

**TWENTY-FIRST DAY**

St. Paul, Minnesota, Monday, March 7, 1977

The Senate met at 11:00 o'clock a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rabbi Bernard Raskas.

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

Anderson	Frederick	Laufenburger	Perpich	Staples
Ashbach	Gearty	Lessard	Peterson	Stokowski
Bang	Gunderson	Lewis	Pillsbury	Strand
Benedict	Hanson	Luther	Purfeerst	Stumpf
Bernhagen	Hughes	McCutcheon	Renneke	Tennessen
Borden	Humphrey	Menning	Schaaf	Ueland, A.
Brataas	Jensen	Merriam	Schmitz	Ulland, J.
Chenoweth	Johnson	Moe	Schrom	Vega
Chmielewski	Keefe, J.	Nelson	Setzepfandt	Wegener
Coleman	Keefe, S.	Nichols	Sieloff	Willet
Davies	Kirchner	Ogdahl	Sikorski	
Dieterich	Kleinbaum	Olhoft	Sillers	
Dunn	Knoll	Olson	Solon	
Engler	Knutson	Penny	Spear	

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. Milton was excused from the Session of today.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Messrs. Solon, Nelson, Humphrey, Willet and Luther introduced—

S. F. No. 625: A bill for an act relating to employment services; authorizing the summer employment of young persons for state and local service; appropriating money.

Referred to the Committee on Employment.

Messrs. Willet, Johnson, Borden and Peterson introduced—

S. F. No. 626: A bill for an act relating to taxation; providing for reduced assessment classification and homestead treatment of certain resort property; amending Minnesota Statutes 1976, Section 273.13, Subdivisions 4 and 6.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Chmielewski, Engler, Benedict, Setzepfandt and Schrom introduced—

S. F. No. 627: A bill for an act relating to public indebtedness; interest rates on obligations and special assessments; amending Minnesota Statutes 1976, Sections 429.061, Subdivision 2; and 475.55, Subdivision 1.

Referred to the Committee on Commerce. Mr. Wegener questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Schmitz introduced—

S. F. No. 628: A bill for an act relating to counties; extension of compliance date for county official controls; amending Minnesota Statutes 1976, Section 394.312.

Referred to the Committee on Local Government.

Messrs. Keefe, S.; Milton; Tennessen; Renneke and Lewis introduced—

S. F. No. 629: A bill for an act relating to public welfare; establishing home care programs for the needy; appropriating money; amending Minnesota Statutes 1976, Section 256B.51.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Merriam, McCutcheon, Penny, Olhoft and Sillers introduced—

S. F. No. 630: A bill for an act relating to taxation; eliminating the employers excise tax; repealing Minnesota Statutes 1976, Sections 290.031; 290.921; and 290.922.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ulland, J; Frederick; Ashbach and Ogdahl introduced—

S. F. No. 631: A bill for an act relating to taxation; exempting home heating and lighting energy sources from sales taxation; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

Referred to the Committee on Energy and Housing.

Messrs. Luther, Merriam, Sikorski and Benedict introduced—

S. F. No. 632: A bill for an act relating to pollution control; prescribing application fees for certain permits issued by the pollution control agency.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Stokowski, Strand, Peterson and Renneke introduced—

S. F. No. 633: A bill for an act relating to retirement; state employees; reducing the penalty for early retirement in certain cases; increasing the retirement annuity formula; amending Minnesota Statutes 1976, Sections 352.115, Subdivision 3; and 352.116, Subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. Strand, Renneke, Peterson and Stokowski introduced—

S. F. No. 634: A bill for an act relating to retirement; adjustment in annuities through the adjustable fixed benefit fund; amending Minnesota Statutes 1976, Section 11.25, Subdivisions 12 and 13.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski, Strand, Peterson and Renneke introduced—

S. F. No. 635: A bill for an act relating to retirement; date for payment of monthly annuities and benefits; amending Minnesota Statutes 1976, Chapter 356, by adding a section.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski and Johnson introduced—

S. F. No. 636: A bill for an act relating to education; school year; authorizing the school board to determine the number of days the school is in session; amending Minnesota Statutes 1976, Section 126.12.

Referred to the Committee on Education.

Messrs. Schaaf and Stokowski introduced—

S. F. No. 637: A bill for an act relating to the city of Columbia Heights police department relief association; membership therein; benefits and contributions; membership of certain police personnel in the public employees' police and fire fund.

Referred to the Committee on Governmental Operations.

Messrs. Ueland, A. and Renneke introduced—

S. F. No. 638: A bill for an act relating to public improvements; state university system; Mankato campus consolidation; appropriating money.

Referred to the Committee on Education. Mr. Ueland, A. questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Peterson, Strand, Renneke and Stokowski introduced—

S. F. No. 639: A bill for an act relating to retirement; the highway patrolmen's retirement fund; amending Minnesota Statutes 1976, Sections 352B.01, Subdivision 3; 352B.08, Subdivisions 1 and 2; 352B.10; and 352B.11, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski, Gearty, Benedict, Kirchner and Humphrey introduced—

S. F. No. 640: A bill for an act relating to the county of Hennepin; permitting longer duration contracts for goods and services entered into by the county of Hennepin; amending Laws 1969, Chapter 476, Section 1.

Referred to the Committee on Local Government.

Mr. McCutcheon introduced—

S. F. No. 641: A bill for an act relating to taxation; changing the homestead base value for property tax purposes; amending Minnesota Statutes 1976, Section 273.122, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. McCutcheon, Schaaf, Lewis and Merriam introduced—

S. F. No. 642: A bill for an act relating to taxation; abolishing the offices of local, city, and county assessors and providing that the commissioner of revenue employ assessors to conduct local assessments; appropriating money; amending Minnesota Statutes 1976, Sections 270.06; 273.01; 273.012, Subdivision 4; 273.03, Subdivision 2; 273.10; 273.121; 273.13, Subdivision 16; 273.17, Subdivision 2; 273.21; 274.01, Subdivision 1; 274.04, Subdivision 2; 274.05, Subdivision 1; 274.10, Subdivision 1; 375.192; 375.23; and 412.081, Subdivision 1; repealing Minnesota Statutes 1976, Sections 270.18; 270.41; 270.42; 270.43; 270.44; 270.45; 270.46; 270.47; 270.48; 270.49; 270.50; 270.51; 270.52; 273.04; 273.05; 273.051; 273.052; 273.053; 273.054; 273.055; 273.056; 273.06; 273.061; 273.062; 273.063; 273.064; 273.065; 273.072; 273.075; 367.05, Subdivision 1; and 412.131.

Referred to the Committee on Taxes and Tax Laws.

Messrs. McCutcheon, Merriam, Olhoft, Peterson and Hanson introduced—

S. F. No. 643: A bill for an act relating to taxation; removing reference to payment of salaries of local officers based on assessed valuation of jurisdiction; repealing Minnesota Statutes 1976, Section 273.13, Subdivision 7a.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sikorski, McCutcheon and Mrs. Staples introduced—

S. F. No. 644: A bill for an act relating to juveniles; requiring the reference for prosecution as an adult of certain juvenile offenders; establishing the crime of feloniously contributing to the delinquency of a minor; requiring the commissioner of corrections to establish institutional alternatives for juvenile offenders; providing penalties; amending Minnesota Statutes 1976, Sections 260.125; 260.255, Subdivision 1, and by adding a subdivision; 260.261; 260.315; and Chapter 609, by adding a section.

Referred to the Committee on Judiciary. Mr. Perpich questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Nelson, Solon, Ogdahl and Mrs. Brataas introduced—

S. F. No. 645: A bill for an act relating to vital statistics; requiring reporting; establishing registration districts; defining terms; providing penalties; repealing Minnesota Statutes 1976, Sections 144.151 to 144.205; 517.071; 517.08, Subdivisions 2 and 3; and 518.001.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Olson, Schrom, Lessard, Willet and Bernhagen introduced—

S. F. No. 646: A bill for an act relating to the environment; environmental impact statements; requiring petitioners initiating environmental impact statements to be adult residents or property owners in affected areas; exempting private actions of only local significance; providing that economic considerations be given due consideration; amending Minnesota Statutes 1976, Section 116D.04, Subdivisions 3, 5 and 6.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Olson, Schrom, Lessard, Willet and Bernhagen introduced—

S. F. No. 647: A bill for an act relating to the environment; clarifying the burden of proof in environmental rights actions;

providing that economic considerations shall receive due consideration; amending Minnesota Statutes 1976, Sections 116B.04; and 116B.09, Subdivision 2.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Frederick introduced—

S. F. No. 648: A bill for an act relating to taxation; providing for application of current Internal Revenue Code provisions to state income tax law; amending Minnesota Statutes 1976, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Mr. Chmielewski introduced—

S. F. No. 649: A bill for an act relating to taxation; permitting certain appeals of assessments to the commissioner of revenue; providing for appointment of local assessors or termination of their offices; refining terms of senior citizens property tax freeze; eliminating assessors' and auditors' bonds; providing for appeal of property classification; defining certain powers of boards of equalization; clarifying redemption period for tax-forfeited lands; amending Minnesota Statutes 1976, Sections 270.11, Subdivision 7; 270.50; 273.011, Subdivision 4; 273.012, Subdivision 2; 273.04; 273.05, Subdivisions 1 and 2; 273.06; 274.01, Subdivision 1; 274.13, Subdivision 1; 276.12; and 281.17; and Chapter 270, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Frederick and Chmielewski introduced—

S. F. No. 650: A bill for an act relating to taxation; establishing progressive rates for the taxation of income of corporations; amending Minnesota Statutes 1976, Section 290.06, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Perpich; Schaaf; Keefe, S.; Stokowski and Lewis introduced—

S. F. No. 651: A bill for an act relating to health; developing standards for safe drinking water; providing penalties; defining terms; amending Minnesota Statutes 1976, Sections 115.71, Subdivision 7; and 144.12, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

Mrs. Staples, Messrs. Milton, Lewis, Kirchner and Chmielewski introduced—

S. F. No. 652: A bill for an act relating to health care; establish-

ing a program for the care and treatment of hemophiliacs; providing certain financial assistance to hemophiliacs; appropriating money; amending Minnesota Statutes 1976, Chapter 144, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Jensen, Davies, Sillers and Sieloff introduced—

S. F. No. 653: A bill for an act relating to crimes and criminals; proceedings on complaint; warrant; amending Minnesota Statutes 1976, Section 629.42.

Referred to the Committee on Judiciary.

Messrs. Vega, Schaaf and Johnson introduced—

S. F. No. 654: A bill for an act relating to taxation; requiring counties and municipalities to defer special assessments on property owned by senior citizens in hardship situations; amending Minnesota Statutes 1976, Section 435.193.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Humphrey and Nelson introduced—

S. F. No. 655: A bill for an act relating to appropriations; providing funding for the continued operation of detached worker programs for assistance to young people.

Referred to the Committee on Employment.

Messrs. Peterson, Renneke, Strand, Stokowski and Ogdahl introduced—

S. F. No. 656: A bill for an act relating to retirement; making judges eligible for combined service annuities; amending Minnesota Statutes 1976, Section 356.30, Subdivision 3.

Referred to the Committee on Governmental Operations.

Messrs. Olhoft, Strand, Wegener, Dunn and Schrom introduced—

S. F. No. 657: A bill for an act relating to electric utilities; power plant and high voltage transmission line siting; amending Minnesota Statutes 1976, Sections 116C.53; 116C.55, Subdivisions 2 and 3; 116C.56; 116C.57, Subdivisions 1, 2 and 4; 116C.58; 116C.59, Subdivision 1; 116C.61, Subdivisions 2 and 3; 116C.64; and 116C.66.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Ulland, J. and Sieloff introduced—

S. F. No. 658: A bill for an act relating to taxation; exempting mineral water from sales taxation; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Merriam, Dunn, Purfeerst and Mrs. Brataas introduced—

S. F. No. 659: A bill for an act relating to education; handicapped pupils; providing an exception to the deduction of school aid allowances for certain handicapped children; amending Minnesota Statutes 1976, Section 124.32, Subdivision 1.

Referred to the Committee on Education.

Mr. Pillsbury introduced—

S. F. No. 660: A bill for an act relating to taxation; increasing size of governmental subdivisions exempt from levy limits; amending Minnesota Statutes 1976, Section 275.59.

Referred to the Committee on Taxes and Tax Laws.

Mr. Pillsbury introduced—

S. F. No. 661: A bill for an act proposing an amendment to the Minnesota Constitution, changing Article IV, Sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 19, 20, 21, 22, 23, 24, 25, and 26, Article V, Sections 3 and 5, Article VIII, Section 1, Article IX, Sections 1 and 2, Article XI, Section 5, and repealing Article IV, Section 18; providing for unicameral legislature of limited size elected for staggered terms.

Referred to the Committee on Rules and Administration.

#### MESSAGES FROM THE HOUSE

Mr. President:

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

House Concurrent Resolution No. 4: A House concurrent resolution providing for a joint convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted March 3, 1977

Mr. Coleman moved that House Concurrent Resolution No. 4 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 Files, herewith transmitted: H. F. Nos. 21 and 260.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted March 3, 1977

#### FIRST READING OF HOUSE BILLS

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

H. F. No. 21: A bill for an act relating to elections; providing that certificates of election to the legislature be sent to the legislature; amending Minnesota Statutes 1976, Section 204A.54, Subdivision 1.

Referred to the Committee on Elections.

H. F. No. 260: A bill for an act relating to the military; abolishing the naval militia and deleting references thereto; correcting other terminology; amending Minnesota Statutes 1976, Sections 190.05, Subdivision 3; 190.06, Subdivision 2; 191.09; 192.26, Subdivision 1; 193.141, Subdivision 1; 193.142; 193.143; 193.1431; 193.145; and 193.36, Subdivision 1; repealing Minnesota Statutes 1976, Chapter 194.

Referred to the Committee on General Legislation and Veterans Affairs.

#### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments. The motion prevailed.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for January 6, 1977:

#### WATER RESOURCES BOARD

Merlyn B. Knudson

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 198: A bill for an act relating to education; creating a legislative educational finance study commission; appropriating money.

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

Page 2, line 32, strike "five" and insert "eight"

Page 3, line 1, strike "committee" and insert "subcommittee"

Page 3, line 2, strike "five" and insert "eight"

Page 3, line 14, strike "committee" and insert "subcommittee"

Page 3, line 21, strike "commissioner of administration" and insert "legislative coordinating commission"

Page 3, line 22, strike "provide" and insert "designate"

Page 3, line 26, after "The" insert "legislative coordinating"

Page 3, line 26, strike "may" and insert "shall designate or"

Page 3, line 28, after "order" insert "for the legislative educational finance study commission"

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

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 116: A bill for an act relating to trade regulations; providing for unit pricing of certain packaged commodities; providing for exemptions.

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

Page 2, line 11, strike "50" and insert "100"

Page 2, line 12, strike "50" and insert "100"

Page 2, line 14, strike "50" and insert "100"

Page 3, line 20, strike "50" and insert "100"

Page 3, line 22, strike "50" and insert "100"

Page 4, line 18, strike "may" and insert "shall"

Page 4, line 23, strike "consumer"

Page 4, line 26, strike "provided" and insert "placed"

Page 5, line 9, strike "\$500,000" and insert "\$1,000,000 or any owner operated single store"

Page 5, line 12, after "of" insert "more than"

Page 5, line 12, strike "\$500,000" and insert "\$1,000,000"

Page 5, line 12, strike "or more, except where the store is" and insert ". For the purposes of this subdivision, "chain store sales organization" shall mean two or more retail stores where a common name is used to designate or advertise the stores and where there is common ownership of the stores, in whole or in part."

Page 5, strike line 13 and insert "Subd. 2. Any seller at retail

whose primary business is other than the sale of food or food related commodities shall be exempt from the provisions of this act. Provided, however, that if the establishment of a seller at retail exempted by this subdivision contains a department or section whose primary business is the sale of food or food related commodities, the provisions of this act shall apply to commodities sold in that department or section."

Renumber the subdivisions in sequence

Page 5, line 23, strike "Consumer"

Page 6, line 6, strike "and"

Page 6, line 7, strike "regulations following public hearings,"

Page 6, line 14, strike "consumer"

Page 6, line 16, after "disclosure" strike "for" and insert "of"

Page 6, line 18, delete the period and insert a semicolon

Page 6, after line 18, add:

"(c) Delete items from the list in section 1;

(d) Establish uniform presentation of the pricing information.

Sec. 5. Violations of the provisions of this act shall constitute a petty misdemeanor."

Page 6, line 19, strike "consumer"

Page 6, line 21, strike "by" and insert "on or before"

Page 6, line 23, strike "regulation" and insert "rule"

Page 6, line 24, strike "consumer"

Renumber the remaining sections in sequence

Amend the title as follows:

Page 1, line 4, before the period insert "; providing for penalties"

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

Mr. Anderson from the Committee on Energy and Housing, to which was referred

H. F. No. 38: A bill for an act relating to housing; providing statutory warranties on the sale of new housing; establishing a cause of action for breach of warranty; providing remedies; amending Minnesota Statutes 1976, Section 541.051, by adding a subdivision.

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

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 74: A bill for an act relating to agriculture; potato grading; application; repealing Minnesota Statutes 1976, Section 30.101.

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

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 85: A bill for an act relating to agriculture; establishing an avian disease research center; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 333: A bill for an act relating to agriculture; potato industry promotion; providing for an increase in the assessment levied; amending Minnesota Statutes 1976, Section 30.469.

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

Page 1, line 18, reinstate "and 30.479"

Page 2, line 12, reinstate "and 30.479"

Page 3, line 2, reinstate "and 30.479"

Page 3, line 10, reinstate "and 30.479"

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

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 138: A bill for an act relating to game and fish; violation of laws or regulations; conviction and ineligibility for licensing; amending Minnesota Statutes 1976, Sections 97.40, by adding a subdivision; and 98.52, Subdivision 1.

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

Amend the title as follows:

Page 1, lines 2 and 3, delete "violation of laws or regulations;" and insert "defining"

Page 1, line 3, delete "and ineligibility for"

Page 1, line 4, delete "licensing" and after the semicolon insert "increasing the penalty for a conviction related to big game;"

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

## SECOND READING OF SENATE BILLS

S. F. Nos. 74 and 333 were read the second time and referred

to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

### SECOND READING OF HOUSE BILLS

H. F. No. 38 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

### MOTIONS AND RESOLUTIONS

Mr. Johnson moved that S. F. No. 62 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Agriculture and Natural Resources. The motion prevailed.

Mr. Knoll moved that the name of Mr. Kirchner be added as co-author to S. F. No. 555. The motion prevailed.

Mr. Sikorski moved that the name of Mr. Nelson be added as co-author to S. F. No. 594. The motion prevailed.

Mr. Solon moved that the names of Messrs. Spear and Vega be added as co-authors to S. F. No. 596. The motion prevailed.

Mr. Vega moved that the name of Mr. Solon be added as co-author to S. F. No. 609. The motion prevailed.

Mr. Vega moved that the name of Mr. Solon be added as co-author to S. F. No. 613. The motion prevailed.

Mr. Sieloff moved that the name of Mr. Knutson be added as co-author to S. F. No. 558. The motion prevailed.

Mr. Purfeerst moved that S. F. No. 582 be withdrawn from the Committee on Transportation and re-referred to the Committee on Commerce. The motion prevailed.

Mr. Coleman, for the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the following named persons be and are hereby appointed to the positions hereinafter stated and at the salaries heretofore fixed.

Patricia Thorup, transferred from Page classification to Clerk Typist I, effective March 7, 1977.

Laura Lindorfer, transferred from Clerk-Typist II to Committee Secretary.

Nancy PirkI, Clerk-Typist II, effective March 3, 1977.

Rabbi Bernard S. Raskas, Chaplain, effective March 3, 1977.

Rev. Edward Flahavan, Chaplain, effective March 21, 1977.

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

Without objection, the Senate reverted to the Order of Business of Reports of Committees.

### REPORTS OF COMMITTEES

Mr. Coleman from the Committee on Rules and Administration, makes the following report:

The permanent rules of the Senate for the 70th legislature shall read as follows:

#### PERMANENT RULES OF THE SENATE PARLIAMENTARY REFERENCE

1. The rules of parliamentary practice comprised in Mason's Manual of legislative procedure shall govern the Senate in all cases in which they are applicable, and in which they are not inconsistent with these rules and orders of the Senate and the joint rules and orders of the Senate and House of Representatives.

#### HOOR OF CONVENING

2. The Senate shall convene on days of meeting at 10 o'clock a.m. unless the Senate directs otherwise.

#### PRESIDENT

3. The President shall take the chair at the hour to which the Senate adjourned. He shall immediately call the members to order and, on the appearance of a quorum, shall proceed with the regular order of business. He shall preserve order and decorum, may speak on points of order in preference to members, and shall also decide all questions of order, subject to an appeal to the Senate by a member. An appeal is decided by a majority vote of those present and voting. Upon an appeal from the decision of the President, the question is, "Shall the decision of the President be the judgment of the Senate?"

#### SUBSTITUTES FOR THE PRESIDENT

4. The President may call a member to preside. In the absence of the President, the Chairman of the Committee on Rules and Administration, or his designee, shall preside over the Senate. In the absence of the Chairman, a member may be selected by the Senate to perform the duties of the President. Substitutions do not extend beyond adjournment.

#### ABSENCE OF SENATORS

5. No Senator or officer of the Senate shall be absent from a session of the Senate unless excused by the Senate.

#### DECORUM DURING BUSINESS

6. When the President puts a question, or addresses the Senate, no one shall walk out of or cross the Chamber. When a member is speaking, no one shall pass between the member speaking and the President. No member, or other person, shall proceed to or remain by the Secretary's desk while the ayes and nays are being called or counted. No member may speak without using a microphone.

**ORDER OF BUSINESS****7. The order of business is as follows:**

1. Petitions, letters, remonstrances.
2. Executive and official communications.
3. Introduction and first reading of Senate bills.
4. Messages from the House of Representatives.
5. First reading of House bills.
6. Reports of committees.
  - (a) From standing committees.
  - (b) From select committees.
7. Second reading of Senate bills.
8. Second reading of House bills.
9. Motions and resolutions.
10. Third reading of Senate bills.
11. Third reading of House bills.
12. Consent Calendar.
13. General Orders.
14. Announcements of Senate interest.

Under the order of business of Motions and Resolutions the Senate may by a majority vote of the whole Senate temporarily revert or proceed to any other order of business.

**CALENDAR**

8. The Secretary shall make a Calendar of all bills, resolutions and other matters coming before the Senate for final action. He shall place them on the Calendar in the order in which they have been acted upon in Committee of the Whole. Senate bills shall be placed ahead of House bills. The Calendar shall be printed and placed upon the members' desks at least one calendar day before the matters on it are considered.

**CONSENT CALENDAR**

9. If a committee determines that a bill it recommends to pass is of a routine nature or otherwise of a nature which likely will not be opposed, it may in its report recommend that the bill be placed on the Consent Calendar. If the report is adopted, the bill shall be printed and placed on the Consent Calendar after its second reading. On the question of adoption of the report the question of accepting the recommendation that the bill be placed on the Consent Calendar may be divided from the question of adopting the report in other respects.

A majority of the whole Senate may order a bill on General Orders to be placed on the Consent Calendar.

The Consent Calendar consists of bills placed on it. Senate bills shall be positioned ahead of House bills. The Consent Calendar shall be printed and placed on the members' desks at least one calendar day before the matters on it are considered.

If a member objects to consideration of a bill on the Consent Calendar at any time during its consideration in the Senate before the question on final passage is put, and that objection is supported by at least two other members, the bill shall be referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

### **SPECIAL ORDERS**

10. The Chairman of the Subcommittee on Bill Scheduling of the Committee on Rules and Administration, as authorized by the subcommittee, may designate a Special Order for a bill that has been given its second reading.

A Special Order shall provide that the bill be considered immediately, at a time certain, or after specific other business is completed.

During consideration of a Special Order, Rule 20 is suspended. As nearly as applicable, debate on the bill and all proceedings including amendments and substitutions shall be that of the Committee of the Whole.

On any question a member may call for the ayes and nays which shall be entered in the Journal.

Unless it is otherwise disposed of, after consideration a bill on Special Orders of the Senate shall immediately proceed to its third reading and final passage.

### **GENERAL ORDERS**

11. The Secretary shall make a list of all bills, resolutions, reports of committees, and other proceedings of the Senate, which are referred to the Committee of the Whole, and which are not made the order of the day, for a particular day, and number them. The lists are called the "General Orders". They shall be taken up in the order in which they are numbered unless otherwise ordered by a majority of the committee.

General Orders, together with all bills included on it required to be printed under the rules or orders of the Senate, shall be printed and placed upon the members' desks at least one calendar day before being considered in Committee of the Whole.

### **MOTIONS**

12. When a motion is made it shall be stated by the President. If it is in writing it shall be handed to the Secretary and read to the members.

13. A motion or amendment shall be written if the President or a member requests. In that case it must be signed by the member or committee offering it.



14. After a motion is stated by the President, or read by the Secretary, it is in possession of the Senate, but may be withdrawn by the author at any time before decision or amendment.

#### **PRECEDENCE OF MOTIONS**

15. When a question is under debate no motion shall be received, except:

1. To adjourn.
2. To recess.
3. To reconsider.
4. To lay on the table.
5. For the previous question.  
(Motions numbered 1, 2, 4 and 5 above shall be decided without debate.)
6. To refer.
7. To postpone to a day certain.
8. To amend.
9. To postpone indefinitely.

These several motions have precedence in the foregoing order; but when a motion for the previous question has been seconded, or the main question ordered, a motion to lay on the table is not in order.

A motion to postpone to a day certain, to refer, to postpone indefinitely, or to amend, having been decided, shall not again be put on the same day, nor at the same stage of the bill or proposition.

#### **MOTION TO ADJOURN**

16. A motion to adjourn is always in order, and also a motion to adjourn to a time certain. The latter motion is debatable solely as to the time. When either motion is rejected it shall not be renewed until further business has been transacted.

#### **AMENDMENTS TO RULES AND SUSPENSION OF RULES**

17. Every proposition to amend a rule of the Senate shall be referred to the Committee on Rules and Administration. The proposition shall not be acted upon until the report of the committee is received by the Senate. A rule shall not be suspended except by at least two-thirds vote of the whole Senate. A motion to suspend the rules for the purpose of advancing a bill shall be made only under the order of business, "Motions and Resolutions."

#### **ORDER IN DEBATE**

18. When a member is about to speak in debate, or deliver a matter to the Senate, the member shall rise and respectfully

address "Mr. President". The member shall not proceed to speak further until recognized by the President. The member shall speak only to the question under debate and avoid personality. In discussing a resolution, Senators are limited to ten minutes each.

19. When a member is called to order, he shall be silent until it is determined whether or not he is in order. If a member is called to order for words spoken in debate, the words excepted to shall be taken down in writing by the Secretary immediately.

20. No member shall speak more than twice on the same question on the same day without leave of the Senate.

#### **COMMITTEES NOT TO BE ABSENT**

21. Committees shall not be absent from the Senate without permission of the Senate. The names of the Senators excused shall be printed in the Journal.

#### **SENATORS TO VOTE UNLESS EXCUSED**

22. Every member of the Senate who is in the Senate Chamber during a roll call shall vote upon the request of any Senator unless the Senate, for special reasons, excuses the member.

A motion by a member to be excused from voting shall be made before the question is put. A member wishing to be excused from voting may make a brief statement of the reason for making the request and the question on the motion shall be taken without further debate.

When members have had an opportunity to vote and fail to do so, a majority of all the members of the Senate may, by motion, direct the President to close the roll. The vote on a motion to close the debate shall be taken without debate and no member is required to vote on the motion.

#### **CALL OF THE SENATE**

23. A member may impose a call of the Senate requiring the attendance of all members before any further proceedings occur except a motion to adjourn. Upon the imposition of a call, a record of those present shall be obtained and the Sergeant-at-arms instructed to bring in the absent members. When the Senate has been placed under call, the doors shall be closed and no member permitted to leave the Chamber until the matter or question, if any, under consideration at the time of the call is disposed of, or until the call is lifted by a majority vote of all the members of the Senate, or until the Senate adjourns. A majority vote of all the members of the Senate may excuse from attendance absent members not answering the call.

A call cannot be made after voting has commenced.

#### **QUESTIONS — HOW STATED AND DECIDED**

24. Questions shall be distinctly put. The President shall de-

clare all votes but if a member rises to question a vote, the President shall order a division.

#### **ONLY MEMBERS PRESENT TO VOTE**

25. Upon a division and count of the Senate on a question, only members present in the Senate chamber shall be counted. No member may vote on a question except at the member's own seat in the chamber.

#### **ANY SENATOR MAY DEMAND AYES AND NAYS**

26. At any time prior to the start of voting on a question, a member may call for the ayes and nays which shall be entered in the Journal. A call for the ayes and nays cannot be interrupted except as provided in Rule No. 22.

#### **AUTHORIZED ELECTRICAL VOTING DEVICE**

27. Unless otherwise ordered, a vote, except upon elections and upon the overriding of a Governor's veto, may be taken by means of the electrical voting system which is under the control of the President.

#### **CERTIFICATE FOR MONEY**

28. No certificate authorizing the payment of money appropriated by the Legislature shall be issued by the Secretary, by virtue of a motion or resolution unless the motion or resolution is voted for by a majority of all members of the Senate. All motions or resolutions authorizing the issuing of certificates by the Secretary for the payment of money shall be upon a call of the ayes and nays.

#### **THE PREVIOUS QUESTION**

29. Unless the motion for the previous question is made specifically applicable to a subsidiary motion, the previous question shall be in this form:

"Shall the main question now be put?" It shall only be admitted when demanded by a majority of the members present, and its effect is to put an end to all debate, and bring the Senate to a direct vote upon amendments reported by a committee, if any, then upon all pending amendments in their order and then upon the main question.

On a motion for the previous question a call of the Senate is in order before the President submits the question to the Senate.

On a previous question there is no debate. All incidental questions of order, arising after a motion is made for the previous question, and pending the motion, shall be decided, whether on appeal or otherwise, without debate.

#### **DIVISION OF QUESTION**

30. A member may call for a division of the question when the

question will admit of it. A motion to strike out and insert is indivisible. A motion to strike out being lost does not preclude an amendment nor a motion to strike out and insert.

### RECONSIDERATION

31. When a motion or question has been once put and carried in the affirmative or negative, it is in order for a member who voted with the prevailing side to move for reconsideration on the same day on which the vote was taken or within the next two calendar days or, if later, the first day the Senate meets after the vote was taken. The motion takes precedence over all other questions except a motion to adjourn or recess. When a motion to adjourn is adopted prior to the disposition of the motion for reconsideration, a motion for reconsideration shall lie over until the next succeeding day the Senate meets except as provided in this rule. When notice of intention to move reconsideration of the final action of the Senate on a question is given by a member, the Secretary shall retain the subject of the notice until after the expiration of the time during which the motion can be made.

During the six calendar days before the first Tuesday following the third Saturday in May of any year a notice of intention to move for reconsideration is not in order, but a motion to reconsider may be made and have priority over all other business except a motion to adjourn. A motion for reconsideration having been once voted on shall not be put again nor reconsidered.

### INTRODUCTION OF BILLS

32. Bills, memorials, concurrent or joint resolutions may be introduced by a member or by order of the Senate on a report of a committee. An original and three copies are required for introduction. The number of authors shall not exceed five. A member or a committee desiring to introduce a bill, memorial or concurrent or joint resolution shall place it in the hands of the Secretary, and the Secretary shall promptly deliver all the bills, memorials or concurrent or joint resolutions to the President who shall present them to the Senate.

The name of the author or authors shall be prefixed to each bill, memorial or resolution and the name of a committee introducing a bill, memorial or resolution shall be endorsed on it.

### RECESS BILL INTRODUCTIONS

33. During the period between the last day of the session in any odd-numbered year and the first day of the session in the following year, a bill filed with the President for introduction shall be given a file number and may be unofficially referred by the Committee on Rules and Administration to an appropriate standing committee of the Senate. All bills filed for introduction during this period shall be presented to the Senate when it reconvenes and shall be referred to the standing committees previously indicated by the Committee on Rules and Administration, subject to objection under Rule 35.

### REPORTING OF BILLS

34. Every bill, memorial, order, resolution or vote requiring the approval of the Governor shall be reported to the Senate on three different days previous to its passage. The first report, called the first reading, is made when it has been received for introduction; the second report, called the second reading, is made when it has been considered by all the necessary standing committees and is ready for debate; the third report, called the third reading, is made when it is ready for final passage.

### REFERRING OF BILLS

35. All bills shall be referred by the President without motion to the proper standing committee unless otherwise referred by the Senate. A bill introduced by a committee need not be referred to a standing committee unless a question arises but rather shall lie over one day before being given its second reading and placed on General Orders. When a question arises concerning the proper reference of a bill during the order of business of first reading on the day of introduction or at the time of report on it by a standing committee to which the bill was previously referred, the bill shall be referred without debate to the Committee on Rules and Administration to report the proper reference, and upon adoption of the report, it shall be referred accordingly.

All bills appropriating money, or obligating the state to pay or expend money, or establishing a policy which to be effective will require expenditure of money, when referred to and reported by any other than the Committee on Finance, shall, before passage, be referred to the Committee on Finance.

36. No bill or resolution shall be referred to committee or amended until it has been given its first reading. No bill or resolution shall be objected to on its introduction.

### AMENDMENTS TO BE GERMANE

37. An amendment proposed to the Senate or to the Committee of the Whole that is not germane is out of order. A non-germane amendment includes one that relates to a substantially different subject, or is intended to accomplish a substantially different purpose than that of the original bill to which it is proposed. Whether an amendment is germane is a question to be decided by the President, who may put the question to the body if he chooses.

### AMENDMENTS TO BILLS

38. In drawing an amendment to a bill or resolution reference shall be made therein, first to the number of the bill, then to the page, and then to the line or lines from which matter is to be stricken or in which new matter is to be inserted.

### AMENDMENTS TO TITLE

39. The title to a bill may be amended at any time during its pendency in the Senate.

### RECALL FROM COMMITTEE

40. A majority of the Senate may at any time recall a bill from any committee or take a bill from the table and place it on General Orders.

By a report of the Committee on Rules and Administration, adopted by the Senate, the Committee on Rules and Administration on request of the first author may remove a bill from committee and re-refer it to any other committee or place it on General Orders.

### DISTRIBUTION AND PRINTING OF BILLS

41. To the extent practical the Secretary shall provide a copy of any bill to the public. He may charge a reasonable fee.

Unless otherwise ordered by the Senate, all Senate bills which have been reported upon favorably or without recommendation by a committee shall be printed prior to consideration by the Senate or the Committee of the Whole. A bill may be printed by order of the Secretary when amended after second reading. A bill shall be printed when ordered by a majority vote of the Senate. Action by the Senate on a bill which has not been printed is a waiver of the printing requirement.

### BILL SCHEDULING

42. All bills, memorials, orders, resolutions and votes requiring the approval of the Governor shall, after a second reading, be referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration, except as provided for in Rule 9. At least every seven calendar days, the subcommittee shall report to the Senate the bills and other matters recommended by the subcommittee for Senate action, and any subcommittee action taken or proposed on bills and other matters that are recommended to remain in the subcommittee. All matters reported out by the subcommittee shall be placed on General Orders in the order designated by the subcommittee and shall be considered in Committee of the Whole before they are finally acted upon by the Senate, except as provided for in Rules 9 and 10.

### COMMITTEE OF THE WHOLE

43. The President may call a member to the Chair when the Senate resolves itself into the Committee of the Whole. The rules observed in the Senate govern, as far as practicable, the proceedings of the Committee of the Whole, and the Chairman of the Committee of the Whole has the powers of the President, as appropriate. However, a member may speak more than twice on the same subject and a call for the previous question cannot be made. The ayes and nays shall be taken only upon the request of three members, and when taken shall be recorded in the Journal along with the amendment; provided, however, that a member may, with the approval of the Chairman of the Committee on Rules and Administration, submit a description of the amendment for printing.

In those cases the Secretary shall retain in the minutes of the Committee of the Whole the full text of the amendment.

44. The recommendations of the Committee of the Whole shall be reported to the Senate. If a recommendation contains a proposed amendment of a bill, that amendment shall be noted on a separate piece of paper but when reported need not be read by the President unless required by one or more of the members. The question is on the adoption or rejection of the report, and no other question shall be admitted. The question may be divided to permit separate Senate action on the report as to any bill. On adoption of the report of the Committee of the Whole all bills recommended to pass shall be placed upon the Calendar.

#### AMENDMENT ON THIRD READING

45. Except as provided for in Rule 39 and to fill blanks, no amendment is in order on third reading without the unanimous consent of the Senate. In filling blanks, the largest sum, the longest time and the greatest distance shall be first taken.

#### MOTION TO REFER

46. A bill or resolution may be referred to committee at any time prior to its passage, and if an amendment is reported on the referral to any other than a Committee of the Whole, it shall again be read the second time, *referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration*, considered in Committee of the Whole, read the third time and placed on final passage. If the referral is to the Committee of the Whole it shall be placed at the head of General Orders, except when the referral is under Rule 9.

#### FINAL PASSAGE

47. The final question upon a bill or other matter requiring action by both Houses after its first and second reading, and after the consideration in Committee of the Whole, is upon its final passage.

#### TRANSMITTING OF BILLS TO THE HOUSE

48. Except as provided in Rule 31, immediately after the passage of a bill or other matter in which the concurrence of the House of Representatives is requested, the Secretary shall transmit it to the House. On the concurrence of a bill or other matter of the House by the Senate, or on the concurrence or disagreement in a vote of the House, the Secretary shall notify the House.

#### COMPARISON AND SUBSTITUTION OF BILLS

49. Unless there is a motion or objection, a House bill, after its first reading, shall be referred as follows:

(b) (a) If there is no Senate companion bill, the House bill shall be referred to the *Committee on Rules and Administration*.

which shall recommend that the bill be referred to the appropriate standing committee;

(a) (b) If there is a Senate companion bill, the House bill shall be referred to the standing committee possessing the Senate companion;

(c) If the Senate companion bill has been reported to the Senate, the House bill shall be referred to the Committee on Rules and Administration, which shall report whether the House bill is identical to the Senate companion bill. If the bills are identical, the report shall recommend that the House bill be given its second reading and substituted for the Senate companion bill and the Senate companion bill be indefinitely postponed. If the House bill is not identical to the Senate companion bill, the report of the committee shall so state and recommend an amendment to the House bill that when adopted will render the House bill identical to the Senate bill. Upon adoption of a committee report containing the proposed amendment, the House bill as amended shall be given its second reading and substituted for the Senate companion bill and the Senate companion bill shall be indefinitely postponed.

Reports of the Committee on Rules and Administration pursuant to this rule shall be prepared and submitted on behalf of the committee by the Secretary.

A House bill placed on the Calendar by substitution shall not be given its third reading on the same day as the substitution.

#### **ENGROSSING AND ENROLLING OF BILLS**

50. All engrossing and enrolling of bills shall be done at the direction and under authority of the Senate.

Every bill, memorial, order or resolution originating in the Senate shall be carefully engrossed before being transmitted to the House of Representatives for concurrence.

All bills shall be carefully enrolled under the supervision of the Committee on Rules and Administration, which may report to the Senate at any time on the enrollment of bills.

#### **DISPOSITION OF BILLS ON ADJOURNMENT**

51. Adjournment of the regular session in an odd-numbered year to a date certain in the following year shall be equivalent to daily adjournment, except that a bill on the Calendar, Consent Calendar, or General Orders shall be returned to the standing committee other than the Committee on Rules and Administration from which it was last reported to the Senate, unless otherwise provided for by motion prior to adjournment. Bills returned to committee pursuant to this rule shall, upon request of the author, be given priority for consideration by the committee ahead of all other bills in the order in which they appeared on the Calendar, Consent Calendar, or General Orders.

#### **PETITIONS AND OTHER COMMUNICATIONS**

52. In presenting a petition, memorial, remonstrance or other



communication addressed to the Senate, a member shall only state the general purpose of it.

Every petition, memorial, remonstrance, resolution, bill and report of committee, shall have an appropriate title, and the name of the member presenting it written on it.

#### **RESOLUTIONS**

53. Memorial resolutions addressed to the President or the Congress of the United States, or a house or member of Congress, or a department or officer of the United States, or a state or foreign government, and resolutions requiring the signature of the Governor shall follow the same procedure as bills before being adopted.

Upon a member giving notice of intention to debate a resolution not requiring the signature of the Governor and not offered by the Committee on Rules and Administration, the resolution shall lie over one calendar day without debate or other action. Upon the request of a Senator, the resolution shall be referred to the proper committee. Whenever a question arises concerning the proper reference the procedure provided by Rule 35 applies.

#### **CONFIRMATIONS**

54. Every gubernatorial appointment requiring the advice and consent of the Senate shall be referred by the President to the appropriate committee. If a question arises as to the proper committee, the appointment shall be referred without debate to the Committee on Rules and Administration for a report making the proper reference.

The final question on the appointment is, "Will the Senate, having given its advice, now consent to this appointment?" The question shall not be put the same day the appointment is received nor on the day it is reported by committee unless by unanimous consent.

#### **SIGNING OF ACTS, RESOLUTIONS**

55. In addition to his duties under Rule 3, the President shall sign all acts, memorials, addresses and resolutions. All writs, warrants and subpoenas issued by the Senate shall be signed by the President and attested by the Secretary.

#### **APPOINTMENT OF COMMITTEES**

56. The majority and minority shall each be represented on all standing committees of the Senate. The majority group shall assign the number of positions the minority group will hold on each committee. The minority group shall be given adequate notice about its positions prior to the commencement of the session. Both the majority and minority groups shall appoint their own members to fill the number of positions each group will hold on each committee. The minority group shall transmit notice of its assignments to the majority group within ten calendar days after receipt of the notice of positions available. If the minority group

for any reason fails to make its appointments pursuant to this rule, the majority group may make all the committee assignments.

The majority and minority committee assignments are subject to the uniform criteria governing committee assignments applicable to both the majority and minority. The uniform criteria shall be promulgated by the majority group and transmitted to the minority group together with notification of committee positions available to the minority.

Committee assignments as made by the majority and minority groups shall be followed by the Senate in the resolution establishing representation on all Senate standing committees.

After the organization of the Senate, all committees of the Senate and members of commissions to be appointed by the Senate authorized by rule, statute, resolution or otherwise, shall be appointed by the Subcommittee on Committees of the Committee on Rules and Administration, unless otherwise provided, subject to confirmation by the Senate. In the appointment of members of conference committees between the two houses, the Subcommittee on Committees of the Committee on Rules and Administration of the Senate shall appoint those who are in accord with the position of the Senate, and whenever practical, give preference to authors of bills in dispute and to members of standing committees in which the bills were considered.

#### STANDING COMMITTEES

57. The standing committees of the Senate and their complement are as follows:

Agriculture and Natural Resources — 18 19

Commerce — 15

Education — 14

Elections — 11

Employment — 14

Energy and Housing — 14

Finance — 26

General Legislation and Veterans Affairs — 14

Governmental Operations — 19 20

Health, Welfare and Corrections — 14

Judiciary — 17

Local Government — 11 12

Rules and Administration — 21

Taxes and Tax Laws — 19 21

Transportation — 16

The Committee on Rules and Administration may constitute

a standing Subcommittee on Engrossing and Enrolling, the report of which within its jurisdiction has the effect of a report of the main Committee on Rules and Administration, and the reference under Rule 49 is made directly to this subcommittee.

The Committee on Rules and Administration may constitute a standing Subcommittee on Bill Scheduling, the report of which within its jurisdiction has the effect of a report of the main Committee on Rules and Administration, and the reference under Rule 42 is made directly to this subcommittee. The subcommittee shall consist of the Chairman of the Committee on Rules and Administration who shall serve as chairman of the subcommittee, the Vice-chairman of the Committee on Rules and Administration, the President, the chairmen of the committees on Finance and on Taxes and Tax Laws, and one member of the minority group.

The Committee on Rules and Administration may constitute a standing Subcommittee on Committees, the report of which within its jurisdiction has the effect of a report of the main Committee on Rules and Administration. The subcommittee shall consist of five members, one of whom shall be a member of the minority group.

Each standing committee of the Senate, including a subcommittee of the committee, is authorized at any time to sit and act, to require by subpoena or otherwise the attendance and testimony of witnesses and the production of correspondence, books, papers, and documents, and to take testimony as it deems advisable. Each standing committee may make investigation into to investigate and take testimony on any matter within its jurisdiction, may to report hearings held by it, and may to make expenditures as authorized from time to time by the standing Committee on Rules and Administration. *A standing committee, but not a subcommittee, may require by subpoena or otherwise the attendance and testimony of witnesses and the production of correspondence, books, papers, and documents, in the manner provided by Minnesota Statutes, Section 3.153.*

#### COMMITTEE MEETINGS

58. All meetings of the Senate, its committees and subcommittees are open to the public.

To the extent practical, meetings of all committees shall be announced to the public at least three calendar days prior to convening. The notice shall state the name of the committee, the bill or bills to be considered, the place and time of meeting. The notice shall be posted on all Senate bulletin boards in the Capitol, and the State Office Building. A notice shall be sent to the House of Representatives for posting as it deems necessary.

#### QUORUM IN COMMITTEE

59. A majority of its members constitutes a quorum of a committee.

**REPORT OF VOTE IN COMMITTEE**

60. Upon the request of a member of a committee or subcommittee to which a bill has been referred, or upon the request of the author of the bill, a record shall be made of the vote on the bill in the committee or subcommittee, including the vote on any amendment or proposed amendment to it, in the committee or subcommittee to which the bill was referred.

Upon request of three members of the committee, the record of a roll call vote in a standing committee shall accompany the committee report and be printed in the Journal.

**COMMITTEE ACTION**

61. No report of any committee shall be made to the Senate unless it reports action taken at a regular or special meeting of the Committee. A report in violation of this rule is out of order.

A committee report or a proposed amendment to a bill, memorial or resolution shall be in six copies and written only on one side of the paper.

**EMPLOYEES AUTHORIZED IN THE SENATE**

62. The Senate shall employ for the session the following:

Number of Positions	Position	Salary Per Day
2	Administrative Assistant I	1 @ \$43.33
		1 @ \$54.88
1	Administrative Assistant II	\$68.49
1	Assistant Captain of Pages	\$25.20
1	Assistant Executive Secretary	\$37.09
2	Assistant Public Information Officer	1 @ \$31.59
		1 @ \$37.24
2	Assistant Sergeant at Arms	\$27.43
1	Captain of Pages	\$27.43
1	Chaplain (several to serve during session)	\$25.00
1	Chief Indexer	\$43.33
10	Clerk I	8 @ \$25.65
		2 @ \$27.18
13	Clerk Typist I	7 @ \$26.82
		6 @ \$28.42
8	Clerk Typist II	5 @ \$27.98

Number of Positions	Position	Salary Per Day
		3 @ \$29.65
2	Clerk Typist III	\$30.85
15	Committee Administrative Assistant	7 @ \$42.06
		8 @ \$43.33
16	Committee Clerk	10 @ \$26.82
		6 @ \$28.42
15	Committee Secretary	7 @ \$34.77
		8 @ \$36.80
1	Duplicating Supervisor	\$29.34
1	Engrossing Clerk	\$34.42
1	Engrossing Secretary	\$43.33
2	Executive Secretary	\$44.05
1	First Assistant Secretary of the Senate	\$82.05
3	Fiscal Services Aide	1 @ \$32.88
		1 @ \$33.47
		1 @ \$34.25
1	Fiscal Services Supervisor	\$43.33
1	Fourth Assistant Secretary of the Senate	\$35.62
3	Indexer	2 @ \$29.14
		1 @ \$30.00
4	Legislative Assistant I	1 @ \$33.70
		2 @ \$36.80
		1 @ \$39.64
3	Legislative Assistant II	1 @ \$43.33
		1 @ \$45.62
		1 @ \$46.99
4	Legislative Clerk I	\$26.82
7	Legislative Clerk II	3 @ \$27.24
		2 @ \$29.65
		2 @ \$30.75
2	Legislative Clerk III	\$30.85
5	Legislative Fiscal Analyst	2 @ \$47.95
		1 @ \$78.46
		1 @ \$79.34

Number of Positions	Position	Salary Per Day
		1 @ \$83.57
1	Minority Secretary of the Senate	\$70.56
35	Page	30 @ \$20.00
		5 @ \$22.00
1	Public Information Officer	\$43.84
14	Researcher	2 @ \$30.14
		1 @ \$34.25
		2 @ \$35.62
		1 @ \$36.80
		1 @ \$38.36
		3 @ \$42.00
		1 @ \$45.90
		1 @ \$46.58
		2 @ \$53.28
1	Second Assistant Secretary of the Senate	\$54.80
25	Secretary	9 @ \$32.54
		16 @ \$34.42
1	Secretary to the Majority Leader	\$44.05
1	Secretary to the Minority Leader	\$41.47
1	Secretary of the Senate	\$98.63
13	Senate Counsel	2 @ \$41.10
		1 @ \$46.58
		1 @ \$49.32
		1 @ \$52.06
		1 @ \$53.42
		3 @ \$56.16
		1 @ \$58.90
		1 @ \$66.27
		1 @ \$68.03
		1 @ \$80.22
10	Senate Researcher	2 @ \$43.53
		1 @ \$44.04
		1 @ \$46.99

Number of Positions	Position	Salary Per Day
		2 @ \$52.06
		2 @ \$54.79
		1 @ \$62.41
		1 @ \$64.33
1	Senate Research Assistant Director	\$69.81
1	Senate Research Director	\$91.78
17	Sergeant	8 @ \$20.00
		9 @ \$22.00
1	Sergeant at Arms	\$35.32
1	Steno Pool Supervisor	\$36.80
22	Stenographer I	14 @ \$27.98
		8 @ \$29.65
22	Stenographer II	8 @ \$30.28
		14 @ \$32.05
1	Third Assistant Secretary of the Senate	\$37.09

The Appointment to the foregoing positions shall be made by resolution specifying the names of such appointments *the appointees* and the positions to which ~~the same~~ *they* are appointed, adopted by a majority of all members of the Senate.

#### ADDITIONAL EMPLOYEES

63. All propositions for the appointment and payment of employees of the Senate or for expenditures on account of the Legislature, other than those provided by law, shall be referred to the Committee on Rules and Administration, without debate, and no appointment shall be made or expense incurred unless reported favorably by the committee, or unless its report is overruled by a three-fourths vote of the whole Senate. The committee shall report to the Senate the amount of compensation to be paid to each employee whose appointment is recommended by it.

#### AUTHORITY OVER EMPLOYEES

64. Except as otherwise provided in these rules, the Committee on Rules and Administration has full and exclusive authority over, and charge of all employees, officers and clerks of the Senate both elective and appointive. The committee has the sole and exclusive power and authority to assign them to duties other than for which they were elected or appointed as the committee may from time to time provide. The committee has power to appoint employees, officers or clerks as it deems proper to exercise the power granted to it by this rule. The committee may make

rules and regulations for the government of the employees, officers and clerks as they see fit. In case of violation of an order of the committee by an employee, officer or clerk, or in case of a violation of a rule or regulation made by the committee, or in case of misconduct or omission by an employee, officer or clerk, the Committee on Rules and Administration may hear complaints and discharge the employee, officer or clerk or impose other punishment by way of fine or otherwise upon the employee, officer or clerk as the committee deems just and proper.

#### DUTIES OF SECRETARY

65. The Secretary shall keep a correct Journal of the proceedings of the Senate and shall perform other duties assigned to him as Secretary. He shall not permit Journal records, accounts or papers to be taken from the table or out of his custody, other than in the regular mode of business. If a paper in his charge is missing, he shall report the fact to the President, so that inquiry may be made. He shall superintend the recording of proceedings in the Journal, the engrossing, transcribing and copying of the bills and resolutions, supervise the assistants, clerks, and stenographers under the direction of the Committee on Rules and Administration, and generally perform the duties of Secretary, under direction of the President. The Secretary shall keep the books to be called "Minute Books" in which he shall enter under the appropriate marginal numbers, all Senate and House bills, and correct notes, with the dates thereof, of the state, condition and progress of each bill pending, until its final passage.

The Secretary shall cause to be recorded on magnetic tape the proceedings of the Senate, the Committee of the Whole, each standing committee and standing subcommittee. Each tape shall be clearly labeled to show the name of the body whose proceedings are recorded and the dates the proceedings occurred. Each tape shall be accompanied by a log showing the number of each bill considered and the places on the tape where consideration of the bill occurred. Within two working days after each day the Senate is in session the Secretary shall make a copy of the tape and corresponding log of proceedings of the Senate and the Committee of the Whole and deliver the copies to the Legislative Reference Library. Within two working days after each meeting of a standing committee or standing subcommittee the Secretary shall deliver *make a copy of the original* tape and corresponding log of the meeting *and deliver the copies* to the Legislative Reference Library. Upon completion and approval of the minutes of the meeting, a copy of the minutes shall be promptly delivered to the Legislative Reference Library. The Secretary shall keep a record of each session of the Senate and the Committee of the Whole, each meeting of a Senate standing committee or standing subcommittee, and the date on which a tape recording of the session or meeting was transmitted to the Legislative Reference Library. The Library shall keep a similar record of all tapes received. The Library shall provide committee staff with reasonable access to Senate tapes and shall provide the public with convenient facilities to listen to the tapes. Copies of Senate tapes



shall be available to the public from the Secretary, for a fee determined by the Secretary to be adequate to cover the cost of preparing the copies. A copy shall be provided free to a member of the Senate upon request for use in legislative business. The original tape and log of each session of the Senate and the Committee of the Whole shall be kept by the Secretary until the end of the period for which the members of the existing House of Representatives have been elected, at which time the tape may be preserved or disposed of as he sees fit. Tapes, logs, and minutes forwarded to the Legislative Reference Library shall be kept by the Library until two years after the end of the period for which the members of the existing Senate have been elected, at which time they may be preserved or disposed of as the Library sees fit. It is the intention that testimony and discussion preserved under this rule not be admissible in any court or administrative proceeding on an issue of legislative intent.

#### **JOURNAL — HOW APPROVED**

66. The Journal of each day's proceedings is open for correction at any time during the session of the next day the Senate meets. Unless corrected on that day, the Journal stands approved.

#### **SECRETARY MAY CORRECT ERRORS**

67. The Secretary and Engrossing Clerk, in all proper cases, shall correct all mistakes in numbering the sections and reference to them, whether the errors occur in the original bill or are caused by amendments to it.

#### **PURCHASING SUPPLIES**

68. The Secretary is the agent of the Senate for the purchase of supplies. He shall file timely reports of expenditures made with the Committee on Rules and Administration.

#### **DUTIES OF THE SERGEANT AT ARMS**

69. The Sergeant-At-Arms shall execute all orders of the President and perform all duties assigned to him connected with the police and good order of the Senate chamber; exercise supervision over the ingress and egress of all persons to and from the chambers; see that messages are promptly delivered; see that the hall is properly ventilated and the temperature properly regulated, and that it is open for the use of members of the Senate at the time fixed; and perform all other services pertaining to his office.

#### **PERSONS PRIVILEGED TO THE FLOOR OF THE SENATE**

70. No person shall be admitted within the Senate Chamber, but a Senator, the executive or ex-Governors of the State of Minnesota, members of the House, heads of departments of state government, judges of the Supreme and Districts Courts and members of Congress. Those who have been members of Congress or of the state Legislature who are not interested in any claim or directly in a bill pending before the Legislature may be personally

admitted by a member of the Senate. An employee of either house may be admitted at the request of a member or an officer of the Senate. When the Senate is not meeting, a person not a member may be admitted to the floor at the request of a member or officer. No public hearings shall be held in the Senate Chamber. The retiring room of the Senate is reserved for the exclusive use of the members of the Senate at all times. The Sergeant at Arms shall strictly enforce this rule.

#### **PRIVILEGE OF REPORTERS**

71. Provision shall be made for news reporters on the Senate floor in limited numbers, and in the Senate gallery. Because of limited space on the floor, permanent space is limited to those news agencies which have regularly covered the legislature, namely: The Associated Press, United Press International, St. Paul Pioneer Press, St. Paul Dispatch, Minneapolis Tribune, Minneapolis Star, Duluth Herald and News-Tribune, Rochester Post-Bulletin, WCCO radio and KSTP radio. An additional two spaces shall be provided to other reporters.

One person from each named agency may be present at the press table on the Senate floor at any one time.

Other news media personnel may occupy seats provided in the Senate gallery.

The Committee on Rules and Administration may, through committee action or by delegating authority to the Secretary, allow television filming on the Senate floor on certain occasions.

The committee or its agent may designate a committee of three senior news correspondents to act as an issuing agency for reporters' badges or other credentials.

#### **DISTURBANCE IN LOBBY**

72. In case of a disturbance or disorderly conduct in the lobbies or galleries, the President may order them cleared.

#### **NO INTRODUCTION OF VISITORS**

73. No introduction of a visitor or visitors in the galleries shall be made from the floor or rostrum of the Senate.

#### **NO SMOKING**

74. No Senator or officer of the Senate, or other person, is permitted to smoke in the Senate Chamber. There shall be no smoking in the visitors section of the galleries.

#### **ETHICAL CONDUCT**

75. The Subcommittee on Committees shall appoint a special committee on Ethical Conduct consisting of four members selected, two from the majority and two from the minority.

The committee shall serve in an advisory capacity to a member

or employee upon written request and shall issue recommendations to the member or employee.

A lobbyist shall not appear before a Senate committee pursuant to his employment unless he is in compliance with the law requiring lobbyist registration, Minnesota Statutes, Sections 10A.03 to 10A.06. A lobbyist when appearing before a committee shall disclose to the committee those in whose interest he speaks and the purpose of his appearance. A lobbyist shall not knowingly furnish false or misleading information or make a false or misleading statement that is relevant and material to a matter before the Senate or any of its committees when he knows or should know it will influence the judgment or action of the Senate or any of its committees thereon. A lobbyist shall not exert undue influence or expend improper sums of money in connection with any legislation.

The committee shall investigate a complaint by a member of the Senate in writing under oath received during a legislative session regarding improper conduct by a member or employee of the Senate or a lobbyist. The committee has the powers of a standing committee to issue subpoenas pursuant to Minnesota Statutes, Section 3.153. In order to determine whether there is probable cause to believe that improper conduct has occurred, the committee may, by a vote of three of its members, conduct a preliminary inquiry in executive session to which the requirements of Rule 58 do not apply. Upon a finding of probable cause, further proceedings on the complaint are open to the public. If, after investigation, the committee finds the complaint substantiated by the evidence, it shall recommend to the Senate appropriate disciplinary action.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

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

Mr. Johnson moved that S. F. No. 195 be withdrawn from the Committee on Local Government and re-referred to the Committee on Agriculture and Natural Resources. The motion prevailed.

Mr. Laufenburger moved that the report from the Committee on Employment, reported February 24, 1977, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Laufenburger moved that the foregoing report be now adopted. The motion prevailed.

#### **CONFIRMATION**

Mr. Laufenburger moved that in accordance with the report from the Committee on Employment, reported February 24, 1977, the Senate, having given its advice, do now consent to and confirm the appointment of:

#### **BUREAU OF MEDIATION SERVICES DIRECTOR**

Ernest H. Jones, 307 - 7th Place, N. W., Austin, Mower County,

effective May 3, 1976, for a term expiring March 1, 1977.

The motion prevailed. So the appointment was confirmed.

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

Mr. Laufenburger moved that the report from the Committee on Employment, reported February 24, 1977, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Laufenburger moved that the foregoing report be now adopted. The motion prevailed.

#### **CONFIRMATION**

Mr. Laufenburger moved that in accordance with the report from the Committee on Employment, reported February 24, 1977, the Senate, having given its advice, do now consent to and confirm the appointments of:

#### **PUBLIC EMPLOYMENT RELATIONS BOARD**

Don Bye, 609 West Second Street, Duluth, St. Louis County, effective April 5, 1976, for a term expiring January 7, 1980.

Peter Obermeyer, 707 Mount Curve Boulevard, St. Paul, Ramsey County, effective April 5, 1976, for a term expiring January 7, 1980.

Joseph Flynn, 2605 East Poplar Avenue, St. Paul, Ramsey County, effective December 1, 1976, for a term expiring January 1, 1979.

The motion prevailed. So the appointments were confirmed.

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

Mr. Chenoweth moved that the report from the Committee on Governmental Operations, reported February 24, 1977, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Chenoweth moved that the foregoing report be now adopted. The motion prevailed.

#### **CONFIRMATION**

Mr. Chenoweth moved that in accordance with the report from the Committee on Governmental Operations, reported February 24, 1977, the Senate, having given its advice, do now consent to and confirm the appointments of:

#### **STATE EMPLOYEES SUGGESTION BOARD**

Robert Elcan, 4908 Dominica Way West, Apple Valley, Dakota County, effective September 22, 1976, for a term expiring January 1, 1977.

**STATE OFFICE OF HEARING EXAMINERS  
CHIEF HEARING EXAMINER**

Duane R. Harves, 11429 Valley Court, Burnsville, Dakota County, effective November 23, 1976, for a term expiring June 30, 1982.

The motion prevailed. So the appointments were confirmed.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Stokowski for Mr. Gearty moved that the report from the Committee on Elections, reported March 3, 1977, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Stokowski for Mr. Gearty moved that the foregoing report be now adopted. The motion prevailed.

**CONFIRMATION**

Mr. Stokowski for Mr. Gearty moved that in accordance with the report from the Committee on Elections, reported March 3, 1977, the Senate, having given its advice, do now consent to and confirm the appointments of:

**ETHICAL PRACTICES BOARD**

Mrs. Connie Burchett, 9849 Zilla Street N.W., Coon Rapids, Anoka County, effective July 20, 1976, for a term expiring January 2, 1978.

Roger Noreen, 4684 James Road, Mendota Heights, Dakota County, effective April 29, 1976, for a term expiring January 7, 1980.

The motion prevailed. So the appointments were confirmed.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Coleman moved that House Concurrent Resolution No. 4 be taken from the table. The motion prevailed.

House Concurrent Resolution No. 4: A House concurrent resolution providing for a joint convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

BE IT RESOLVED by the House of Representatives, the Senate concurring, that the House of Representatives and the Senate meet in Joint convention on Thursday, March 31, 1977, at 4:00 p.m. in the chamber of the House of Representatives to elect members to the Board of Regents of the University of Minnesota; and

BE IT FURTHER RESOLVED, that the Education Committee of the Senate and the Higher Education Committee of the House of Representatives in a joint meeting are appointed to submit a slate of nominations and to report the slate at the meeting of the joint convention.

Mr. Coleman moved to amend House Concurrent Resolution No. 4 as follows:

Page 1, line 9, strike "Thursday, March 31" and insert "Monday, April 4"

The motion prevailed. So the amendment was adopted.

Mr. Coleman moved adoption of the foregoing resolution, as amended. The motion prevailed. So the resolution, as amended, was adopted.

### THIRD READING OF SENATE BILLS

S. F. No. 10: A bill for an act relating to cities; providing for the establishment of tourist information centers; authorizing payments of expenses of governing officers in certain cases; amending Minnesota Statutes 1976, Sections 465.53 and 465.54.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Olson	Solon
Ashbach	Gearty	Laufenburger	Penny	Spear
Bang	Gunderson	Lessard	Perpich	Staples
Benedict	Hanson	Lewis	Peterson	Stokowski
Bernhagen	Hughes	Luther	Pillsbury	Strand
Borden	Humphrey	McCutcheon	Purfeerst	Stumpf
Brataas	Jensen	Menning	Renneke	Tennessee
Chmielewski	Johnson	Merriam	Schaaf	Ueland, A.
Coleman	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Schrom	Vega
Dieterich	Kirchner	Nichols	Setzepfandt	Wegener
Dunn	Kleinbaum	Ogdahl	Sieloff	Willet
Engler	Knoll	Olhoff	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 104: A bill for an act relating to Cook county; authorizing construction of a building for the county highway department and the issuance of general obligation bonds to finance the cost thereof.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Perpich	Staples
Ashbach	Gunderson	Lessard	Peterson	Stokowski
Bang	Hanson	Lewis	Pillsbury	Strand
Benedict	Hughes	Luther	Purfeerst	Stumpf
Bernhagen	Humphrey	McCutcheon	Renneke	Tennessee
Borden	Jensen	Menning	Schaaf	Ueland, A.
Chmielewski	Johnson	Merriam	Schmitz	Ulland, J.
Coleman	Keefe, J.	Nelson	Schrom	Vega
Davies	Keefe, S.	Nichols	Setzepfandt	Wegener
Dieterich	Kirchner	Ogdahl	Sieloff	Willet
Dunn	Kleinbaum	Olhoff	Sillers	
Engler	Knoll	Olson	Solon	
Frederick	Knutson	Penny	Spear	

So the bill passed and its title was agreed to.

S. F. No. 69: A bill for an act relating to adoption; removing certain witness requirements in the execution of consents; amending Minnesota Statutes 1976, Section 259.24, Subdivision 5.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Penny	Spear
Bang	Gunderson	Lessard	Perpich	Staples
Benedict	Hanson	Lewis	Peterson	Stokowski
Bernhagen	Hughes	Luther	Pillsbury	Strand
Borden	Humphrey	McCutcheon	Purfeerst	Stumpf
Brataas	Jensen	Menning	Renneke	Tennessen
Chmielewski	Johnson	Merriam	Schaaf	Ueland, A.
Coleman	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Schrom	Vega
Dieterich	Kirchner	Nichols	Setzepfandt	Wegener
Dunn	Kleinbaum	Ogdahl	Sieloff	Willet
Engler	Knoll	Olhoft	Sillers	
Frederick	Knutson	Olson	Solon	

So the bill passed and its title was agreed to.

#### CONSENT CALENDAR

S. F. No. 99: A bill for an act relating to Wabasha county; authorizing the sale of Buena Vista sanitarium after rejection of bids.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Perpich	Staples
Ashbach	Gunderson	Lessard	Peterson	Stokowski
Bang	Hanson	Lewis	Pillsbury	Strand
Benedict	Hughes	Luther	Purfeerst	Stumpf
Bernhagen	Humphrey	McCutcheon	Renneke	Tennessen
Borden	Jensen	Menning	Schaaf	Ueland, A.
Chmielewski	Johnson	Merriam	Schmitz	Ulland, J.
Coleman	Keefe, J.	Moe	Schrom	Vega
Davies	Keefe, S.	Nelson	Setzepfandt	Wegener
Dieterich	Kirchner	Nichols	Sieloff	Willet
Dunn	Kleinbaum	Olhoft	Sillers	
Engler	Knoll	Olson	Solon	
Frederick	Knutson	Penny	Spear	

So the bill passed and its title was agreed to.

Mr. Bang moved that S. F. No. 223, No. 2 on the Consent Calendar, be stricken and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

## GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Gearty in the chair.

After some time spent therein, the committee arose, and Mr. Gearty reported that the committee had considered the following:

S. F. Nos. 76, 201, 166, 200, 254, 183, 290 and H. F. No. 12 which the committee recommends to pass.

S. F. No. 70, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 2, line 30, after "debtor" insert "at any time"

S. F. No. 188, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 5, after line 19, insert

"Sec. 9. Minnesota Statutes 1976, Section 626.556, Subdivision 2, is amended to read:

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

(a) "Sexual abuse" means the subjection by the child's parents, guardian, or person responsible for the child's care, to any act which constitutes a violation of sections ~~609.291~~, ~~609.292~~, ~~609.293~~, ~~609.295~~ ~~609.342~~, ~~609.343~~, ~~609.344~~, or ~~609.296~~ ~~609.345~~.

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

(c) "Physical abuse" means:

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

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

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

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, strike "and"

Page 1, line 7, after "10," insert "and Section 626.556, Subdivision 2;"



On motion of Mr. Coleman, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, March 10, 1977. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate