be laid on the table.  
The motion prevailed.

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. 840: A bill for an act relating to the department of human rights; creating a private right of action to enforce the provisions of the human rights act in certain cases; amending Minnesota Statutes 1974, Section 363.06, Subdivision 1; and Chapter 363, by adding a section.

Senate File No. 840 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned March 18, 1976

Mr. Tennesen moved that S. F. No. 840 be laid on the table.  
The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 2186.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted March 18, 1976

#### **FIRST READING OF HOUSE BILLS**

The following bill was read the first time and referred to the committee indicated.

H. F. No. 2186: A bill for an act relating to public safety; highway patrol; authorizing the commissioner of public safety to maintain certain aircraft; excepting certain personnel in the department of public safety from the requirement of reimbursing the state for the cost of using state-owned vehicles; amending Minnesota Statutes, 1975 Supplement, Section 16.753.

Referred to the Committee on Finance.

#### **REPORTS OF COMMITTEES**

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

House Concurrent Resolution No. 21: A house concurrent resolution designating September 13 to 19, 1976 as Minnesota Farmfest Week.

Reports the same back with the recommendation that the resolution be adopted. Report adopted.

Mr. Ueland moved that House Concurrent Resolution No. 21 be laid on the table. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 2472 for comparison to companion Senate File, reports the following House File was found identical and recommends the House File be given its Second Reading and substituted for its companion Senate File 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.
2472	2388				

And that the above 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. Report adopted.

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

H. F. No. 2204 for comparison to companion Senate File, reports the following House File was found not identical with its companion Senate File 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.
2204	2346				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 2204 be amended as follows:

Page 1, after line 11 insert:

"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 nonpublic pursuant to section 260.161 or any other statute.*

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 15.162, Subdivision 2a, is amended to read:

Subd. 2a. "Confidential data on individuals" means data which is : (a) *made not public but is* ~~(a) expressly made confidential by law as by statute or federal law applicable to the data and is inaccessible~~ to the individual subject of that data; (b) collected by a civil or criminal investigative agency as part of an active investigation undertaken for the purpose of the commencement of a legal action, provided that the burden of proof as to whether such investigation is active or in anticipation of a legal action is upon the agency ; ~~(c) data which supplies the basis for the diagnosis of the medical or psychiatric condition of an individual as determined by a licensed physician . Confidential data on individuals does not include arrest information that is reasonably contemporaneous with an arrest or incarceration.~~

Sec. 3. Minnesota Statutes, 1975 Supplement, Section 15.162, Subdivision 5, is amended to read:

Subd. 5. "Political subdivision" includes counties, municipalities, school districts and any boards, commissions, districts or authorities created pursuant to local ordinance. It includes any nonprofit corporation which is a community action agency organized to qualify for public funds, or any nonprofit social service agency which performs services under contract to any political subdivision, statewide system or state agency , *to the extent that the nonprofit social service agency or nonprofit corporation collects, stores, disseminates, and uses data on individuals because of a contractual relationship with state agencies, political subdivisions or statewide systems .*

Sec. 4. Minnesota Statutes, 1975 Supplement, Section 15.162, Subdivision 5a, is amended to read:

Subd. 5a. "Private data on individuals" means data which is *made* (a) *not public but which by law ; and* (b) *is accessible to the individual subject of that data by statute or federal law applicable to the data . Private data on individuals does not include arrest information that is reasonably contemporaneous with an arrest or incarceration."*

Page 1, delete lines 12 to 25

Page 2, delete lines 1 to 18

Page 3, line 23, after "each" insert "category of"

Page 4, after line 11 insert:

"Sec. 8. Minnesota Statutes, 1975 Supplement, Section 15.163, is amended by adding a subdivision to read:

*Subd. 3. The legislative auditor may examine and audit data collection and reporting practices, policies, and procedures of any state agency or statewide system. The state auditor may examine and audit data collection and reporting practices, policies and procedures of political subdivisions.*

Sec. 9. Minnesota Statutes 1974, Chapter 15, is amended by adding a section to read:

[15.1642] [EMERGENCY CLASSIFICATION.] *Subdivision 1. [APPLICATION.] The responsible authority of a state agency, political subdivision or statewide system may apply to the commissioner for permission to classify data or types of data under section 15.162, subdivision 2a or 5a, for its own use and for the use of other similar agencies, subdivisions or systems on an emergency basis until a proposed statute can be acted upon by the legislature. The application for emergency classification is public data.*

*Subd. 2. [CONTENTS OF APPLICATION.] An application for emergency classification shall include and the applicant shall have the burden of showing at least the following information:*

*(a) That no statute currently exists which either allows or forbids classification under section 15.162, subdivision 2a or 5a;*

*(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;*

*(c) That a compelling need exists for immediate emergency classification, which if not granted could adversely affect the health, safety, wellbeing or reputation of the data subject; and*

*(d) That legislation is being developed to allow permanent classification under section 15.162, subdivision 2a or 5a.*

*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.*

*Subd. 3. [EXPIRATION OF EMERGENCY CLASSIFICATION.] All emergency classifications granted under this section and still in effect shall expire on June 30, 1977. No emergency classifications shall be granted after June 30, 1977.*

*Sec. 10. Section 8 of this act shall be effective the day following its final enactment. Sections 1 to 7 of this act shall be effective June 1, 1976."*

Page 4, delete lines 12 to 32

Page 5, delete lines 1 to 5

Renumber the sections in order

Further amend the title as follows:

Page 1, line 7, delete "Section 15.17," and insert "Chapter 15, by adding a section"

Page 1, line 8, delete "Subdivision 4"

Page 1, line 9, delete "4" and insert "5"

Page 1, line 10, after "8" insert ", and by adding a subdivision" and after "2" insert ", and by adding a subdivision"

And when so amended, H. F. No. 2204 will be identical to S. F.

No. 2346 and further recommends that H. F. No. 2204 be given its second reading and substituted for S. F. No. 2346 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. 2019, 1909, 2230 and 2374 for comparison to companion Senate Files, reports the following House Files were found not identical with their 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.
2019	2018				
1909	2188				
2230	2075				
2374	2165				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 2019 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 152.02, Subdivision 5, is amended to read:

Subd. 5. The following items are listed in Schedule IV: Barbital; Chloral betaine; Chloral hydrate; Ethchlorvynol; Ethinamate; Methohexital; Meproamate; Methylphenobarbital; Paraldehyde; Petrichloral; Phenobarbital; *Chlordiazepoxide*; *Diazepam*."

Further amend the title as follows:

Page 1, line 4, delete "Subdivisions 2, 3, 4, 55, and" and insert "Subdivision 5."

Page 1, delete line 5

And when so amended, H. F. No. 2019 will be identical to S. F. No. 2018 and further recommends that H. F. No. 2019 be given its second reading and substituted for S. F. No. 2018 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1909 be amended as follows:

Page 1, line 8, delete "in excess of 0.1"

Page 1, delete line 9

Page 1, line 10, delete "8-tetrachlorodibenzo-para-dioxin (TCDD)." and insert "trichlorophenoxyacetic acid, commonly known as 2, 4, 5-T."

And when so amended, H. F. No. 1909 will be identical to S. F. No. 2188 and further recommends that H. F. No. 1909 be given its second reading and substituted for S. F. No. 2188 and that the Senate File be indefinitely postponed.



Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 2230 be amended as follows:

Page 1, line 22, after "fully" insert "*or partially*"

Page 3, line 15, delete "1" and insert "2"

Further, amend the title as follows:

Page 1, delete lines 6 to 10

Page 1, line 11, delete "and" and insert "amending"

And when so amended, H. F. No. 2230 will be identical to S. F. No. 2075 and further recommends that H. F. No. 2230 be given its second reading and substituted for S. F. No. 2075 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 2374 be amended as follows:

Page 2, line 4, delete "*shall take effect*" and insert "*is effective*"

And when so amended, H. F. No. 2374 will be identical to S. F. No. 2165 and further recommends that H. F. No. 2374 be given its second reading and substituted for S. F. No. 2165 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.

#### SECOND READING OF SENATE BILLS

S. F. No. 2580 was read the second time.

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 2472, 2204, 2019, 1909, 2230 and 2374 were read the second time.

#### MOTIONS AND RESOLUTIONS

Mr. Ueland moved that House Concurrent Resolution No. 21 be taken from the table. The motion prevailed.

House Concurrent Resolution No. 21: A house concurrent resolution designating September 13 to 19, 1976 as Minnesota Farmfest Week.

WHEREAS, Farmfest is a national agricultural project officially recognized by the American Revolution Bicentennial Administration; and

WHEREAS, Farmfest will recreate the epic of American agriculture with pageants, machinery exhibitions and salutes to craftsmen who have advanced the art and science of agriculture; and

WHEREAS, The Future Farmers of America have designated Farmfest as their 1976 Bicentennial activity; and

WHEREAS, Farmfest will include tractor pulling, plowing and other competitions in every technique of modern farming; now, therefore,

BE IT RESOLVED, by the House of Representatives, the Senate concurring, that September 13 to 19, 1976 be designated Minnesota Farmfest Week.

BE IT FURTHER RESOLVED, that the Governor of Minnesota should officially proclaim Minnesota Farmfest week and the general encouragement of the state of Minnesota be given to it.

Mr. Ueland moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Tennessen moved that S. F. No. 840 be taken from the table. The motion prevailed.

Mr. Tennessen moved that the Senate do not concur in the amendments by the House to S. F. No. 840 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. Lewis moved that his name be stricken and the name of Mr. Stumpf be added as co-author to S. F. No. 2213. The motion prevailed.

#### **MEMBERS EXCUSED**

Pursuant to Rule 21, Mr. Coleman moved that the following members be excused for a Conference Committee on S. F. No. 1383:

Messrs. Chenoweth; Doty; Humphrey; Keefe, J. and Nelson. The motion prevailed.

#### **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**

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.

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 41 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kirchner	Olhoft	Stumpf
Bang	Frederick	Kleinbaum	Olson, H. D.	Tennessen
Berg	Gearty	Kowalczyk	O'Neill	Ueland
Bernhagen	Hansen, Baldy	Larson	Perpich, G.	Wegener
Borden	Hansen, Mel	Laufenburger	Purfeerst	Willet
Brown	Hanson, R.	McCutcheon	Renneke	
Chmielewski	Hughes	Merriam	Schmitz	
Conzemius	Jensen	Milton	Schrom	
Dunn	Josefson	Moe	Stokowski	

Messrs. Lewis and Spear voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

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.

Mr. Laufenburger moved to amend H. F. No. 2159, as follows:

Page 2, after line 21 insert:

*"Sec. 3. A credit union, upon approval of the commissioner of banks of an application in the prescribed form filed with him together with a filing fee of \$100, shall have the power to act as trustee or custodian within the contemplation of the federal self-employed individuals tax retirement act of 1962, as amended and shall have the power to act as trustee or custodian within the contemplation of the federal employee retirement income security act of 1974, as amended, to establish an individual retirement account. The funds shall be invested only in savings, or time deposits, except that this restriction shall not prevent a credit union from accepting and retaining as a deposit property or investments derived from any qualified plan from which the applicant desires to transfer such property.*

*Funds held in the fiduciary capacity may be comingled for purposes of investment or for other purposes approved by the commissioner of banks, but individual records shall be maintained by the fiduciary for each participant and show in detail all transactions engaged in under authority of this section. In passing upon applications the commissioner shall take into consideration all pertinent facts that relate to a credit union's financial responsibility and may grant or refuse the application accordingly."*

Renumber the sections in sequence.

Amend the title as follows:

Page 1, line 3, after the semi-colon insert:

*"allowing credit unions to act as trustees or custodians of employee pension benefit plan accounts;"*

The motion prevailed. So the amendment was adopted.

H. F. No. 2159 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 48 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	Ogdahl	Schmitz
Bang	Fitzsimons	Kleinbaum	Olhoft	Schrom
Berg	Frederick	Kowalczyk	Olson, H. D.	Spear
Bernhagen	Gearty	Larson	O'Neill	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Perpich, A. J.	Stumpf
Borden	Hansen, Mel	Lewis	Perpich, G.	Tennessen
Brown	Hanson, R.	McCutcheon	Pillsbury	Wegener
Chmielewski	Hughes	Merriam	Purfeerst	Willet
Conzemius	Jensen	Milton	Renneke	
Davies	Josefson	Moe	Schaaf	

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

### SPECIAL ORDER

S. F. No. 2164. A bill for an act relating to elections; limiting persons who may assist voters at the polling place; amending Minnesota Statutes, 1975 Supplement, Section 204A.34, 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 48 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Ogdahl	Schrom
Ashbach	Fitzsimons	Kleinbaum	Olhoft	Sillers
Bang	Frederick	Kowalczyk	Olson, H. D.	Spear
Berg	Gearty	Larson	O'Neill	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	Perpich, A. J.	Stumpf
Blatz	Hanson, R.	Lewis	Perpich, G.	Tennessen
Borden	Hughes	McCutcheon	Pillsbury	Ueland
Brown	Jensen	Merriam	Renneke	Willet
Chmielewski	Josefson	Milton	Schaaf	
Davies	Keefe, S.	Moe	Schmitz	

So the bill passed and its title was agreed to.

### MEMBERS EXCUSED

Pursuant to Rule 21, Mr. Stumpf moved that the following members be excused for a Conference Committee on H. F. No. 1519:

Messrs. Chenoweth, North and Stumpf. The motion prevailed.

### SPECIAL ORDER

S. F. No. 2132: A bill for an act relating to highway traffic regulations; driving under the influence of drugs or alcoholic beverages; providing for the revocation of a driver's license or permit by the commissioner of public safety upon receipt of chemical test that person's blood contains .10 percent or more by weight of alcohol; providing procedural safeguards; providing for issuance of a limited license; providing for reinstatement of a revoked license; prescribing penalties; and appropriating money; amending Minne-

sota Statutes 1974, Chapter 169, by adding a section.

Mr. Olson, A. G., moved to amend S. F. No. 2132 as follows:

Page 1, after line 14, insert:

"Section 1. Minnesota Statutes 1974, Section 169.121, is amended by adding a subdivision to read:

*Subd. 7. Any person whose license has been revoked pursuant to section 169.124 shall not be subject to the mandatory revocation provisions of subdivisions 3 and 4 of this section."*

Page 1, line 21, after "breath" insert ", other than a preliminary screening test,"

Page 2, line 20, after "as" insert "a contested case pursuant to chapter 15 and shall be held as"

Page 3, line 3, strike "on the record"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 13, after "section" insert "; and section 169.121, by adding a subdivision"

The motion prevailed. So the amendment was adopted.

S. F. No. 2132: A bill for an act relating to highway traffic regulations; driving under the influence of drugs or alcoholic beverages; providing for the revocation of a driver's license or permit by the commissioner of public safety upon receipt of chemical test that person's blood contains .10 percent or more by weight of alcohol; providing procedural safeguards; providing for issuance of a limited license; providing for reinstatement of a revoked license; prescribing penalties; and appropriating money; amending Minnesota Statutes 1974, Chapter 169, by adding a section; and Section 169.121, by adding a subdivision.

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 50 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Moe	Renneke
Arnold	Dunn	Keefe, S.	Nelson	Schaaf
Berg	Fitzsimons	Kleinbaum	Ogdahl	Schmitz
Bernhagen	Gearty	Kowalczyk	Olhoft	Sillers
Borden	Hansen, Mel	Larson	Olson, A. G.	Solon
Brown	Hanson, R.	Laufenburger	Patton	Spear
Chmielewski	Hughes	Lewis	Perpich, A. J.	Stassen
Coleman	Humphrey	McCutcheon	Perpich, G.	Stumpf
Conzemius	Jensen	Merriam	Pillsbury	Wegener
Davies	Josefson	Milton	Purfeerst	Willet

Those who voted in the negative were:

Ashbach  
Blatz

Hansen, Baldy Knutson  
Kirchner

O'Neill

Ueland

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

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws designated H. F. No. 1979, No. 152 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1979: A bill for an act relating to taxation; defining "claimant" for purposes of certain homestead credits; amending Minnesota Statutes, 1975 Supplement, Sections 290A.03, Subdivision 8; and 290A.04, Subdivisions 2 and 3.

Mr. Perpich, A. J., moved to amend the amendment placed on H. F. No. 1979 by the Committee on Taxes and Tax Laws, adopted by the Senate March 18, 1976, as follows:

Page 77, after line 10 insert a new Article XVI to read:

#### "ARTICLE XVI

Section 1. Minnesota Statutes 1974, Section 297A.26, is amended by adding a subdivision to read:

*Subd. 3. The taxpayer may deduct from the taxes payable in any reporting period \$8 on each timely filed return for costs of administration. A permit holder shall be entitled to only one deduction in each reporting period regardless of the number of permits held by the permit holder.*

Sec. 2. [EFFECTIVE DATE.] *This article is effective for reporting periods beginning after July 1, 1976.*"

Amend the title amendment as follows:

Page 77, line 48, after "revenue;" insert "*permitting a deduction from the sales tax by certain sales tax permit holders to deduct the costs of collecting and remitting the tax;*"

Page 78, line 4, after "1;" insert "297A.26, by adding a subdivision;"

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Perpich, A. J., moved to amend the amendment placed on H. F. No. 1979 by the Committee on Taxes and Tax Laws, adopted by the Senate March 18, 1976, as follows:

Page 29, after line 23, insert:

"Sec. 12. Minnesota Statutes 1974, Section 290.09, Subdivision 10, is amended to read:

*Subd. 10. [MEDICAL EXPENSES.] Payments (not compensated for by insurance or otherwise) for expenses for hospital, nursing, medical, surgical, dental, and other healing services, including institutional care and treatment for the mentally ill and physically handicapped, and for medical supplies and ambulance hire, incurred by the taxpayer on account of sickness, mental illness, physical handicap or personal injury to himself or his dependents and premiums paid for hospitalization and medical insurance including non-profit hospital service and non-profit medical service*

plans. Payments for traveling expenses shall not be deductible under the provisions of this subdivision. Payments for hotel or similar lodging expenses shall be deductible in the same manner as payments for hospital services, if the taxpayer or his dependent is not hospitalized but is nevertheless required to remain in a medical center away from his usual place of abode, for the purpose of receiving prescribed medical treatment. *Payments for water filtration equipment and replacement components installed in the taxpayer's home to purify drinking water, which if consumed may be injurious to human health because of asbestiform fibers content, shall be deductible as a medical expense in the year in which the equipment or parts were purchased.*

*This section shall be effective for equipment and replacement components purchased after December 31, 1974."*

Renumber the sections in sequence

Amend the title amendment as follows:

Page 77, line 32, after the semicolon, insert "including cost of water filtration equipment in medical expense deduction;"

Page 78, line 2, after "1;" insert "290.09, Subdivision 10;"

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Doty moved to amend the amendment placed on H. F. No. 1979 by the Committee on Taxes and Tax Laws, adopted by the Senate March 18, 1976, as follows:

Page 68, line 27, strike "of over"

Page 68, line 28, strike "200,000 population"

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Chmielewski moved to amend the amendment placed on H. F. No. 1979 by the Committee on Taxes and Tax Laws, adopted by the Senate March 18, 1976, as follows:

Page 55, after line 24, insert "(16) For taxes payable in 1977 and subsequent years, billboards used to display commercial advertising messages, whether located on or off the premises of the person or business concern whose products or services are being advertised."

Page 65, line 32, after "enactment" insert ", except as provided therein"

Further, amend the title as follows:

Page 77, line 29, after "devices" insert "and advertising billboards"

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Josefson moved to amend the amendment placed on H. F. No. 1979 by the Committee on Taxes and Tax Laws, adopted by the Senate March 18, 1976, as follows:

Page 77, after line 10, insert a new Article XVI to read:

## "ARTICLE XVI

Section 1. Minnesota Statutes, 1975 Supplement, Section 147.30, is amended to read:

147.30 [LOANS TO MEDICAL AND OSTEOPATHY STUDENTS WHO AGREE TO PRACTICE IN RURAL COMMUNITIES.] The state of Minnesota may provide loans to students for the cost of the education and living expenses during the time the recipient is enrolled in an accredited medical school in the state of Minnesota, or accredited school of osteopathy the graduates of which are eligible for licensure in Minnesota, and to students domiciled in Minnesota and enrolled in an accredited medical school or school of osteopathy located outside the state, if the recipient agrees in writing to practice medicine or osteopathy in a rural community in Minnesota designated as an area in need of medical doctors or osteopaths by the higher education coordinating ~~commission~~ *board*. In selecting medical students priority shall be given to students enrolled in Minnesota. Each recipient shall execute a note to the state payable on demand for the principal amount of the loan with interest at not more than eight percent per annum the rate applicable to any particular note to be determined by the ~~commission~~ *board*. Interest shall run on the principal balance from the date of the loan until the principal sum is paid said interest to be payable when the principal sum is paid; provided that the obligation to repay the principal and interest on any such loan shall be forgiven if the recipient has practiced medicine or osteopathy for a period of 18 months for each initial or renewal period of the loan, or five years, whichever is less, in an area in need of medical doctors or osteopaths as designated by the higher education coordinating ~~commission~~ *board*. If the recipient fails to fulfill the obligation to practice, the principal and interest on any such loan shall be payable according to the terms of the note executed by such recipient. Assistance may be granted in the amount that the ~~commission~~ *board* determines sufficient for the purpose specified in this section not to exceed \$5,000 per recipient per year. Loans shall be renewed on an annual basis contingent on the good standing of the recipient in the program. No individual recipient shall receive loans to exceed \$20,000 in aggregate principal amount. The ~~commission~~ *board* may delay the time for beginning practice not more than four years after the recipient has qualified to practice if the recipient wishes to seek additional medical or osteopathic training.

*An amount not to exceed \$5,000, plus interest accrued thereon shall be forgiven within a month immediately following the 18 month period of practice if the board finds the recipient eligible for the forgiveness. The entire balance due and owing under the loan shall be forgiven within one month immediately following five years of practice if the board finds such eligibility."*

Renumber the articles in sequence

Amend the title amendment as follows:

Page 77, line 48, after "revenue;" insert "forgiving certain amounts of loans to certain medical students;"



Page 78, line 11, after "Sections" insert "147.30;"

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Brown moved to amend the amendment placed on H. F. No. 1979 by the Committee on Taxes and Tax Laws, adopted by the Senate March 18, 1976, as follows:

Page 77, after line 10, insert a new Article XVII to read:

### **"ARTICLE XVII**

Section 1. Minnesota Statutes 1974, Section 290 13, is amended by adding a subdivision to read:

*Subd. 11. [COST BASIS OF RESIDENCES; INFLATION.] When property used by a taxpayer as his principal residence is sold for an amount greater than its cost the gain for the purposes of chapter 290 shall be adjusted to correct for the effect of monetary inflation since the purchase of the residence. The commissioner, using standard statistical information prepared by the United States government, shall annually by rule adopt a percentage figure for each year commencing with 1933 to express the monetary inflation since that year. The percentage figure for the year of purchase shall be multiplied times the cost of purchase. The product shall be added to the cost of purchase and the sum shall be the basis for determining the gain upon the sale of the residence. If the residence was purchased before 1933 the percentage figure for 1933 shall be used.*

Sec. 2. This article is effective for taxable years beginning after December 31, 1975."

Further, amend the title amendment as follows:

Page 77, line 48, after "revenue;" insert "providing an inflation adjustment for the cost of residences for income tax purposes;"

Page 78, line 2, after "1," insert "290.13, by adding a subdivision."

The question being taken on the adoption of the amendment to the amendment,

And the roll being called, there were yeas 26 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Ogdahl	Stassen
Bang	Fitzsimons	Kirchner	O'Neill	Ueland
Berg	Frederick	Knutson	Patton	
Bernhagen	Hansen, Mel	Kowalczyk	Pillsbury	
Blatz	Hanson, R.	Larson	Renneke	
Brown	Jensen	Nelson	Sillers	

Those who voted in the negative were:

Arnold	Doty	Laufenburger	Olson, A. G.	Schrom
Borden	Gearty	Lewis	Olson, H. D.	Solon
Chenoweth	Hansen, Baldy	McCutcheon	Perpich, A. J.	Spear
Chmielewski	Hughes	Merriam	Perpich, G.	Stokowski
Coleman	Humphrey	Milton	Purfeerst	Stumpf
Conzemius	Keefe, S.	Moe	Schaaf	Tennessee
Davies	Kleinbaum	Olhoft	Schmitz	

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

Mr. Jensen moved to amend the amendment placed on H. F. No. 1979 by the Committee on Taxes and Tax Laws, adopted by the Senate March 18, 1976, as follows:

Page 15, line 20, strike "1975" and insert "1976"

Page 15, line 21, strike "1975" and insert "1976"

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Frederick moved to amend the amendment placed on H. F. No. 1979 by the Committee on Taxes and Tax Laws, adopted by the Senate March 18, 1976, as follows:

Page 58, after line 28, insert:

"Sec. 6 Minnesota Statutes 1974, Section 290.09, is amended by adding a subdivision to read:

*Subd. 30. [POST SECONDARY SCHOOL EXPENSE.] Fifty percent of the amount paid to others for tuition and textbooks of each dependent attending an accredited post secondary school; provided that the deduction for each dependent shall not exceed \$1,000 per year or a cumulative total of \$4,000 for each dependent. For purposes of this subdivision any grant or scholarship received by a dependent shall be deemed to be paid by the dependent for tuition and textbooks.*

Sec. 2 [EFFECTIVE DATE.] *Section 1 shall be effective for taxable years beginning after December 31, 1975."*

Renumber the sections in sequence

Amend the title amendment as follows:

Page 77, line 33, after the semicolon, insert "providing for a deduction from gross income for amounts paid for post secondary school expenses."

Page 78, line 2, after "1," insert "290.09, by adding a subdivision:"

The question being taken on the adoption of the amendment to the amendment,

And the roll being called, there were yeas 21 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hanson, R.	Kowalczyk	Renneke
Bang	Fitzsimons	Jensen	O'Neill	Sillers
Berg	Frederick	Kirchner	Patton	Stassen
Bernhagen	Hansen, Mel	Knutson	Pillsbury	Ueland
Blatz				

Those who voted in the negative were:

Arnold	Doty	Lewis	Perpich, A. J.	Stokowski
Borden	Gearty	McCutcheon	Perpich, G.	Stumpf
Chenoweth	Hansen, Baldy	Merriam	Purfeerst	Tennessen
Chmielewski	Humphrey	Milton	SchAAF	Willet
Coleman	Keefe, S.	Moe	Schmitz	
Conzemius	Kleinbaum	Olhoft	Solon	
Davies	Laufenburger	Olson, H. D.	Spear	

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

Mr. O'Neill moved to amend the amendment placed on H. F. No. 1979 by the Committee on Taxes and Tax Laws, adopted by the Senate March 18, 1976, as follows:

Page 29, after line 11, insert

"Sec. 11. Minnesota Statutes, 1975 Supplement, Section 290.06. Subdivision 2c, is amended to read:

Subd. 2c. [SCHEDULE OF RATES FOR INDIVIDUALS, ESTATES AND TRUSTS.] (a) *Subject to subdivision 2d*, for taxable years beginning after December 31, 1971, the income taxes imposed by chapter 290 upon individuals, estates and trusts, other than those taxable as corporations, shall be computed by applying to their taxable net income in excess of the applicable credits allowed by section 290.21, the following schedule of rates:

- (1) On the first \$500, one and six-tenths percent;
- (2) On the second \$500, two and two-tenths percent;
- (3) On the next \$1,000, three and five-tenths percent;
- (4) On the next \$1,000, five and eight-tenths percent;
- (5) On the next \$1,000, seven and three-tenths percent;
- (6) On the next \$1,000, eight and eight-tenths percent;
- (7) On the next \$2,000, ten and two-tenths percent;
- (8) On the next \$2,000, eleven and five-tenths percent;
- (9) On the next \$3,500, twelve and eight-tenths percent;
- (10) On all over \$12,500, and not over \$20,000, fourteen percent;
- (11) On the remainder, fifteen percent.

(b) In lieu of a tax computed according to the rates set forth in clause (a) of this subdivision *and subdivision 2d*, the tax of any individual taxpayer whose taxable net income for the taxable year, reduced by the applicable credits allowed by section 290.21, is less than \$10,000 shall be computed in accordance with tables prepared and issued by the commissioner of revenue based on income brackets of not more than \$100. The amount of tax for each bracket shall be computed at the rates set forth in this subdivision *and subdivision 2d*.

Sec. 12. Minnesota Statutes 1974, Section 290.06, is amended by adding a subdivision to read:

*Subd. 2d. [INFLATION ADJUSTMENT.] For taxable years beginning after December 31, 1975, the rates imposed by subdivision 2c shall be adjusted for inflation. The commissioner of revenue shall annually determine the percentage increase in the consumer price index for the Minneapolis-St. Paul metropolitan area prepared by the United States department of labor with 1967 as a base year. The commissioner shall determine the increase*

*from September 1, 1975 to August 30 each succeeding year. He shall announce the percentage figure by November 1, each year. The dollar amount in each range of the schedule shall be multiplied times the percentage. The product of each calculation shall be added to the dollar amount in each range to produce inflation adjusted taxable net income subject to the rates in subdivision 2c for each succeeding year."*

Renumber the sections in sequence

Amend the title amendment as follows:

Page 77, line 38, after the semicolon, insert "providing an inflation adjustment for the income tax rate schedule;"

Page 78, line 2, after "9a" insert ", and by adding a subdivision,"

Page 78, line 15, strike "Subdivision 3c" and insert "Subdivisions 2c and 3c"

The question being taken on the adoption of the amendment to the amendment,

And the roll being called, there were yeas 26 and nays 33. as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Nelson	Stassen
Bang	Fitzsimons	Keefe, J.	O'Neill	Ueland
Berg	Frederick	Kirchner	Patton	
Bernhagen	Hansen, Mel	Knutson	Pillsbury	
Blatz	Hanson, R.	Kowaiczuk	Renneke	
Brown	Jensen	Larson	Sillers	

Those who voted in the negative were:

Arnold	Doty	Laufenburger	Olson, H. D.	Stokowski
Borden	Gearty	Lewis	Perpich, A. J.	Stumpf
Chenoweth	Hansen, Baldy	McCutcheon	Perpich, G.	Tennessen
Chmielewski	Hughes	Merriam	Purfeerst	Wegener
Coleman	Humphrey	Moe	Schaaf	Willet
Conzemius	Keefe, S.	Olhoft	Solon	
Davies	Kleinbaum	Olson, A. G.	Spear	

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

Mr. Frederick moved to amend the amendment placed on H. F. No. 1979 by the Committee on Taxes and Tax Laws, adopted by the Senate March 18, 1976, as follows:

Page 7, after line 1, insert:

Section 1. Minnesota Statutes 1974, Section 291.01, Subdivision 4, is amended to read:

Subd. 4. [JOINTLY OWNED PROPERTY.] Whenever any property, real or personal, is held in the joint names of two or more persons, or is deposited in banks or in other institutions or depositories in the joint names of two or more persons payable to either or the survivor, upon the death of one of such persons the right of the sur-

vivor or survivors, to the immediate ownership or possession and enjoyment of such property, shall be deemed a transfer and subject to the inheritance tax imposed by this chapter, except such part thereof as may be shown to have originally belonged to the survivor or survivors and never to have been received or acquired by them from the decedent for less than an adequate and full consideration in money or money's worth; in which case there shall be excepted only such part as is proportionate to the consideration furnished by the survivor or survivors. Provided, where any property has been acquired prior to April 29, 1935, by the decedent and spouse, as joint tenants, not in excess of one-half of the value thereof shall be taxable. Provided, further, where property has been acquired at any time by gift, bequest, devise, or inheritance, by the decedent and any other person or persons, as joint tenants, the taxable portion shall be the value of a fractional part of said property to be determined by dividing the value of the property by the number of joint tenants.

*Notwithstanding the above rule, if the property is held or deposited in the joint names of the decedent and spouse, it shall be presumed that each furnished one half the consideration, unless the survivor can show he furnished more than one half the consideration.*

*This section shall apply to the estates of persons whose death occurs on or after August 1, 1976."*

Renumber the sections in sequence

Amend the title amendment as follows:

Page 78, line 2, after "1;" insert "291.01, Subdivision 4,"

The question being taken on the adoption of the amendment to the amendment,

Mr. Perpich, A. J. moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 28 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Jensen	Larson	Renneke
Bang	Dunn	Josefson	Nelson	Sillers
Berg	Fitzsimons	Keefe, J.	Ogdahl	Stassen
Bernhagen	Frederick	Kirchner	O'Neill	Ueland
Blatz	Hansen, Mel	Knutson	Patton	
Brown	Hanson, R.	Kowalczyk	Pillsbury	

Those who voted in the negative were:

Arnold	Gearty	Lewis	Purfeerst	Stumpf
Borden	Hansen, Baldy	McCutcheon	Schaaf	Tennessee
Chenoweth	Hughes	Merriam	Schmitz	Wegner
Coleman	Humphrey	Olhoft	Schrom	Willet
Conzemius	Keefe, S.	Olson, A. G.	Solon	
Davies	Kleinbaum	Perpich, A. J.	Spear	
Doty	Laufenburger	Perpich, G.	Stokowski	

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

Mr. Nelson moved to amend the amendment placed on H. F. No.

1979 by the Committee on Taxes and Tax Laws, adopted by the Senate March 18, 1976, as follows:

Page 11, line 9, strike "\$30,000" and insert "\$60,000"

Page 13, line 6, strike everything after ", a" and insert "*spouse or a surviving spouse of a child*"

Page 13, line 7, strike "daughter"

Page 13, line 9, strike "\$500" and insert "\$1,000"

The question being taken on the adoption of the amendment to the amendment,

And the roll being called, there were yeas 23 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Nelson	Sillers
Berg	Fitzsimons	Keefe, J.	Ogdahl	Stassen
Bernhagen	Frederick	Kirchner	O'Neill	Ueland
Blatz	Hansen, Mel	Knutson	Patton	
Brown	Jensen	Kowalczyk	Pillsbury	

Those who voted in the negative were:

Anderson	Davies	Kleinbaum	Perpich, A. J.	Stumpf
Arnold	Doty	Laufenburger	Purfeerst	Tennessen
Borden	Gearty	Lewis	Schaaf	Wegener
Chenoweth	Hansen, Baldy	Merriam	Schrom	Willet
Chmielewski	Hughes	Moe	Solon	
Coleman	Humphrey	Olhoft	Spear	
Conzemius	Keefe, S.	Olson, A. G.	Stokowski	

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

Mr. Brown moved to amend the amendment placed on H. F. No. 1979 by the Committee on Taxes and Tax Laws, adopted by the Senate March 18, 1976, as follows:

Page 77, after line 10, insert a new Article XVII to read:

### "ARTICLE XVII

Section 1. Minnesota Statutes, 1975 Supplement, Section 290.06, Subdivision 2c, is amended to read:

Subd. 2c. [SCHEDULE OF RATES FOR INDIVIDUALS, ESTATES AND TRUSTS.] (a) For taxable years beginning after December 31, 1974 1975, the income taxes imposed by chapter 290 upon individuals, estates and trusts, other than those taxable as corporations, shall be computed by applying to their taxable net income in excess of the applicable credits allowed by section 290.21, the following schedule of rates:

- (1) On the first \$500, one ~~and six-tenths~~ percent;
- (2) On the second \$500, two ~~and two-tenths~~ percent;

(3) On the ~~next \$1,000~~ *third \$500* , ~~three and five-tenths per-~~  
~~cent;~~

(4) On the ~~next \$1,000~~ *fourth \$500* , ~~five and eight-tenths four~~  
~~percent;~~

(5) On the next \$1,000, ~~seven and three-tenths~~ *five* percent;

(6) On the next \$1,000, ~~eight and eight-tenths~~ *six* percent;

(7) On the next ~~\$2,000~~ *\$1,000* , ~~ten and two-tenths~~ *seven* per-  
~~cent;~~

(8) On the next ~~\$2,000~~ *\$1,000* , ~~eleven and five-tenths~~ *eight* per-  
~~cent;~~

(9) On the next ~~\$3,500~~ *\$1,000* , ~~twelve and eight-tenths~~ *nine* per-  
~~cent;~~

(10) On ~~all over \$12,500, and not over \$20,000~~ *the next \$1,000* ,  
~~fourteen~~ *ten* percent;

(11) *On the next \$1,000, eleven percent;*

(12) *On the next \$1,000, twelve percent;*

(13) *On the next \$2,500, thirteen percent;*

(14) *On the next \$2,500, fourteen percent;*

~~(11)~~ (15) *On the remainder, fifteen percent.*

(b) In lieu of a tax computed according to the rates set forth in clause (a) of this subdivision, the tax of any individual taxpayer whose taxable net income for the taxable year, reduced by the applicable credits allowed by section 290.21, is less than \$10,000 shall be computed in accordance with tables prepared and issued by the commissioner of revenue based on income brackets of not more than \$100. The amount of tax for each bracket shall be computed at the rates set forth in this subdivision.

Sec. 2. This article is effective for taxable years beginning after December 31, 1975."

Page 69, line 25, strike "21" and insert "25"

Page 69, line 31, strike "21" and insert "25"

Page 70, line 17, strike "21" and insert "25"

Further, amend the title amendment as follows:

Page 77, line 48, after "revenue;" insert "changing the tax rates and credits for individuals;"

Page 78, line 15, strike "Subdivision" and insert "Subdivisions 2c and"

The question being taken on the adoption of the amendment to the amendment,

And the roll being called, there were yeas 23 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Josefson	Nelson	Sillers
Bernhagen	Frederick	Keefe, J.	O'Neill	Stassen
Blatz	Hansen, Mel	Kirchner	Patton	Ueland
Brown	Hanson, R.	Knutson	Pillsbury	
Dunn	Jensen	Kowalczyk	Renneke	

Those who voted in the negative were:

Anderson	Davies	Laufenburger	Olson, A. G.	Stokowski
Arnold	Doty	Lewis	Perpich, A. J.	Stumpf
Borden	Gearty	McCutcheon	Purfeerst	Tennessee
Chenoweth	Hansen, Baldy	Merriam	Schaaf	Wegener
Chmielewski	Hughes	Milton	Schmitz	
Coleman	Humphrey	Moe	Solon	
Conzemius	Keefe, S.	Olhoft	Spear	

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

Mr. Blatz moved to amend the amendment placed on H. F. No. 1979 by the Committee on Taxes and Tax Laws, adopted by the Senate March 18, 1976, as follows:

Page 75, after line 29, insert:

#### "ARTICLE XV

Section 1. [DEFINITION.] *"Surplus in the general revenue fund in the state treasury" means the amount of cash which is in the general revenue fund on June 30 of any year which is not encumbered as required by Minnesota Statutes, Section 16.16, or is not appropriated or dedicated by other provisions of law to a specific purpose, and which is in excess of \$30,000,000.*

Sec. 2. [COMMISSIONER OF ADMINISTRATION'S CERTIFICATE.] *The commissioner of administration on or before January 20 of each year shall certify and deliver to the commissioner of revenue an estimate of the prospective surplus in the general revenue fund on June 30 next following. If the commissioner of revenue does not approve the amount so certified, he shall forthwith return the certificate to the commissioner of administration who shall, within five days of the date of the return thereof, review the estimate and certify and deliver to the commissioner of revenue an estimate of the prospective surplus in the general revenue fund on June 30 next following. If necessary, this shall be done repeatedly until the commissioner of revenue approves the amount of the estimate.*

Sec. 3. [COUNTY AUDITOR'S DUTIES.] *Subdivision 1. [CERTIFICATE.] On or before December 31, in each year, the county auditor shall certify and transmit to the state auditor, in such form as may be prescribed by the state auditor the total amount in dollars of all taxes levied the current year upon all taxable property, real and personal, within the county for any purpose.*

*Subd. 2. [PENALTY FOR COUNTY AUDITOR'S FAILURE.] If the county auditor of any county fails in any year to comply with the provisions of subdivision 1, the taxes for the year in which the certificate was required shall not be reduced as provided in this*



*act and the state auditor shall not pay any moneys to the county for that year.*

**Sec. 4. [REDUCTION OF TAXES.] Subdivision 1. [PERCENTAGE.]** *Upon receipt of the certificates provided for in section 3 by the state auditor, he shall determine the percentage resulting from a ratio in which the numerator is the amount of the surplus in the general revenue fund and the denominator is the total amount of all taxes levied in all counties upon taxable property, real and personal, as certified by the county auditors pursuant to section 3, subdivision 1.*

**Subd. 2. [CERTIFICATION OF PERCENTAGE OF REDUCTION.]** *Upon determination of the percentage provided for in subdivision 1, the state auditor shall forthwith, and in no event later than January 25 of each year, certify to the county auditor and county treasurer of every county in the state the percentage so determined as the percentage to be used in the reduction, as hereinafter provided, of taxes upon all property, real and personal, payable in the current year.*

**Subd. 3. [REDUCTION OF TAXES.]** *Upon certification by the state auditor as provided in subdivision 2 of this section all taxes in the state upon taxable property, real or personal, which are due and payable in the current year are reduced, effective at the time of payment thereof, in the amount produced by applying the percentage so certified to the full amount of the taxes upon real property or personal property, due and payable in the current year. The payment, as otherwise provided by law, of the taxes so reduced shall constitute payment in full of all or the portion of the taxes for the current year so paid.*

**Subd. 4. [DELINQUENT TAXES.]** *If delinquent taxes for any year to which the provisions of this act apply are to be paid the taxes for the year shall be reduced in like manner by applying the appropriate percentage certified by the state auditor for the year in question.*

**Sec. 5. [PAYMENT TO COUNTIES.]** *On or before July 15 of each year the state auditor shall pay to each county from the general revenue fund in the state treasury an amount of money equal to the amount produced by applying to the amount of the surplus last certified pursuant to section 2 the percentage resulting from a ratio in which the numerator is the amount of taxes levied in the county in the preceding year as certified by the county auditor pursuant to section 3, subdivision 1, and the denominator is the total amount of all taxes levied in all counties in the state as so certified. The amount of money necessary to make the payments herein provided for is hereby annually appropriated from the general revenue fund in the state treasury.*

**Sec. 6. Minnesota Statutes 1961, Section 272.31, is amended to read:**

**272.31 [LIEN OF REAL ESTATE TAXES.]** *The taxes assessed upon real property shall be a perpetual lien thereon, and on all structures and standing timber thereon and on all minerals therein, from and including January 2 in the year in which they are levied,*

until they are paid; but, as between grantor and grantee, such lien shall not attach until the first Monday of ~~January~~ February of the year next thereafter."

Renumber the articles in sequence

Amend the title amendment as follows:

Page 77, line 48, after "revenue;" insert "providing for the reduction of certain taxes under certain conditions and for payments of moneys by the state to several counties under certain conditions; prescribing penalty for certain failures;"

The question being taken on the adoption of the amendment to the amendment,

And the roll being called, there were yeas 22 and nays 31, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Keefe, J.	O'Neill	Stassen
Berg	Frederick	Kirchner	Patton	Ueland
Bernhagen	Hansen, Mel	Knutson	Pillsbury	
Blatz	Jensen	Kowalczyk	Renneke	
Brown	Josefson	Nelson	Sillers	

Those who voted in the negative were:

Anderson	Dunn	Lewis	Perpich, A. J.	Spear
Arnold	Gearty	McCutcheon	Purfeerst	Stokowski
Borden	Hughes	Merriam	Schaaf	Stumpf
Coleman	Humphrey	Milton	Schmitz	Tennessen
Conzemius	Keefe, S.	Moe	Schrom	Wegener
Davies	Laufenburger	Olhoft	Solon	Willet
Doty				

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

Mr. Stassen moved to amend the amendment placed on H. F. No. 1979 by the Committee on Taxes and Tax Laws, adopted by the Senate March 18, 1976, as follows:

Page 77, after line 10, insert:

## "ARTICLE XVII

Section 1. A taxpayer who pays property taxes on class 3 or class 3b agricultural land as defined in Minnesota Statutes, Section 273.13 shall receive from the state a refund of the taxes paid on that part of the land left uncultivated or unharvested for wildlife habitat and feeding purposes during the crop season in the year in which the taxes were assessed. A refund pursuant to this act may be claimed in one year for not more than 2½ percent of the class 3 or class 3b agricultural land owned by the taxpayer.

Sec. 2. The commissioner of revenue may require reasonable proof of the facts necessary to claim the refund and shall provide for administration of the refunds by the state and the counties.

Sec. 3. The refund shall be paid in the year following the year when the taxes are paid.

Sec. 4. *The sum of \$ . . . . . is appropriated to the commissioner of revenue from the general fund for the purposes of this act during the biennium commencing July 1, 1975. This appropriation shall not lapse until June 30, 1977.*

Sec. 5. *This act is effective for taxes levied and assessed in 1975 and thereafter and payable in 1976 and thereafter."*

Amend the title amendment as follows:

Page 77, line 48, after "revenue;" insert "providing a property tax refund for certain uncultivated or unharvested agricultural land;"

The question being taken on the adoption of the amendment to the amendment,

And the roll being called, there were yeas 29 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Nelson	Renneke
Berg	Fitzsimons	Keefe, J.	Ogdahl	Sillers
Bernhagen	Frederick	Kirchner	Olson, H. D.	Stassen
Blatz	Hansen, Mel	Knutson	O'Neill	Ueland
Brown	Hanson, R.	Kowalczyk	Patton	Willet
Chmielewski	Jensen	Larson	Pillsbury	

Those who voted in the negative were:

Anderson	Doty	Lewis	Perpich, A. J.	Stokowski
Arnold	Gearty	McCutcheon	Purfeerst	Stumpf
Borden	Hansen, Baldy	Merriam	Schaaf	Tennessen
Chenoweth	Hughes	Milton	Schmitz	Wegener
Coleman	Humphrey	Moe	Schrom	
Conzemius	Keefe, S.	Olhoft	Solon	
Davies	Laufenburger	Olson, A. G.	Spear	

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

Mr. Stassen moved to amend the amendment placed on H. F. No. 1979 by the Committee on Taxes and Tax Laws, adopted by the Senate March 18, 1976, as follows:

Page 77, after line 10, insert:

### *"ARTICLE XVII*

Section 1. Minnesota Statutes 1974, Section 290.06, is amended by adding a subdivision to read:

*Subd. 12. [VANS USED TO TRANSPORT EMPLOYEES.] A credit equal to five percent of the cost of motor vehicles, having a capacity of nine or more passengers, purchased or leased by a taxpayer doing business in the state of Minnesota to be used to transport employees of the purchaser to and from the place of business of the purchaser or lessor located within the state may be deducted from the tax due under chapter 290 for the year in which the vehicles were purchased or leased.*

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 297B.03, is amended to read:

297B.03 [EXEMPTIONS.] There is specifically exempted from the provisions of this chapter and from computation of the amount of tax imposed by it the following:

(1) Purchase or use of any motor vehicle by any person described in and subject to the conditions provided in section 297A.25, subdivision 1, clauses (j), (p) and (s).

(2) Purchase or use of any motor vehicle by any person who was a resident of another state at the time of the purchase and who subsequently becomes a resident of Minnesota, provided the purchase occurred more than 60 days prior to the date such person moved his residence to the state of Minnesota.

(3) Purchase or use of any motor vehicle by any person making a valid election to be taxed under the provisions of section 297A.211.

(4) Purchase or use of any motor vehicle previously registered in the state of Minnesota by any corporation or partnership when such transfer constitutes a transfer within the meaning of sections 351 or 721 of the Internal Revenue Code of 1954, as amended through December 31, 1974.

(5) *Purchase, lease or use of any motor vehicle having a capacity of nine or more passengers by a person doing business in the state of Minnesota when the vehicle is intended and used to transport employees of the purchaser or lessor to and from the place of business of the purchaser or lessor located within the state.*

Sec. 3. [EFFECTIVE DATE.] *This article shall be effective for sales of vehicles after April 30, 1976."*

Amend the title amendment as follows:

Page 77, line 48, after "revenue;" insert "providing a credit for purchase of, and an exemption for, vans used to transport employees;"

Page 78, line 2, after "9a" insert ", and by adding a subdivision"

Page 78, line 18, after "290A.14;" insert "297B.03;"

The question being taken on the adoption of the amendment to the amendment,

And the roll being called, there were yeas 22 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Kirchner	O'Neill	Stassen
Bernhagen	Hansen, Mel	Kowalczyk	Patton	Ueland
Blatz	Hanson, R.	Milton	Pillsbury	
Brown	Josefson	Nelson	Renneke	
Dunn	Keefe, J.	Ogdahl	Sillers	

Those who voted in the negative were:

Anderson	Chenoweth	Davies	Hughes	Kleinbaum
Arnold	Chmielewski	Doty	Humphrey	Laufenburger
Berg	Coleman	Gearty	Jensen	Lewis
Borden	Conzemius	Hansen, Baldy	Keefe, S.	McCutcheon

Merriam	Perpich, A. J.	Schmitz	Spear	Tennessen
Moe	Purfeerst	Schrom	Stokowski	Wegener
Olhoft	Schaaf	Solon	Stumpf	Willet
Olson, H. D.				

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

Mr. Bernhagen moved to amend the amendment placed on H. F. No. 1979 by the Committee on Taxes and Tax laws, adopted by the Senate March 18, 1976, as follows:

Page 51, line 32, before "For" insert "Subdivision 1."

Page 52, after line 9, insert:

*"Subd. 2. [EASEMENT FOR BUILDINGS USING SOLAR ENERGY.] An easement for sunlight is granted to a person owning a building using a system of energy, heating or cooling which is dependent in whole or part on the sun. No person may construct, alter or erect a building, billboard, fence, wall or other object or otherwise cause an impairment or interference with the capacity or capability of a system of energy, heating or cooling dependent in whole or part on the sun.*

*Subd. 3. A person violating subdivision 1 is liable to the owner of the building so affected in an amount equal to three times the actual and necessary cost of implementing an alternative energy, heating or cooling system necessitated by a diminution in the capability or capacity of the solar energy, heating or cooling system."*

The question being taken on the adoption of the amendment to the amendment,

And the roll being called, there were yeas 20 and nays 36, as follows:

Those who voted in the affirmative were:

Berg	Dunn	Hanson, R.	Ogdahl	Renneke
Bernhagen	Fitzsimons	Josefson	O'Neill	Sillers
Blatz	Frederick	Keefe, J.	Patton	Stassen
Brown	Hansen, Mel	Kowalczyk	Pillsbury	Ueland

Those who voted in the negative were:

Arnold	Gearty	Lewis	Perpich, A. J.	Stumpf
Borden	Hansen, Baldy	McCutcheon	Purfeerst	Tennessen
Chenoweth	Hughes	Merriam	Schaaf	Wegener
Chmielewski	Humphrey	Moe	Schmitz	Willet
Coleman	Jensen	Nelson	Schrom	
Conzemius	Keefe, S.	Olhoft	Solon	
Davies	Kleinbaum	Olson, A. G.	Spear	
Doty	Laufenburger	Olson, H. D.	Stokowski	

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

H. F. No. 1979 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 59 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Davies ; Keefe, S. and Tennessen voted in the negative.

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

#### RECESS

Mr. Coleman moved that the Senate do now recess until 2:45 o'clock p.m. The motion prevailed.

The hour of 2:45 o'clock p.m. having arrived, the President called the Senate to order.

#### MEMBERS EXCUSED

Pursuant to Rule 21, Mr. Schaaf moved that the following members be excused for a Conference Committee on H. F. No. 109:

Messrs. Schaaf, Brown and Stokowski. The motion prevailed.

Mr. Patton was excused from the Session of today at 4:30 o'clock p.m.

#### 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:

H. F. No. 525, pursuant to the request of the House:

Messrs. Laufenburger, Brown, Schaaf, North and Borden.

H. F. No. 1997, pursuant to the request of the House:

Messrs. Anderson, Hughes, O'Neill, Sillers and Lewis.

S. F. No. 840, pursuant to the request of the Senate:

Messrs. Tennessen, Stokowski and Jensen.

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

**SPECIAL ORDER**

S. F. No. 2277: A bill for an act relating to the organization and operation of state government; codifying various provisions formerly contained as riders in appropriation acts; amending Minnesota Statutes 1974, Sections 3.755; 16A.72; 38.02, Subdivision 1, and by adding a subdivision; 121.26; 125.08; 136.06; 136.-11, Subdivisions 1 and 2, and by adding subdivisions; 136.13; 136.62, by adding a subdivision; 137.02, by adding a subdivision; 138.01; 144.169, by adding a subdivision; 158.04; 158.05; 158.08; 161.142, Subdivision 6; 161.201; 167.45; 171.26; 173.231; 241.27, by adding a subdivision; 245.61; 245.65, Subdivision 1; 246.02, Subdivisions 2 and 4; 248.07, Subdivision 8; 252.27, Subdivision 1; 254A.08, Subdivision 3; 256.01, Subdivision 8; 256.011; 260.-311, Subdivision 5; 299D.03, Subdivision 6; 299D.04; 352B.02, Subdivision 1; Chapters 134, 136, 137, 138, 161, 242, 245, and 246, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 16.02, Subdivision 16; 136A.121, Subdivision 3; 243.09, Subdivision 3; 252.24, Subdivision 4; 260.251, Subdivision 1a; 268.08, Subdivision 5; repealing Minnesota Statutes 1974, Sections 136.821; 161.241, Subdivision 5; 161.261, Subdivision 3; 167.40; 299D.03, Subdivision 4; Laws 1969, Chapter 157, Section 2; Laws 1973, Chapter 768, Section 23; and Laws 1975, Chapter 433, Section 20.

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 45 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	Olhoft	Sillers
Arnold	Gearty	Kleinbaum	Olson, A. G.	Solon
Ashbach	Hansen, Baldy	Knutson	Olson, H. D.	Spear
Bernhagen	Hansen, Mel	Kowalczyk	Patton	Stassen
Borden	Hanson, R.	Lewis	Perpich, A. J.	Stumpf
Coleman	Hughes	McCutcheon	Perpich, G.	Tennessen
Conzemius	Jensen	Merriam	Pillsbury	Ueland
Davies	Josefson	Milton	Purfeerst	Wegener
Doty	Keefe, S.	Moe	Schmitz	Willet

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 2465: A bill for an act relating to natural resources; appropriating money for overtime compensation to conservation officers pursuant to contract; describing the contract provisions.

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 44 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kleinbaum	Olson, A. G.	Solon
Arnold	Fitzsimons	Knutson	Olson, H. D.	Spear
Ashbach	Gearty	Kowalczyk	Patton	Stassen
Bang	Hansen, Mel	Lewis	Perpich, G.	Stumpf
Bernhagen	Hanson, R.	McCutcheon	Pillsbury	Tennessen
Borden	Hughes	Merriam	Purfeerst	Ueland
Coleman	Jensen	Milton	Schmitz	Wegener
Conzemius	Keefe, S.	Moe	Schrom	Willet
Davies	Kirchner	Olhoft	Sillers	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

S. F. No. 1857: A bill for an act creating a Minnesota law revision board; prescribing its duties and functions; and appropriating funds for its operation.

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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Patton	Spear
Arnold	Fitzsimons	Knutson	Perpich, A. J.	Stassen
Ashbach	Gearty	Kowalczyk	Perpich, G.	Stumpf
Bang	Hansen, Mel	Lewis	Pillsbury	Tennessen
Bernhagen	Hanson, R.	McCutcheon	Purfeerst	Ueland
Borden	Hughes	Merriam	Renneke	Wegener
Brown	Jensen	Milton	Schmitz	Willet
Conzemius	Josefson	Moe	Schrom	
Davies	Keefe, S.	Olhoft	Sillers	
Doty	Kirchner	Olson, A. G.	Solon	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

S. F. No. 2241: A bill for an act relating to game and fish; requiring a migratory waterfowl stamp; providing for disposition of proceeds of sale.

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 36 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Milton	Stumpf
Arnold	Dunn	Kirchner	Moe	Tennessen
Bang	Fitzsimons	Knutson	Patton	Ueland
Bernhagen	Frederick	Kowalczyk	Pillsbury	Willet
Brown	Gearty	Laufenburger	Purfeerst	
Chenoweth	Hansen, Mel	Lewis	Renneke	
Coleman	Hughes	McCutcheon	Spear	
Conzemius	Jensen	Merriam	Stassen	



Those who voted in the negative were:

Ashbach	Josefson	Olhoff	Perpich, G.	Sillers
Borden	Kleinbaum	Olson, A. G.	Schmitz	Solon
Hansen, Baldy	Ogdahl	Olson, H. D.	Schrom	Wegener
Hanson, R.				

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 485: A bill for an act relating to the operation of state government; creating a department of vocational rehabilitation; transferring the powers and duties of the division of vocational rehabilitation to the department; transferring personnel and appropriations; repealing Minnesota Statutes 1974, Sections 121.29; 121.30; 121.301; 121.31; 121.32; 121.33; 121.331; 121.71; 121.711; 121.712; 121.713; and 121.714.

Mr. Anderson moved to amend S. F. No. 485, as follows:

Page 13, after line 21, insert

"Sec. 11. Notwithstanding the provisions of Laws 1975, Chapter 433, Section 2, Subdivision 9, any additional federal funds which become available to the state of Minnesota for vocational rehabilitation purposes after March 1, 1976 and April 1 of each fiscal year thereafter as a result of a reallocation of funds returned by other states or release of additional funds may be carried over and expended in the next fiscal year. The state of Minnesota shall have earned these funds in the year they are received with state expenditures in accordance with the federal-state formula in effect for that year. These funds shall be subject to the provisions of section 9, subdivision 8 of this act."

Renumber the sections accordingly

Page 13, line 22, before "This" insert "Sections 1 to 10 of"

Page 13, line 22, strike "takes" and insert "take"

Page 13, line 23, after the period insert "Section 11 of this act is effective the day following final enactment."

The motion prevailed. So the amendment was adopted.

S. F. No. 485 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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chenoweth	Frederick	Humphrey	Knutson
Arnold	Coleman	Gearty	Jensen	Laufenburger
Ashbach	Conzemius	Hansen, Baldy	Josefson	Lewis
Bang	Davies	Hansen, Mel	Keefe, J.	McCutcheon
Bernhagen	Doty	Hanson, R.	Kirchner	Merriam
Borden	Dunn	Hughes	Kleinbaum	Milton

Ogdahl	Patton	Schmitz	Stassen	Willet
Olhoff	Perpich, A. J.	Sillers	Stumpf	
Olson, A. G.	Pillsbury	Solon	Tennessee	
Olson, H. D.	Renneke	Spear	Ueland	

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

### SPECIAL ORDER

S. F. No. 1644: A bill for an act relating to public welfare; establishing a senior companion program; appropriating funds.

Mr. Borden moved to amend S. F. No. 1644 as follows:

Page 1, line 19, after the period insert "Foster grandparents currently serving individuals over 21 years of age pursuant to Minnesota Statutes, Section 256.976 shall, after the effective date of this act, be called senior companions."

The motion prevailed. So the amendment was adopted.

Mr. Bernhagen moved to amend S. F. No. 1644 as follows:

Page 2, after line 32 insert:

"Sec. 3. [DEFINITIONS.] Subdivision 1. For the purposes of sections 3 and 4 the following terms have the meanings given them.

Subd. 2. "Commissioner" means the commissioner of the department of economic development.

Subd. 3. "Senior citizen" means any person over the age of 65 years.

Sec. 4. Subdivision 1. The department of economic development shall designate three pilot projects for the employment of the handicapped or senior citizens. The projects shall be selected (a) on the basis of need for employment by the handicapped or senior citizens in an area; and (b) on the type of handicapped person or senior citizen a project will employ. Projects employing a greater range of people, from the severely handicapped to those forced into unemployment solely because of age, shall be favored.

Subd. 2. The commissioner shall grant funds to the designated projects, which funds shall be used solely to construct a building or to lease a building or equipment to be used in the employment of the handicapped or senior citizens. No project shall receive money unless over 50 percent of the persons it employs are either handicapped or senior citizens. The grants may be made only to nonprofit corporations.

Subd. 3. The commissioner shall promulgate rules and provide application forms for the three pilot projects."

Page 3, line 1, strike "3" and insert "5"

Page 3, line 4, strike "this act." and insert "sections 1 and 2 of this act. There is appropriated to the department of economic development from the general fund the sum of \$100,000 for the biennium ending June 30, 1977, for the purposes of sections 3 and 4 of this act."

Page 3, line 5, strike "4" and insert "6"

Further, amend the title as follows:

Page 1, line 3, after the semicolon insert "providing assistance to certain employers of the handicapped or senior citizens;"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 20 and nays 25, as follows:

Thos who voted in the affirmative were:

Ashbach	Blatz	Hanson, R.	Knutson	Pillsbury
Bang	Dunn	Jensen	Kowalczyk	Renneke
Berg	Frederick	Josefson	O'Neill	Sillers
Bernhagen	Hansen, Mel	Kirchner	Patton	Stassen

Those who voted in the negative were:

Anderson	Conzemius	Humphrey	Olhoft	Solon
Arnold	Davies	Kleinbaum	Olson, A. G.	Spear
Borden	Gearty	Laufenburger	Olson, H. D.	Stumpf
Chenoweth	Hansen, Baldy	Merriam	Perpich, A. J.	Tennessen
Coleman	Hughes	Milton	Perpich, G.	Willet

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

S. F. No. 1644 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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Olhoft	Sillers
Arnold	Dunn	Kirchner	Olson, A. G.	Solon
Ashbach	Frederick	Kleinbaum	Olson, H. D.	Spear
Bang	Gearty	Knutson	O'Neill	Stassen
Berg	Hansen, Baldy	Kowalczyk	Patton	Stumpf
Bernhagen	Hansen, Mel	Laufenburger	Perpich, A. J.	Tennessen
Blatz	Hanson, R.	Merriam	Perpich, G.	Ueland
Chenoweth	Hughes	Milton	Pillsbury	Wegener
Coleman	Humphrey	Moe	Purfeerst	Willet
Conzemius	Jensen	Ogdahl	Renneke	

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

#### SPECIAL ORDER

S. F. No. 2127: A bill for an act relating to civil actions; awarding costs and attorneys fees to a party in frivolous cases; amending Minnesota Statutes 1974, Chapter 549, by adding a section.

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 44 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Josefson	Olhoft	Sillers
Arnold	Dunn	Kirchner	Olson, A. G.	Solon
Ashbach	Frederick	Kleinbaum	Olson, H. D.	Spear
Bang	Gearty	Knutson	O'Neill	Stumpf
Berg	Hansen, Baldy	Kowalczyk	Patton	Tennessen
Bernhagen	Hansen, Mel	Laufenburger	Perpich, A. J.	Ueland
Blatz	Hughes	Merriam	Perpich, G.	Wegener
Coleman	Humphrey	Milton	Pillsbury	Willet
Conzemius	Jensen	Moe	Renneke	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 2452: A bill for an act relating to juries; providing that persons 70 years of age or younger may serve on juries; amending Minnesota Statutes 1974, Section 628.43.

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 46 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Olhoft	Spear
Arnold	Dunn	Kleinbaum	Olson, A. G.	Stumpf
Ashbach	Frederick	Knutson	Olson, H. D.	Tennessen
Bang	Gearty	Kowalczyk	Patton	Ueland
Berg	Hansen, Baldy	Laufenburger	Perpich, G.	Wegener
Bernhagen	Hansen, Mel	McCutcheon	Pillsbury	Willet
Blatz	Hughes	Merriam	Purfeerst	
Coleman	Jensen	Milton	Renneke	
Conzemius	Josefson	Moe	Sillers	
Davies	Keefe, S.	Ogdahl	Solon	

Mr. Perpich, A. J. voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 2313: A bill for an act relating to commitment and discharge of inebriate persons; limiting length of commitment for inebriates; amending Minnesota Statutes 1974, Section 253A.07, Subdivision 25; Minnesota Statutes, 1975 Supplement, Sections 253A.07, Subdivision 17; and 253A.15, Subdivision 1.

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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Berg	Conzemius	Frederick	Jensen
Arnold	Bernhagen	Davies	Gearty	Josefson
Ashbach	Blatz	Doty	Hansen, Mel	Keefe, S.
Bang	Coleman	Dunn	Hughes	Kirchner

Kleinbaum	Milton	O'Neill	Renneke	Ueland
Knutson	Moe	Patton	Sillers	Wegener
Kowalczyk	Ogdahl	Perpich, A. J.	Solon	Willet
Laufenburger	Olhoft	Perpich, G.	Spear	
McCutcheon	Olson, A. G.	Pillsbury	Stumpf	
Merriam	Olson, H. D.	Purfeerst	Tennessen	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 2430: A bill for an act relating to jurisdiction over federal lands; permitting acceptance by the state of retrocession of jurisdiction over federal lands by federal agencies; amending Minnesota Statutes 1974, Section 1.043.

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 44 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Ogdahl	Renneke
Arnold	Frederick	Kleinbaum	Olhoft	Sillers
Ashbach	Gearty	Knutson	Olson, A. G.	Solon
Berg	Hansen, Baldy	Kowalczyk	Olson, H. D.	Spear
Bernhagen	Hansen, Mel	Laufenburger	O'Neill	Stumpf
Blatz	Hughes	McCutcheon	Patton	Tennessen
Coleman	Jensen	Merriam	Perpich, G.	Ueland
Davies	Josefson	Milton	Pillsbury	Wegener
Doty	Keefe, S.	Moe	Purfeerst	

Messrs. Borden and Willet voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 2248: A bill for an act relating to juveniles; providing limitations on procedures for juvenile detention; providing definitions; setting standards; amending Minnesota Statutes 1974, Sections 260.015, by adding subdivisions; 260.101; 260.171, Subdivisions 1, 2, and by adding subdivisions; 641.14; and Chapter 260, by adding sections; repealing Minnesota Statutes 1974, Sections 260.171, Subdivision 3; and 260.175.

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 45 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Olson, A. G.	Schrom
Arnold	Doty	Kleinbaum	Olson, H. D.	Sillers
Ashbach	Dunn	Kowalczyk	O'Neill	Solon
Bang	Gearty	Laufenburger	Patton	Spear
Berg	Hansen, Baldy	McCutcheon	Perpich, A. J.	Stumpf
Bernhagen	Hansen, Mel	Merriam	Pillsbury	Tennessen
Blatz	Hughes	Milton	Purfeerst	Ueland
Coleman	Humphrey	Moe	Renneke	Wegener
Conzemius	Jensen	Olhoft	Schmitz	Willet

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 2039: A bill for an act relating to insurance; reporting of certain professional liability judgments or settlements.

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 42 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Kowalczyk	Perpich, A. J.	Spear
Arnold	Hansen, Baldy	McCutcheon	Perpich, G.	Stassen
Ashbach	Hansen, Mel	Merriam	Pillsbury	Stumpf
Bang	Hughes	Milton	Purfeerst	Tennessee
Bernhagen	Humphrey	Moe	Renneke	Wegener
Conzemius	Jensen	Olhoft	Schmitz	Willet
Davies	Josefson	Olson, H. D.	Schrom	
Doty	Keefe, S.	O'Neill	Sillers	
Dunn	Kleinbaum	Patton	Solon	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 2278: A bill for an act relating to appropriations; converting certain standing appropriations to direct appropriations; abolishing other standing appropriations; appropriating money; amending Minnesota Statutes 1974, Sections 9.061, Subdivision 5; 97.482, Subdivision 2; 638.08; and Laws 1971, Chapter 121, Section 2, as amended; repealing Minnesota Statutes 1974, Sections 7.07; 136.821; Minnesota Statutes, 1975 Supplement, Sections 123.937; 144.146, Subdivision 2; Laws 1973, Chapter 768, Section 23; and Laws 1975, Chapter 433, Section 20.

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 46 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kowalczyk	Patton	Spear
Arnold	Gearty	McCutcheon	Perpich, A. J.	Stassen
Ashbach	Hansen, Baldy	Merriam	Perpich, G.	Stumpf
Bang	Hansen, Mel	Milton	Pillsbury	Tennessee
Berg	Hughes	Moe	Purfeerst	Wegener
Bernhagen	Humphrey	Ogdahl	Renneke	Willet
Borden	Jensen	Olhoft	Schmitz	
Conzemius	Josefson	Olson, A. G.	Schrom	
Davies	Keefe, S.	Olson, H. D.	Sillers	
Doty	Kleinbaum	O'Neill	Solon	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 1704: A bill for an act relating to motor vehicles; defining terms; providing for the licensure and regulation of certain motor

vehicle dealers; prescribing penalties; appropriating money; amending Minnesota Statutes 1974, Section 168.27.

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 40 and nays 3, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Merriam	Patton	Solon
Bernhagen	Hansen, Mel	Milton	Perpich, A. J.	Spear
Blatz	Hughes	Moe	Perpich, G.	Stassen
Coleman	Humphrey	Ogdahl	Pillsbury	Stumpf
Conzemius	Jensen	Olhoff	Purfeerst	Tennessee
Davies	Keefe, S.	Olson, A. G.	Renneke	Ueland
Doty	Kleinbaum	Olson, H. D.	Schmitz	Wegener
Dunn	McCutcheon	O'Neill	Sillers	Willet

Messrs. Ashbach; Hansen, Baldy and Kowalczyk voted in the negative.

So the bill passed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Spear moved that S. F. No. 2366 be stricken from General Orders and re-referred to the Committee on Judiciary. The motion prevailed.

#### RECONSIDERATION

Mr. Humphrey moved that the vote whereby H. F. No. 500 failed to pass the Senate on March 18, 1976, be now reconsidered. The motion prevailed.

H. F. No. 500: A bill for an act relating to energy; energy commission, public members; providing for compensation and reimbursement of traveling and other expenses; amending Minnesota Statutes 1974, Section 116H.04, Subdivision 2.

Mr. McCutcheon moved to amend H. F. No. 500, as amended by the Committee on Governmental Operations adopted by the Senate, on March 12, 1976, as follows:

Strike the McCutcheon amendment adopted by the Senate March 18, 1976, and strike the Conzemius amendment to the McCutcheon amendment, and amend as follows:

Underline all the language in Section 1

After Section 1, insert:

"Sec. 2. Minnesota Statutes 1974, Chapter 116H, is amended by adding a section to read:

[116H.085] [ENERGY CONSERVATION INFORMATION CENTER.] *The director shall establish an energy conservation information center in the agency's offices in St. Paul. The information center shall maintain a toll-free telephone information service and disseminate printed materials on energy conservation topics, including but not limited to availability of loans and other public and private financing methods for energy conservation physical improvements, the techniques and materials used to conserve energy*

*in buildings including retrofitting or upgrading insulation and installing weatherstripping, the projected prices and availability of different sources of energy, and the alternative sources of energy.*

Sec. 3. Minnesota Statutes 1974, Section 116H.12, is amended by adding a subdivision to read:

*Subd. 10. Before January 1, 1980, the commissioner of administration, in cooperation with the director, shall survey all buildings owned by the state of Minnesota which are heated by oil or interruptable natural gas units, including buildings and associated facilities of the state university system, the community college system, the Minnesota historical society building and all buildings under the administration or supervision of the commissioners of natural resources, corrections, welfare, or highways, to determine whether energy savings could be accomplished through insulation, climate control or illumination modifications, or changes in building structures and systems. If the commissioner determines, based upon a formula specified by the director, that a modification is economically feasible, in that estimated savings in fuel procurement cost will exceed the cost of the modification amortized over the remaining useful life of the building, he shall implement the modification in a manner designed to maximize the reduction in costs resulting from the modification. Before January 1, 1977, the commissioner shall submit a progress report to the legislature indicating the number and percentage of state-owned buildings surveyed, the estimated costs of implementing the economically feasible modifications, and his preliminary findings, recommendations, and priorities for implementing the economically feasible modifications based upon the continuing survey.*

Sec. 4. Minnesota Statutes 1974, Section 116H.12, is amended by adding a subdivision to read:

*Subd. 11. Before January 1, 1980, the university of Minnesota, after consultation with the director, shall survey all buildings and associated facilities of the university of Minnesota which are heated by oil or interruptable gas units to determine whether energy savings could be accomplished through insulation, climate control or illumination modifications, or changes in building structures and systems. If the university determines, based upon a formula specified by the director, that a modification is economically feasible, in that estimated savings in fuel procurement costs will exceed the cost of the modification amortized over the remaining useful life of the building, it shall implement the modification in a manner designed to maximize the reduction in costs resulting from the modification. Before January 1, 1977, the university shall submit a progress report to the legislature indicating the number and percentage of university-owned buildings surveyed, the estimated costs of implementing the economically feasible modifications and its preliminary findings, recommendations, and priorities for implementing economically feasible modifications based upon the continuing survey.*

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



[116H.121] [ENERGY CONSERVATION STANDARDS IN CERTAIN PUBLIC BUILDINGS.] *Before July 1, 1977, the commissioner of administration, in consultation with the director, shall amend the rules concerning heat loss, illumination, and climate control standards promulgated pursuant to Minnesota Statutes, 1975 Supplement, Section 116H.12, Subdivision 4, to apply to all existing buildings heated by oil or interruptable gas units owned by the state, the university of Minnesota, any city, any county, and any school district.*

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

[116H.122] [INSPECTIONS AND FUEL COST ESTIMATES.] *Before July 1, 1978, each city council and county board of commissioners shall complete an inspection of all existing city-owned or county-owned buildings within their respective jurisdictions which are heated by oil or interruptable natural gas units. The inspection shall determine, based upon a formula specified by the director, the estimated remaining useful life of each building, together with the present degree and estimated cost of compliance with the energy conservation standards promulgated pursuant to section 5 of this act. A council or board may contract with any municipal building official appointed pursuant to Minnesota Statutes, Section 16.861, or the state building inspector to perform the energy conservation inspection. Each board and council shall estimate, based upon a formula specified by the director, the annual potential savings in fuel procurement costs for existing heating and cooling systems which would be realized for each county or city-owned building if it were improved to comply with the energy conservation standards. Each council or board shall file the energy conservation inspection and estimated fuel procurement data for each city or county-owned building within its respective boundaries with the director of the Minnesota energy agency before December 31, 1978, for his review and comment.*

Sec. 7. Minnesota Statutes 1974, Section 120.78, is amended by adding a subdivision to read:

*Subd. 3. Before November 15, 1976, the commissioner of education shall analyze the reports and plans required in subdivisions 1 and 2 and submit a report to the legislature concerning the energy efficiency of school buildings owned or operated by all school districts and recommend proposed legislation concerning energy conservation measures for school buildings.*

Sec. 8. Minnesota Statutes 1974, Chapter 120, is amended by adding a section to read:

[120.781] [INSPECTIONS.] *Before July 1, 1978, each board shall complete an inspection of all existing public school buildings which it owns or operates that are heated by oil or interruptable gas units in order to determine the estimated remaining useful life of each building, together with the present degree and estimated cost of compliance with the energy conservation standards promulgated pursuant to section 5 of this act. The results of the energy conservation inspection shall be recorded on a form*

furnished by the director of the Minnesota energy agency. A board may contract with any municipal building official appointed pursuant to Minnesota Statutes, Section 16.861 or the state building inspector to perform the energy conservation inspection. Each board shall estimate the annual savings in fuel procurement costs for existing heating and cooling systems which would be realized for each public school building within the district if it were improved to comply with the energy conservation standards, based upon a formula specified by the director of the Minnesota energy agency.

Each board shall file the energy conservation inspection and estimated fuel procurement data for each public school building within the district with the director of the Minnesota energy agency before December 31, 1978, for his review and comment.

Sec. 9. [APPROPRIATION.] There is appropriated from the general fund \$158,000 to the commissioner of administration, \$8,000 for promulgation of the rules required by section 5 of this act, and \$150,000 to comply with section 3 of this act. There is appropriated from the general fund \$100,000 to the director of the Minnesota energy agency, \$50,000 to establish and maintain the energy conservation information center pursuant to section 2, and \$50,000 to contract for infrared aerial photographs, at least 50 percent of which shall be conducted outside the metropolitan area as defined in Minnesota Statutes, Section 473.121, Subdivision 2. These appropriations shall not cancel and shall be available until completely expended."

Renumber the sections in sequence

Amend the title amendment as follows:

Line 2 of the title amendment, before the period, insert "establishing an energy conservation information center; requiring the commissioner of administration to complete certain energy conservation modifications to state buildings; authorizing the commissioner of administration to promulgate rules concerning energy conservation and physical improvements for public buildings; appropriating money; amending Minnesota Statutes 1974, Chapters 116H, by adding sections; 120, by adding a section; and Sections 116H.12, by adding subdivisions; and 120.78, by adding a subdivision"

The motion prevailed. So the amendment was adopted.

H. F. No. 500 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 43 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Humphrey	McCutcheon	Olson, A. G.
Bang	Doty	Jensen	Merriam	Olson, H. D.
Bernhagen	Dunn	Josefson	Milton	O'Neill
Blatz	Gearty	Keefe, S.	Moe	Patton
Borden	Hansen, Mel	Kleinbaum	Ogdahl	Perpich, A. J.
Coleman	Hughes	Kowalczyk	Olhoff	Perpich, G.

Pillsbury  
Purfeerst  
Renneke

Schmitz  
Schrom  
Sillers

Solon  
Spear  
Stumpf

Tennesen  
Ueland  
Wegener

Willet

Messrs. Berg and Hansen, Baldy voted in the negative.

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

#### **MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Anderson moved that S. F. No. 1964, No. 20 on General Orders, be stricken and returned to the author. The motion prevailed.

Mr. Anderson moved that H. F. No. 1130 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration. The motion prevailed.

Mr. Keefe, S. moved that S. F. No. 1908, No. 87 on General Orders, be stricken and returned to the author. The motion prevailed.

Mr. Keefe, S. moved that S. F. No. 1728, No. 89 on General Orders, be stricken and returned to the author. The motion prevailed.

Mr. Purfeerst moved that S. F. No. 2509, No. 31 on General Orders, be stricken and returned to the author. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved that the Senate revert to the Order of Business of Messages From the House, First Reading of House Bills, Reports of Committees, Second Reading of Senate Bills and Second Reading of House Bills. The motion prevailed.

#### **MESSAGES FROM THE HOUSE**

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. 932, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 932: A bill for an act relating to public welfare; permitting the commissioner of public welfare to establish maximum fees for congregate living care under the income maintenance programs; amending Minnesota Statutes 1974, Section 256.01, Subdivision 2.

Senate File No. 932 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned March 19, 1976

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted:

H. F. Nos. 2201, 2678, 2677, 1735 and 2203.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted March 19, 1976

#### **FIRST READING OF HOUSE BILLS**

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

H. F. No. 1735: A bill for an act relating to the metropolitan council; providing for a levy; providing for the reimbursement of costs of the council relating to metropolitan commissions; amending Minnesota Statutes 1974, Chapter 473, by adding a section; Minnesota Statutes, 1975 Supplement, Section 473.249, Subdivision 1.

Referred to the Committee on Metropolitan and Urban Affairs.

H. F. No. 2203: A bill for an act relating to medical assistance for the needy; establishing guidelines for reimbursement of medical services furnished by nursing homes; prescribing certain responsibilities for the department of public welfare.

Referred to the Committee on Rules and Administration.

H. F. No. 2201: A bill for an act relating to the state planning agency; providing additional responsibilities for the state demographer; providing for implementation of federal law permitting the state to design a plan for return of census data to the state; providing precinct boundaries to facilitate census data returns; appropriating money; amending Minnesota Statutes 1974, Section 4.12, Subdivision 7; and Minnesota Statutes, 1975 Supplement, Section 204A.06, Subdivision 1, and by adding a subdivision.

Referred to the Committee on Rules and Administration.

H. F. No. 2677: A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings; appropriating money.

Referred to the Committee on Rules and Administration.

H. F. No. 2678: A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; authorizing issuance of state building bonds; appropriating money; amending Minnesota Statutes 1974, Sections 16.16, Subdivision 2; 16A.28; 137.02, Subdivision 3; repealing Laws 1973, Chapter 778, Section 20.

Referred to the Committee on Rules and Administration.

### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

H. F. No. 1330: A bill for an act relating to labor; directing the commissioner of labor and industry to enforce the prohibition against administering polygraph tests to employees; prescribing penalties; amending Minnesota Statutes 1974, Section 181.75; repealing Minnesota Statutes 1974, Section 181.77.

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

Page 1, line 15, strike "request" and insert "induce"

Page 1, line 17, after "employee" insert "*nor shall any person knowingly sell to or interpret for an employer or agent thereof such a test*"

Page 1, line 18, after "person" insert "knowingly"

Page 1, line 19, strike "*such*"

Page 1, line 20, after the period, insert "*Any employer or agent thereof informing an individual of the availability of this test shall also inform him that his taking the test is voluntary.*"

Page 1, line 23, strike "*such*" and insert "*any*"

Page 1, line 23, strike "*as is*"

Page 2, line 12, strike "*or is about to be violated,*"

Page 2, line 19, strike "*and*" and insert "*to*"

Page 2, line 20, after "*recover*" insert "*any and all*"

Page 2, line 20, after "*damages*" insert "*recoverable at law*"

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. 1827: A bill for an act relating to health care; requiring certain insurance policies, health care plans and group subscriber contracts to provide certain benefits for out-patient treatment of alcoholism, chemical dependency or drug addiction; amending Minnesota Statutes 1974, Section 62A.149.

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

Page 2, after line 18, add a subdivision to read:

*"Subd. 3. Coverage under this section need not exceed \$3,000 per benefit year or \$6,000 per lifetime for the covered individual."*

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. 471: A bill for an act relating to condominiums; providing for registration and disclosure prior to sale; providing penalties; amending Minnesota Statutes 1974, Section 83.26, Subdivision 1; and repealing Minnesota Statutes 1974, Chapter 515.

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 515, is amended by adding a section to read:

[515.175] [INCORPORATION OF ASSOCIATION.] *Subsequent to July 1, 1976, an association of apartment owners shall be incorporated under Chapter 317 before the declaration is recorded.*

Sec. 2. Minnesota Statutes 1974, Section 515.19, is amended to read:

515.19 [CONTENTS OF BYLAWS.] *Subdivision 1.* The by-laws may provide for the following:

(a) The election from among the apartment owners of a board of directors, the number of persons constituting the same, and that the terms of at least one third of the directors shall expire annually; the powers and duties of the board; the compensation, if any, of the directors; the method of removal from office of directors; and whether or not the board may engage the services of a manager or managing agent.

(b) Method of calling meetings of the apartment owners; what percentage, if other than a majority of apartment owners, shall constitute a quorum.

(c) Election of a president from among the board of directors who shall preside over the meetings of the board of directors and of the association of apartment owners.

(d) Election of a secretary who shall keep the minute book wherein resolutions shall be recorded.

(e) Election of a treasurer who shall keep the financial records and books of account.

(f) Maintenance, repair and replacement of the common areas and facilities and payments therefor, including the method of approving payment vouchers.

(g) Manner of collecting from the apartment owners their share of the common expenses.

(h) Designation and removal of personnel necessary for the maintenance, repair and replacement of the common areas and facilities.

(i) Method of adopting and of amending administrative rules and regulations governing the details of the operation and use of the common areas and facilities.

(j) Such restrictions on and requirements respecting the use and maintenance of the apartments and the use of the common areas and facilities, not set forth in the declaration, as are designed to prevent unreasonable interference with the use of their respective apartments and of the common areas and facilities by the several apartment owners.

(k) The percentage of votes required to amend the bylaws.

(l) Other provisions as may be deemed necessary for the administration of the property consistent with sections 515.01 to 515.29.

*Subd. 2. The bylaws shall provide that the association of apartment owners shall meet at least once each year. The bylaws shall specify an officer who shall, at least 21 days in advance of any annual or regularly scheduled meeting and at least seven days in advance of any other meeting, send to each apartment owner notice of the time, place and complete agenda of the meeting. The notice shall be sent by United States mail to all apartment owners of record at the address of their respective apartments and to other addresses as any of them may have designated to the officer.*

Sec. 3. Minnesota Statutes 1974, Chapter 515, is amended by adding a section to read:

[515.195] [RESTRICTIONS ON CONTROL OF CREATOR OF THE CONDOMINIUM.] *Subdivision 1. At the first annual meeting subsequent to the earlier of (a) 5 years from the date of recording the declaration or (b) when three-fifths of the apartment owners are other than the owner who submits the property to the provisions of chapter 515, the terms of office of all then existing officers and directors shall terminate.*

*Subd. 2. No contract, lease, management contract, employment contract, or lease of recreational areas or facilities, which is directly or indirectly made by or on behalf of the association of apartment owners shall be entered into for a period exceeding two years.*

Sec. 4. Minnesota Statutes 1974, Chapter 515, is amended by adding a section to read:

[515.215] [DISCLOSURE REQUIREMENTS.] *Subdivision 1. Not later than 15 days prior to the closing of the first conveyance of each apartment, the vendor shall furnish to the purchaser the following:*

*(1) The purchase agreement for the apartment;*

*(2) A copy of the declaration and bylaws;*

*(3) A copy of the articles of incorporation of the association of apartment owners;*

*(4) A copy of any management contract, employment contract, or other contract affecting the use, maintenance, or access of all or part of the condominium;*

*(5) A copy of the annual operating budget for the condominium including reasonable details concerning the monthly payments by the purchaser for assessments, and monthly charges for the use, rental, or lease of any facilities;*

*(6) A copy of any lease to which it is anticipated the apartment owners or the association of apartment owners will be a party following closing;*

*(7) A copy of the floor plan of the apartment;*

*(8) A description of any recreational or other facilities which are to be used by the apartment owners and maintained by them or by the association of apartment owners and a statement as to whether or not they are to be part of the common areas and facilities;*

*(9) A statement as to whether streets within the condominium are to be dedicated to public use or maintained by the association of apartment owners; and*

*(10) In the case of condominiums containing buildings substantially complete more than five years prior to the recording of the declaration, a statement of the physical condition and state of repair of the major structural, mechanical, electrical, and plumbing components of the improvements to the extent reasonably ascertainable. The vendor is entitled to rely on the reports of architects or engineers authorized to practice their profession in this state.*

*Subd. 2. Any material furnished pursuant to subdivision 1 may not be changed or amended following delivery to the purchaser, if the change or amendment would affect materially the rights of the purchaser, without first obtaining approval of the purchaser. A copy of any amendments shall be delivered promptly to the purchaser.*

*Subd. 3. Any vendor who, in disclosing the information required pursuant to subdivisions 1 and 2, makes any untrue statement of a material fact, or omits to state a material fact necessary in order to make the statements made, in the light of circumstances under which they were made, not misleading, shall be liable to any person purchasing an apartment from him. However, no action may be maintained to enforce any liability created under this section unless brought within three years after the date of closing.*

*Subd. 4. The rights of purchasers under this section may not be waived in the purchase agreement and any attempted waiver is void. However, if any purchaser proceeds to closing, his right under this section to rescind is terminated.*

*Subd. 5. The requirements of this section do not apply to the sale of any unit which is to be occupied and used for nonresidential purposes.*

*Subd. 6. (a) A purchaser has an unconditional right to rescind a purchase agreement at any time within five days after the date the purchaser receives all the information contained in subdivision 1.*

*(b) Each purchase agreement shall prominently contain upon its face the following notice printed in bold type, stating:*

**"Notice to Purchaser**

*You are entitled to rescind this agreement at any time within five days from the day you actually receive the information required by law. Such rescission must be in writing and mailed to the vendor or his agent or his lender at the address stated in this document. Upon rescission, you will receive a refund of all monies paid."*

*(c) Rescission occurs when the purchaser gives written notice of rescission to the vendor or his agent, or the lender at the address stated in the purchase agreement. Notice of rescission, if given by mail, is effective when it is deposited in a mailbox properly addressed and postage prepaid.*

*Subd. 7. When the purchase agreement relates to a condominium not yet formed, the applicable information required by subdivision 1 may be a proposed form."*

Amend the title as follows:

Page 1, line 2, strike "providing for registration"

Strike lines 3 to 6, and insert "regulating the association of apartment owners; requiring certain disclosure before initial sale of apartments; amending Minnesota Statutes 1974, Section 515.19; and Chapter 515, by adding sections."

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. 2364: A bill for an act relating to the administration of criminal justice; transferring primary investigatory jurisdiction in correctional institutions to the bureau of criminal apprehension; providing that the attorney general shall prosecute certain criminal offenses arising on the premises of adult correctional institutions; amending Minnesota Statutes 1974, Sections 8.01; 299C.03; 387.03; and 388.05.

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

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

S. F. No. 1963: A bill for an act relating to the operation of state government; raising base salaries for certain executive branch employees, constitutional officers, judges and judicial branch employees; limiting possible increases for certain executive branch employees; removing per diems and providing expenses for legislators; requiring political subdivisions of the state to report certain salaries; providing for a report by the personnel board; amending Minnesota Statutes 1974, Sections 15A.081, by adding a subdivision; 15A.083, as amended; 43.062, Subdivision 3; and 43.067; and Chapter 43, by adding a section; and Minnesota Statutes, 1975 Supplement, Sections 3.102; and 15A.081, Subdivision 1; repealing Minnesota Statutes 1974, Sections 3.101; 3.103; 15A.081, Subdivisions 1a and 4; 43.066; 43.069; and 487.05.

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

Page 1, line 29, strike "\$44,000" and insert "\$40,000"

Page 2, line 1, strike "35,200" and insert "32,000"

Page 2, line 3, strike "26,000" and insert "24,000"

Page 2, line 5, strike "32,000" and insert "30,000"

Page 2, line 6, strike "25,600" and insert "23,000"

Page 2, line 9, strike "36,800" and insert "34,000"

Page 2, line 12, strike "23,600" and insert "22,000"

Page 2, line 14, strike "26,000" and insert "27,000"

Page 2, line 15, strike "26,000" and insert "27,000"

Page 2, line 16, strike "26,000" and insert "27,000"

Page 2, line 18, strike "35,500" and insert "36,000"

Page 2, line 20, strike "36,000" and insert "32,000"

Page 2, line 21, strike "28,800" and insert "25,000"

Page 2, line 23, strike "26,000" and insert "24,000"

Page 2, line 24, strike "21,600" and insert "19,500"  
Page 2, line 26, strike "39,000" and insert "36,000"  
Page 2, line 27, strike "31,200" and insert "29,000"  
Page 2, line 29, strike "34,500" and insert "32,000"  
Page 2, line 31, strike "31,000" and insert "28,000"  
Page 2, line 32, strike "24,800" and insert "21,000"  
Page 3, line 2, strike "43,000" and insert "40,000"  
Page 3, line 3, strike "34,400" and insert "31,000"  
Page 3, line 7, strike "39,000" and insert "36,000"  
Page 3, line 8, strike "31,200" and insert "29,000"  
Page 3, line 10, strike "35,000" and insert "30,000"  
Page 3, line 12, strike "35,500" and insert "29,000"  
Page 3, line 15, strike "41,000" and insert "39,000"  
Page 3, line 16, strike "32,800" and insert "30,000"  
Page 3, line 18, strike "31,000" and insert "28,000"  
Page 3, line 20, strike "25,500" and insert "23,000"  
Page 3, line 21, strike "20,400" and insert "19,000"  
Page 3, line 23, strike "22,000" and insert "19,000"  
Page 3, line 28, strike "25,000" and insert "23,000"  
Page 3, line 29, strike "20,000" and insert "18,000"  
Page 3, line 31, strike "32,000" and insert "29,000"  
Page 3, line 32, strike "25,600" and insert "23,000"  
Page 4, line 2, strike "35,000" and insert "29,000"  
Page 4, line 3, strike "26,000" and insert "24,000"  
Page 4, line 9, strike "37,000" and insert "34,000"  
Page 4, line 10, strike "29,800" and insert "26,000"  
Page 4, line 12, strike "43,000" and insert "37,000"  
Page 4, line 13, strike "34,400" and insert "29,000"  
Page 4, line 15, strike "34,500" and insert "30,000"  
Page 4, line 17, strike "31,000" and insert "29,000"  
Page 4, line 18, strike "24,800" and insert "22,000"  
Page 4, line 20, strike "34,500" and insert "32,000"  
Page 4, line 21, strike "27,600" and insert "25,000"  
Page 4, line 24, strike "28,600" and insert "26,000"  
Page 4, line 25, strike "26,000" and insert "24,000"

Page 4, line 27, strike "41,000" and insert "38,000"

Page 4, line 28, strike "32,800" and insert "29,000"

Page 4, line 30, strike "36,000" and insert "34,000"

Page 4, line 31, strike "28,800" and insert "26,000"

Page 5, line 2, strike "22,000" and insert "18,000"

Page 5, line 7, strike "22,000" and insert "18,500"

Page 5, line 9, strike "25,000" and insert "20,000"

Page 7, line 31, strike everything after the period

Page 7, strike line 32

Page 8, strike lines 1 to 4

Page 8, line 18, strike the second "4" and insert "2"

Page 8, line 25, strike "\$49,000" and insert "\$41,000"

Page 8, line 26, strike "46,000" and insert "36,500"

Page 8, line 27, strike "36,000" and insert "30,000"

Page 8, line 28, strike "29,500" and insert "26,000"

Page 8, line 29, strike "27,500" and insert "25,000"

Page 8, line 30, strike "27,500" and insert "25,000"

Page 9, line 7, strike "49,000" and insert "45,000"

Page 9, line 8, strike "46,000" and insert "42,000"

Page 9, line 9, strike "37,500" and insert "36,000"

Page 9, line 29, after the comma strike the new language and insert "*judge of municipal court of Hennepin county, and judge of municipal court of Ramsey county*"

Page 9, strike lines 30 and 31

Page 9, line 32, reinstate the stricken "(learned in the law)"

Page 9, line 32, strike "\$35,000" and insert "\$32,000"

Page 10, line 1, reinstate the stricken language

Page 10, line 2, reinstate the stricken "(not learned in the law)"

Page 10, line 2, after "21,000" insert "26,000"

Page 10, line 25, strike the new language and reinstate the stricken language

Pages 11 and 12 strike Article IV

Renumber the remaining Article

Page 12, line 4, strike "*Subdivision 1.*"

Page 12, strike lines 7 through 11

Further, amend the title as follows:

Page 1, line 4, strike "constitutional officers,"

Page 1, strike line 7

Page 1, line 8, strike "legislators;"

Page 1, line 11, strike ", by"

Page 1, line 12, strike "adding a subdivision"

Page 1, line 15, strike "Sections 3.102; and" and insert "Section"

Page 1, line 17, strike "3.101; 3.103;"

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

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

S. F. No. 2126: A bill for an act relating to the legislature; establishing an advisory council on the economic status of women; appropriating money.

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

Page 2, line 20, strike "\$125,000" and insert "\$95,000"

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

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

S. F. No. 2032: A bill for an act relating to public welfare; establishing pilot programs for community mental health treatment; appropriating money; amending Minnesota Statutes 1974, Chapter 245, by adding a section.

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

Page 1, line 13, strike "*or mentally*"

Page 1, line 14, strike "*deficient*"

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

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

S. F. No. 2460: A bill for an act relating to the bicentennial; appropriating money to the Minnesota American Revolution Bicentennial Commission.

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

Page 1, after line 13, insert:

"Sec. 2. The Minnesota American Revolution Bicentennial Commission shall terminate December 1, 1976."

Renumber the remaining section.

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

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

S. F. No. 2293: A bill for an act relating to aeronautics; appropriating and transferring money for construction of hangars.

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. 2014: A bill for an act relating to retirement; increasing certain benefits and annuities; appropriating money.

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

Page 5, line 9, strike "\$19,851,133" and insert "\$19,852,833"

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

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

S. F. No. 1579: A bill for an act relating to legal assistance; providing state aid to certain legal assistance corporations; appropriating money.

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. 2309: A bill for an act relating to retirement; distribution of state aid to policemen's relief associations; volunteer firemen's lump sum and monthly benefits; amending Minnesota Statutes 1974, Sections 69.011, Subdivisions 1, 2, and 4; 69.021, Subdivisions 5, 6 and 7; 69.031, Subdivision 5; and 69.06.

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. 652: 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 sub-

division; 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, Section 484.54; repealing Minnesota Statutes 1974, Sections 3.30, Subdivision 2a; 10.16; 16.141; 16.16; 16.161; 16.164; 16.18; 16.19; 16A.09; 16A.125, Subdivisions 1, 2, 3, 7, 8, 9, and 10; 16A.17, Subdivision 2; and 136.06.

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. 2288: A bill for an act relating to Indian affairs; renaming the board on Indian Affairs; providing a change in membership for the board; creating an advisory council; changing the duties of the board; amending Minnesota Statutes 1974, Section 3.922, as amended.

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

Page 9, after line 16, insert:

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

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

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

S. F. No. 2560: A bill for an act relating to state university employees; approving wage and economic fringe benefit agreements between the state and certain employees of the state university system; amending Minnesota Statutes 1974, Chapter 136, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 43.12, Subdivision 17.

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. 814: A bill for an act relating to the organization and operation of state government; education; changing the membership of the higher education coordinating board; establishing new duties for the board; providing per diem, removing an advisory agency from statute; appropriating money; amending Minnesota Statutes 1974, Sections 136A.02, Subdivisions 1, 2, and 4; 136A.07; and Minnesota Statutes, 1975 Supplement, Sections 136A.04 and 136A.05; repealing Minnesota Statutes 1974, Section 136A.02, Subdivision 6.

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. 2122: A bill for an act relating to energy conservation;

establishing an energy conservation information center; requiring the commissioner of administration to complete certain energy conservation modifications to state buildings; authorizing the commissioner of administration to promulgate rules concerning energy conservation physical improvements for public school, state, city, and county buildings; requiring the inspection of certain public buildings; authorizing the issuance of bonds for energy conservation improvements; appropriating money; amending Minnesota Statutes 1974, Chapters 116H, by adding sections; and 120, by adding sections; and Sections 116H.12, by adding subdivisions; and 120.78, by adding a subdivision.

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

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

H. F. No. 1293: A bill for an act relating to educational television; providing grants for instructional television stations serving Minnesota; providing for local supervision of grant expenditures.

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

Page 1, line 8, strike "educational" and insert "public"

Page 1, line 9, strike "supplementary learning" and insert "community"

Page 1, line 9, after "for" insert "the"

Page 1, lines 9 and 10, strike "and private elementary and secondary schools"

Page 1, line 11, strike "educational" and insert "public"

Page 1, line 12, strike "students" and insert "citizens"

Page 1, line 13, strike "school officials, educational" and insert "public" and delete the comma at the end of the line

Page 1, line 14, after "state" strike the remainder of the line and insert "arts board"

Page 1, line 15, strike everything before the period

Page 1, line 19, strike "Educational" and insert "Public"

Page 1, line 21, after "television" insert "broadcast"

Page 2, strike lines 1 to 20

Page 2, line 21, strike "ITV council"

Page 2, line 22, strike "board of education" and insert "arts board"

Page 2, lines 22 and 23, strike "to ITV councils in each service area"

Page 2, lines 23 and 24, strike "The council" and insert "Twice annually the state arts board"

Page 2, lines 24 and 25, strike "to the educational station in its service area"

Page 2, line 26, after "costs" insert "to educational stations to the extent and in the amount the educational station matches Minnesota based contributions, on a dollar for dollar basis"

Pages 2 and 3, strike all of Subd. 2. and insert a new Subd. 2 to read:

"Subd. 2. In calculating the amount of contributions that must be matched by a public station pursuant to subdivision 1, contributions, whether monetary or in kind, from the corporation for public broadcasting, from tax generated public or private elementary and secondary schools, and from all sources based outside the state shall be excluded. The state arts board shall make payments in such a manner that eligible public stations receive as equal an amount as consistent with this section. No payments shall be made to a public station located in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington."

Page 3, line 12, strike "ITV council" and insert "educational station receiving a grant"

Page 3, line 13, after "state" insert "arts" and strike "of education"

Page 3, lines 14 and 15 strike "school" and insert "fiscal"

Page 3, line 15, after the period insert "The report shall be certified by an independent auditor or a certified public accountant. If the report is not submitted by September 1, the state arts board may withhold from the educational station 45 percent of the amount to which it was entitled based upon the contribution of the previous fiscal year, and may redistribute those funds to other educational stations."

Page 3, after line 15 insert:

"Subd. 4. In designating the state arts board as the administrative agency to distribute these funds, the legislature recognizes that this is strictly an administrative function unrelated to the artistic and cultural mandate of the board. In future years, the board may develop program categories and funding programs in television, film and other public media, which shall not be limited, prohibited or otherwise affected by the board's serving the specific administrative functions under the terms of this act."

Page 3, line 17, after "the" and before "board" insert "state arts"

Page 3, line 17, strike "of education"

Page 3, line 18, strike "July 1," and insert "June 30, 1977."

Page 3, strike line 19

Renumber the sections in sequence



Further, amend the title as follows:

Page 1, line 2, strike "educational" and insert "public"

Page 1, line 4, strike "local"

Page 1, line 5, before the period, insert "; appropriating money"

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. 788: A bill for an act relating to public welfare; providing for cost of living adjustment in the standard of need of supplemental aid benefits; appropriating money; amending Minnesota Statutes 1974, Section 256D.37, Subdivision 2; and Chapter 256D, by adding a section.

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

Pages 2 and 3, strike Sec. 2.

Page 3, line 6, strike "\$550,000" and insert "\$760,000"

Page 3, line 9, strike "1975" and insert "1976"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 2, strike "providing for cost of"

Page 1, strike line 3

Page 1, line 4, strike "supplemental aid benefits;"

Page 1, line 6, strike "; and Chapter 256D, by adding a"

Page 1, line 7, strike "section"

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

#### **SECOND READING OF SENATE BILLS**

S. F. Nos. 2364, 1963, 2032, 2460, 2293, 2014, 1579, 2309, 652, 2288, 2560, 814, 2122 and 788 were read the second time.

#### **SECOND READING OF HOUSE BILLS**

H. F. Nos. 1330, 1827, 471 and 1293 were read the second time.

#### **SPECIAL ORDER**

H. F. No. 435: A bill for an act relating to the city of Two Harbors; providing for reimbursement of city officers for wages lost during time spent on official business.

Mr. Perpich, A. J., moved to amend H. F. No. 435 as follows:

Page 1, strike lines 18 to 21 and insert:

"Sec. 2. Notwithstanding any statute or rule of law to the contrary, the city of Eveleth is hereby authorized to sell at public or private sale any portion of the park lands in the city dedicated to the public as a public park in that plat known as the Highland Addition to the city of Eveleth as the plat appears of record in the office of the register of deeds of St. Louis county. All net proceeds from the sale shall be dedicated to the park fund of the city. The deeds of conveyance from the city shall be deemed to convey the title to the purchaser free of any dedication for park or recreation purposes.

Sec. 3. [EFFECTIVE DATE.] Subdivision 1. This act is effective as to the city of Two Harbors upon its approval by the governing body of the city of Two Harbors and upon compliance with Minnesota Statutes, Section 645.021.

Subd. 2. This act is effective as to the city of Eveleth upon approval by a majority of the council of the city of Eveleth and upon compliance with Minnesota Statutes, Sections 645.021."

Amend the title by striking it in its entirety and inserting:

"A bill for an act relating to the city of Two Harbors in Lake county and the city of Eveleth in St. Louis county; providing for reimbursement of officers of the city of Two Harbors for wages lost during time spent on official business; authorizing the city of Eveleth to sell certain lands dedicated to the public for park or recreation purposes."

The motion prevailed. So the amendment was adopted.

H. F. No. 435 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 41 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kowalczyk	Perpich, G.	Stassen
Bang	Gearty	Merriam	Pillsbury	Stumpf
Berg	Hansen, Baldy	Milton	Purfeerst	Tennessee
Bernhagen	Hansen, Mel	Ogdahl	Renneke	Ueland
Blatz	Hughes	Olhoft	Schmitz	Willet
Borden	Jensen	Olson, A. G.	Schrom	
Coleman	Josefson	O'Neill	Sillers	
Conzemius	Kleinbaum	Patton	Solon	
Dunn	Knutson	Perpich, A. J.	Spear	

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

#### SPECIAL ORDER

H. F. No. 2518: A bill for an act relating to the city of Hastings; removing certain restrictions on the use of certain lands conveyed by the state to the city; amending Extra Session Laws 1967, Chapter 18, Section 2.

Mr. Conzemius moved to amend H. F. No. 2518 as follows:

Page 2, strike lines 2 through 5 and insert:

*"Sec. 2. Notwithstanding Minnesota Statutes, Chapter 375A, or any other law to the contrary the polling hours for any election in Dakota county expanding the number of county board members from 5 to 7 shall be from 7 a.m. to 8 o'clock p.m. and the apportionment of the county into districts shall be based on the state demographer's estimates of the population of Dakota county rather than the last decennial census.*

Sec. 3. Laws 1967, Chapter 112, Section 1, is amended to read:

Section 1. [DAKOTA COUNTY; LEAGUE OF MUNICIPALITIES.] In Dakota county, the following cities, villages, and towns are hereby empowered to participate in the organization of the Dakota County League of Municipalities and to be members thereof: The cities of South St. Paul, West St. Paul, and Hastings, the villages of Burnsville, Inver Grove Heights, Sunfish Lake, Mendota Heights, Mendota, Lilydale, Rosemount, Coates, Lakeville, Farmington, Vermillion, Hampton, New Trier, Meisville, and Randolph, and the towns of Eagan, Lebanon, Rosemount, Nininger, Lakeville, Empire, Vermillion, Marshan, Ravenna, Eureka, Castle Rock, Hampton, Douglas, Greenvale, Waterford, Sciota, and Randolph. Each municipality may appropriate through its governing body, out of its general fund, money to pay the annual dues in the league and the actual and necessary expenses of the delegates as such governing body may designate and to contribute to the funds of the league to be used for research and other projects of similar nature relating to problems common to the several municipalities participating therein, provided, however, that the total amount of money paid by any such municipality to such league, as dues, contributions or otherwise shall not exceed five ten cents per capita based on the population of each respective municipality according to the last federal or state census; and further provided, however, the maximum cost for membership fees or league dues on the part of any municipality shall not exceed the sum of \$1,000 and the minimum amount of such dues shall be \$25 most recent estimate of the metropolitan council.

Sec. 4. [EFFECTIVE DATE.] *Subdivision 1. Section 1 of this act is effective upon its approval by the governing body of the city of Hastings, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.*

*Subd. 2. Sections 2 and 3 of this act are effective upon approval by the Dakota county board of commissioners and upon compliance with Minnesota Statutes, Section 645.021."*

Amend the title by striking it in its entirety and inserting:

"A bill for an act relating to local government in Dakota county; removing certain restrictions on the use of certain lands conveyed by the state to the city of Hastings; election procedure for changes in certain optional forms of county government; providing for financing of the Dakota County League of Municipalities; amending Laws 1967, Chapter 112, Section 1; amending Extra Session Laws 1967, Chapter 18, Section 2."

The motion prevailed. So the amendment was adopted.

H. F. No. 2518 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 39 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kowalczyk	Patton	Solon
Bang	Frederick	Merriam	Perpich, A. J.	Spear
Berg	Hansen, Baldy	Milton	Perpich, G.	Stassen
Bernhagen	Hughes	Ogdahl	Pillsbury	Stumpf
Blatz	Jensen	Olhoft	Purfeerst	Tennessen
Borden	Josefson	Olson, A. G.	Schmitz	Ueland
Coleman	Kleinbaum	Olson, H. D.	Schrom	Willet
Conzemius	Knutson	O'Neill	Sillers	

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

### SPECIAL ORDER

S. F. No. 1928: A bill for an act relating to the city of Maplewood; paramedic service; authorizing the collection of taxes in excess of the levy limits for purposes of the paramedic program.

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 40 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	O'Neill	Schrom
Bang	Gearty	Lewis	Patton	Sillers
Berg	Hansen, Baldy	McCutcheon	Perpich, A. J.	Solon
Bernhagen	Hughes	Merriam	Perpich, G.	Spear
Blatz	Humphrey	Milton	Pillsbury	Stassen
Borden	Jensen	Olhoft	Purfeerst	Stumpf
Conzemius	Josefson	Olson, A. G.	Renneke	Ueland
Doty	Kleinbaum	Olson, H. D.	Schmitz	Willet

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 2335: A bill for an act relating to child support and paternity; providing for continuing court orders; granting county court jurisdiction; amending Minnesota Statutes 1974, Sections 256.87, Subdivision 1; 256.872; 256.873; 257.253; 257.254; 257.257; 257.259; 257.261, Subdivision 1; 257.29; 393.07, Subdivision 9; and 518.49.

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 46 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Berg	Blatz	Coleman	Doty
Bang	Bernhagen	Borden	Conzemius	Dunn

Frederick	Keefe, S.	Ogdahl	Pillsbury	Stumpf
Gearty	Kleinbaum	Olhoff	Purfeerst	Tennessee
Hansen, Baldy	Knutson	Olson, A. G.	Renneke	Ueland
Hansen, Mel	Kowalczyk	Olson, H. D.	Schmitz	Willet
Hughes	Lewis	O'Neill	Schrom	
Humphrey	McCutcheon	Patton	Sillers	
Jensen	Merriam	Perpich, A. J.	Solon	
Josefson	Milton	Perpich, G.	Stassen	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 1791: A bill for an act relating to real estate; providing for limitation of action for damages based on errors in the survey of land; amending Minnesota Statutes 1974, Section 541.051, Subdivision 1.

Mr. Humphrey moved to amend S. F. No. 1791 as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Chapter 541, is amended by adding a section to read:

[541.052] [LIMITATION OF ACTION FOR DAMAGES BASED ON ERRORS IN LAND SURVEYS.] *Except where fraud is involved, no action to recover damages for any error in the survey of land, nor any action for contribution or indemnity for damages sustained on account of an error, shall be brought against any person performing the survey more than two years after the discovery thereof, nor in any event more than 15 years after the date of the survey.*

Sec. 2. *This act is effective January 1, 1977.*"

Amend the title as follows:

Strike line 5 and insert "Chapter 541, by adding a section."

The motion prevailed. So the amendment was adopted.

S. F. No. 1791: A bill for an act relating to real estate; providing for limitation of action for damages based on errors in the survey of land; amending Minnesota Statutes 1974, Chapter 541, by adding a section.

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 43 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Patton	Solon
Berg	Hansen, Baldy	Kowalczyk	Perpich, A. J.	Spear
Bernhagen	Hansen, Mel	Lewis	Perpich, G.	Stassen
Borden	Hughes	Merriam	Pillsbury	Stumpf
Coleman	Humphrey	Milton	Purfeerst	Tennessee
Conzemius	Jensen	Olhoff	Renneke	Ueland
Doty	Josefson	Olson, A. G.	Schmitz	Willet
Dunn	Keefe, S.	Olson, H. D.	Schrom	
Frederick	Kleinbaum	O'Neill	Sillers	

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

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Coleman moved that the Senate do now adjourn until 10:30 o'clock a.m., Monday, March 22, 1976. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate