

**TWENTY-SIXTH DAY**

St. Paul, Minnesota, Thursday, March 24, 1977

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Monsignor Ambrose V. Hayden.

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

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

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**

Messrs. Bang, Hughes and Kirchner were excused from the Session of today.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

March 18, 1977

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

The Honorable Edward J. Gearty  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1977 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1977	Date Filed 1977
232		4	March 18	March 18

Sincerely,  
Joan Anderson Growe,  
Secretary of State

### INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Anderson, Solon, Gunderson and Ashbach introduced—

S. F. No. 898: A bill for an act relating to public welfare; providing for eligibility for a daytime activity center for palsied and retarded youth; providing duties for the commissioner of public welfare; amending Minnesota Statutes 1976, Sections 252.23; 252.24, Subdivisions 2, 3 and 4; and 252.26.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Milton introduced—

S. F. No. 899: A bill for an act relating to nursing homes; clarifying requirements for administration and inspections; changing provisions for reimbursement of expenses for interest on capital indebtedness; deleting certain provisions and adding new provisions on investment allowance; providing an annual cost settlement; appropriating money; amending Minnesota Statutes 1976, Sections 144A.05; 144A.10, Subdivisions 2 and 5; 256B.27, by adding a subdivision; 256B.44, Subdivision 3; 256B.45; 256B.47, Subdivision 1; and Chapter 256B, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Dieterich, Luther, Kleinbaum and Sikorski introduced—

S. F. No. 900: A bill for an act relating to the department of public service; providing for its proper operation; prescribing certain powers, functions and duties; making certain corrections and improvements; revising procedures for regulation of certain activities; reducing certain fees; increasing certain penalties; amending Minnesota Statutes 1976, Sections 216A.02; 216A.03, Subdivision 5; 216A.05, Subdivision 1; 216A.07; 216B.16, Subdivisions 1 and 2; 216B.53; 231.16; 232.04; 232.06, Subdivision 4; 237.22; 237.29, Subdivision 1; 239.02; 239.07; 239.08; 239.10; 239.12; 239.23; 239.24; and 239.44; repealing Minnesota Statutes 1976, Sections 239.20 and 239.45; and Laws 1975, Chapter 87, Section 5.

Referred to the Committee on Commerce.

Mr. Nelson introduced—

S. F. No. 901: A bill for an act appropriating money annually to the regents of the university of Minnesota for research by the Hormel Institute, a division of the university at Austin, Minnesota.

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

Messrs. Frederick, Bang, Merriam, Laufenburger and Mrs. Brataas introduced—

S. F. No. 902: A bill for an act relating to taxation; increasing personal credits against income tax; amending Minnesota Statutes 1976, Section 290.06, Subdivision 3c, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Chenoweth, Schaaf, Kirchner, Stokowski and McCutcheon introduced—

S. F. No. 903: A bill for an act relating to public safety; 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 1976, Section 16.753, Subdivision 2.

Referred to the Committee on Governmental Operations.

Mrs. Staples; Messrs. Keefe, S.; Milton; Mrs. Brataas and Mr. Vega introduced—

S. F. No. 904: A bill for an act relating to commerce; regulating employment agencies; amending Minnesota Statutes 1976, Section 184.38, Subdivision 8.

Referred to the Committee on Commerce.

Mr. Borden introduced—

S. F. No. 905: A bill for an act relating to the city of Mora; authorizing the issuance of electric revenue refunding bonds.

Referred to the Committee on Local Government.

Messrs. Luther, Merriam, Willet, Strand and Setzepfandt introduced—

S. F. No. 906: A bill for an act relating to railroads; allowing reduced rates for transportation of waste material for reprocessing;

amending Minnesota Statutes 1976, Section 218.021, Subdivision 2.

Referred to the Committee on Commerce.

Messrs. Luther, Davies, Humphrey and Spear introduced—

S. F. No. 907: A bill for an act relating to crimes; authorizing a court to impose as a condition of release for a person charged with a criminal offense a bail procedure that provides for a ten percent deposit.

Referred to the Committee on Judiciary.

Mr. Ogdahl introduced—

S. F. No. 908: A bill for an act relating to retirement; authorizing repayment of certain refunds by a former state officer.

Referred to the Committee on Governmental Operations.

Mr. Moe introduced—

S. F. No. 909: A bill for an act relating to the administration of justice; Clearwater district and county courts; law library fees; assessment in petty misdemeanor cases; amending Laws 1976, Chapter 290, Section 4.

Referred to the Committee on Judiciary.

Messrs. Wegener, Setzepfandt, Nelson, Engler and Schmitz introduced—

S. F. No. 910: A bill for an act relating to local government; powers and duties of the Minnesota municipal board; regulating the incorporation, annexation, detachment, consolidation and boundary adjustments of certain local governmental units; amending Minnesota Statutes 1976, Sections 414.01, Subdivisions 1, 2, 5, 7a, 8, 12, 14, and 15; 414.011, Subdivisions 2, 3, 5, and by adding subdivisions; 414.02; 414.031; 414.033, Subdivisions 1, 2, 3, 5, 6, 7, and by adding a subdivision; 414.041; 414.06; 414.061, Subdivisions 1 and 4, and by adding subdivisions; 414.065; 414.067; 414.07; 414.09; and Chapter 414, by adding sections; repealing Minnesota Statutes 1976, Sections 414.021; 414.032; 414.033, Subdivision 4; 414.034; 414.061, Subdivision 3; and 414.068.

Referred to the Committee on Local Government.

Messrs. McCutcheon, Setzepfandt, Hanson and Sillers introduced—

S. F. No. 911: A bill for an act relating to taxation; altering requirements for income adjusted homestead credit; eliminating local debt exclusion from homestead credit calculation; increasing acreage available for agricultural homesteads and the minimum

acreage for agricultural homestead; increasing the agricultural mill rate credit; increasing the distribution of local government aid; appropriating money; amending Minnesota Statutes 1976, Sections 273.13, Subdivisions 6 and 7; 273.132; 290A.03, Subdivisions 6, 8 and 13; 477A.01, Subdivisions 1, 2, 4, 4a and 4b, and by adding a subdivision; and 477A.03; and Laws 1976, Chapter 334, Section 21; repealing Minnesota Statutes 1976, Section 477A.01, Subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Stumpf, Gunderson, Anderson, Merriam and Ueland, A. introduced—

S. F. No. 912: A bill for an act relating to education; providing for the correction or elimination of erroneous, ambiguous, omitted and obsolete references and text; amending Minnesota Statutes 1976, Sections 120.02, Subdivision 18; 120.10, Subdivision 3; 120.17, Subdivision 5a; 120.171; 120.66; 121.02, Subdivision 1; 121.09; 121.12; 121.21, Subdivision 6; 121.212, Subdivision 1; 121.28; 121.49; 121.86; 122.34; 123.34, Subdivisions 6, 8 and 10; 123.35, Subdivision 4; 123.36, Subdivision 5; 123.37, Subdivisions 1 and 13; 123.39, Subdivision 6; 123.40, Subdivision 5; 123.58, Subdivisions 2, 4, 6 and 10; 123.581, Subdivisions 4 and 7; 123.69, Subdivision 2; 123.79, Subdivision 1; 124.09; 124.15, Subdivision 2; 124.17, Subdivision 2; 124.30, Subdivision 5; 124.38, Subdivision 10; 124.41, Subdivision 1; 124.47, Subdivision 1; 124.561, Subdivision 3; 125.05, Subdivision 3; 125.08; 125.12, Subdivisions 6b and 9; 125.183, Subdivision 5; 125.185, Subdivision 5; 136.09, Subdivision 3; 136.11, Subdivision 4; 136.141; 136.142, Subdivision 1; 136.145; 136.15; 136.31, Subdivision 2; 136A.142; 136A.17, Subdivision 1; 136A.172; 136A.173, Subdivision 1; 136A.174; 136A.175, Subdivision 4; 136A.176; 136A.177; 136A.178; 136A.179; 136A.233; 136A.28; 137.01, Subdivision 2; 275.09, Subdivision 4; 375.08; 375.14; 382.01; repealing Minnesota Statutes 1976, Sections 120.02, Subdivision 11; 121.16, Subdivision 2; 122.26; 124.562, Subdivision 6; 124.563, Subdivision 4; 136.87, Subdivision 3; Laws 1965, Chapter 705, Section 1, Subdivisions 12, 13, 14, 15, 16 and 17; Laws 1969, Chapter 699, Section 2; Laws 1969, Chapters 969 and 1110; and Laws 1971, Chapter 256.

Referred to the Committee on Education.

Messrs. Stumpf, Gunderson, Anderson, Merriam and Ueland, A. introduced—

S. F. No. 913: A bill for an act relating to education; correcting and eliminating certain erroneous and obsolete references and text relating to state universities and community colleges; amending Minnesota Statutes 1976, Sections 136.016, Subdivision 1; 136.60, Subdivision 1, and by adding a subdivision; 136.603; 136.62; 136.621, Subdivision 1; repealing Minnesota Statutes 1976, Sections 136.016, Subdivisions 2, 3, 4, 5 and 6; 136.60, Subdivision 2; 136.601; 136.602; 136.621, Subdivisions 2 and 3; and 136.66.

Referred to the Committee on Education.

Mr. Ueland, A. introduced—

S. F. No. 914: A bill for an act relating to the city of Mankato; providing for the service of the police and fire chiefs.

Referred to the Committee on Local Government.

Mr. Stokowski introduced—

S. F. No. 915: A bill for an act relating to retirement; computation of average salary for certain unclassified state employees.

Referred to the Committee on Governmental Operations.

Mr. Keefe, S. introduced—

S. F. No. 916: A bill for an act relating to elections; precinct boundaries; including annexed area in adjacent precinct; amending Minnesota Statutes 1976, Section 204A.06, Subdivision 1; repealing Minnesota Statutes 1976, Section 204A.06, Subdivision 2.

Referred to the Committee on Elections.

Mrs. Staples, Messrs. Olhoft, Benedict, Humphrey and Vega introduced—

S. F. No. 917: A bill for an act relating to education; requiring state universities to give full credit for graduate courses completed in other state universities.

Referred to the Committee on Education.

Mrs. Staples, Messrs. Sikorski, Spear, Schaaf and Vega introduced—

S. F. No. 918: A bill for an act relating to crime victims reparations; eliminating the minimum claim amount necessary for reparations; raising the amount of reparations paid to claimants suffering economic loss; amending Minnesota Statutes 1976, Sections 299B.03, Subdivision 2; and 299B.04.

Referred to the Committee on Judiciary.

Messrs. Schmitz, Frederick, Wegener, Moe and Hanson introduced—

S. F. No. 919: A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; amending Minnesota Statutes 1976, Section 169.80, Subdivision 2.

Referred to the Committee on Transportation.

Messrs. Davies, Ogdahl and Spear introduced—

S. F. No. 920: A bill for an act relating to the city of Minneapolis; permitting the issuance of certain bonds.

Referred to the Committee on Local Government.

Mr. Laufenburger introduced—

S. F. No. 921: A bill for an act relating to corrections; reimbursement to counties for probation and parole services provided by them to wards of the state; amending Minnesota Statutes 1976, Section 260.311, Subdivision 5.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Benedict, Strand, Mrs. Staples and Mr. Humphrey introduced—

S. F. No. 922: A bill for an act relating to parking privileges for the physically handicapped; prohibiting nonhandicapped persons from parking in spaces designated for the handicapped; providing penalties.

Referred to the Committee on General Legislation and Veterans Affairs.

Messrs. Strand, Setzepfandt, Olhoft, Peterson and Renneke introduced—

S. F. No. 923: A bill for an act relating to pipelines; liability of landowner restricted.

Referred to the Committee on Transportation.

Messrs. Strand, Olhoft and Benedict introduced—

S. F. No. 924: A bill for an act relating to eminent domain; payment of attorney's fees in certain instances; amending Minnesota Statutes 1976, Section 117.175, Subdivision 2.

Referred to the Committee on Judiciary.

Messrs. Strand and Benedict introduced—

S. F. No. 925: A bill for an act relating to electric utilities; appropriating funds for monitoring the operation of high voltage transmission lines.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Wegener, Schrom, Peterson, Olhoft and Engler introduced—

S. F. No. 926: A bill for an act relating to education; school district organization; eliminating the requirement that a school district maintain certain grades; amending Minnesota Statutes 1976, Sections 122.41; 122.43, Subdivision 1; and 122.44, Subdivision 1.

Referred to the Committee on Education.

Mr. Sieloff and Mrs. Brataas introduced—

S. F. No. 927: A bill for an act relating to taxation; providing a deduction from income for a lessee's share of real property taxes paid on his rented residence; amending Minnesota Statutes 1976, Section 290.09, Subdivision 4.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sieloff introduced—

S. F. No. 928: A bill for an act relating to taxation; providing for increased withholding based on itemized deductions; amending Minnesota Statutes 1976, Section 290.92, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mr. Luther introduced—

S. F. No. 929: A bill for an act relating to municipalities; detachment and annexation proceedings; clarifying petition requirements in proceedings involving portions of municipalities surrounded by other municipalities; amending Minnesota Statutes 1976, Section 414.061, Subdivision 4.

Referred to the Committee on Local Government.

Messrs. Chmielewski, Olson, Sieloff, Gearty and Dunn introduced—

S. F. No. 930: A bill for an act relating to unemployment compensation; providing for the assignment of veterans employment representatives; amending Minnesota Statutes 1976, Section 268.14, by adding a subdivision.

Referred to the Committee on General Legislation and Veterans Affairs. Mr. Milton questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Sieloff and Dunn introduced—

S. F. No. 931: A bill for an act relating to taxation; providing for the deduction of post secondary educational expenses from gross income for income tax purposes; amending Minnesota Statutes 1976, Section 290.09, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Menning, Knutson, Kleinbaum, Wegener and Olson introduced—

S. F. No. 932: A bill for an act relating to motor vehicles; registration and taxation; fees for filing applications; appointment

and duties of deputy registrars; amending Minnesota Statutes 1976, Section 168.33, Subdivisions 2 and 7.

Referred to the Committee on General Legislation and Veterans Affairs.

Messrs. Humphrey; Keefe, S. and Gearty introduced—

S. F. No. 933: A bill for an act establishing a special advisory committee on presidential primary elections; appropriating money.

Referred to the Committee on Elections.

Mr. Chmielewski introduced—

S. F. No. 934: A bill for an act relating to retirement; eliminating the deduction of workers' compensation benefits from certain public employees disability retirement benefits; amending Minnesota Statutes 1976, Section 352B.10; repealing Minnesota Statutes 1976, Sections 352.113, Subdivision 5; 353.33, Subdivision 5; and 353.656, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Ashbach, Moe, Solon and Keefe, J. introduced—

S. F. No. 935: A bill for an act relating to university and professional athletic programs; providing for the remodeling of Memorial Stadium into a multi-purpose athletic facility.

Referred to the Committee on Governmental Operations.

Messrs. Milton, Solon and Keefe, S. introduced—

S. F. No. 936: A bill for an act relating to public welfare; providing for supplemental grants to families with dependent children; providing an appropriation; amending Minnesota Statutes 1976, Chapter 256, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Lessard introduced—

S. F. No. 937: A bill for an act relating to Koochiching county; authorizing the imposition of a sales tax on certain sales of lodging and related services.

Referred to the Committee on Taxes and Tax Laws.

Mr. Milton introduced—

S. F. No. 938: A bill for an act relating to the conservation and development of human resources; establishing a state human resources policy to guide state and local governmental activities; establishing a human resources coordinating council; prescribing its powers and duties; appropriating money.

Referred to the Committee on Health, Welfare and Corrections. Mr. Milton questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Chenoweth; Borden; Ulland, J.; Luther and Dieterich introduced—

S. F. No. 939: A bill for an act relating to public utilities; providing for representation of consumer interests in public utility matters; permitting qualifying private, nonprofit corporations to participate in regulatory agency hearings and to solicit contributions from utility customers; requiring public service commission certification of qualifying corporations; requiring a report.

Referred to the Committee on Commerce.

Messrs. Olson, Menning, Purfeerst, Schrom and Moe introduced—

S. F. No. 940: A bill for an act relating to taxation; increasing the amount of state paid property tax credit on certain agricultural and recreational property; amending Minnesota Statutes 1976, Section 273.132.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Hanson, Moe, Willet, Dunn and Menning introduced—

S. F. No. 941: A bill for an act relating to agriculture; the family farm security program; eliminating first mortgage requirements for seller-sponsored loans; authorizing retention of land by sellers in lieu of payment of loan guarantees; authorizing sharing of excess proceeds from default sale; allowing payment adjustments for certain loans with unequal annual payments; amending Minnesota Statutes 1976, Sections 41.52, Subdivisions 5 and 8; 41.54, Subdivision 2; 41.56, Subdivisions 3 and 4; 41.57, Subdivision 2; and 41.58, Subdivision 2.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Moe introduced—

S. F. No. 942: A bill for an act relating to finance; deleting obsolete provisions; changing and clarifying cross-references; codifying certain provisions formerly in session laws; appropriating money; amending Minnesota Statutes 1976, Sections 12.24, Subdivision 2; 15.50, Subdivision 5; 16.172; 16.80, Subdivision 1; 16A.17, Subdivision 9; 18.69; 43.43, Subdivision 2; 121.48, Subdivision 2; 124.212, Subdivision 19; 136.11, Subdivision 5; 136.144; 136.37; 136.55, Subdivision 2; and Chapter 243, by adding a section; repealing Minnesota Statutes 1976, Sections 16.026, Subdivision 5; and 16A.05; and Laws 1945, Chapter 575, Sections 19 and 21.

Referred to the Committee on Finance.

Messrs. Purfeerst, Frederick, Moe, Nichols and Laufenburger introduced—

S. F. No. 943: A bill for an act relating to workers' compensation; authorizing coverage for owners of a business; including family farms and family farm corporations; amending Minnesota Statutes 1976, Sections 176.011, Subdivisions 9 and 11a; 176.012 and 176.051.

Referred to the Committee on Employment.

Mr. Stokowski introduced—

S. F. No. 944: A bill for an act relating to retirement; purchase of service credit by certain state employees or former employees; amending Minnesota Statutes 1976, Section 352.021, Subdivision 3.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski and Peterson introduced—

S. F. No. 945: A bill for an act relating to the public employees retirement association; increasing contributions; reducing penalty for early retirement; increasing interest on refunds; eliminating augmentation of deferred annuities; transferring the required reserves for a deferred annuity to the Minnesota adjustable fixed benefit fund; eligibility for proportionate annuities; amending Minnesota Statutes 1976, Sections 353.27, Subdivision 2; 353.30, Subdivisions 1, 1b, and 3; 353.31, by adding subdivisions; 353.32, Subdivision 1; 353.34, Subdivision 2; 353.65, Subdivisions 2 and 3; 353.657, by adding a subdivision; and 353.71, Subdivision 2; and 356.32, Subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. Purfeerst; Keefe, S.; Ueland, A.; Solon and Gearty introduced—

S. F. No. 946: A bill for an act relating to elections; providing for the number of voting machines to be available for voters; amending Minnesota Statutes 1976, Section 206.11.

Referred to the Committee on Elections.

Mr. Chmielewski introduced—

S. F. No. 947: A bill for an act relating to natural resources; directing the commissioner of natural resources to provide an alternative road access to General C. C. Andrews State Forest; appropriating money therefor.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Schrom, Kleinbaum and Chmielewski introduced—

S. F. No. 948: A bill for an act relating to education; vocational education programs in school districts; providing for reimbursement of expenses for joint programs with industry; amending Minnesota Statutes 1976, Section 124.57.

Referred to the Committee on Education.

Mr. Borden introduced—

S. F. No. 949: A bill for an act relating to wrongful death; authorizing the commencement of an action within three years from the date of death; amending Minnesota Statutes 1976, Section 573.02, Subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Luther, Benedict, Strand, Olson and Sikorski introduced—

S. F. No. 950: A bill for an act relating to landlord and tenant; establishing period for which interest is payable on security deposit; providing a measure of damages for the improper withholding of security deposits; amending Minnesota Statutes 1976, Section 504.20, Subdivisions 2, 3, 4 and 7.

Referred to the Committee on Judiciary.

Mr. Nichols introduced—

S. F. No. 951: A bill for an act relating to taxation; setting the mortgage registry tax on contracts for deed; amending Minnesota Statutes 1976, Section 287.05, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mr. Nichols introduced—

S. F. No. 952: A bill for an act changing the boundary line between Lac qui Parle county and Big Stone county; amending Laws 1937, Chapter 423, Section 1.

Referred to the Committee on Local Government.

Mr. Nichols introduced—

S. F. No. 953: A bill for an act relating to real property; conveyancing and recording; requirements for recording easements; amending Minnesota Statutes 1976, Section 507.24.

Referred to the Committee on Judiciary.

Messrs. Nichols, Strand and Hanson introduced—

S. F. No. 954: A bill for an act relating to waters; permitting the establishment of water user districts.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Nichols, Lessard, Setzepfandt and Hanson introduced—

S. F. No. 955: A bill for an act relating to health; medical assistance for the needy; providing depreciation allowances for nursing homes; amending Minnesota Statutes 1976, Section 256B.43, by adding subdivisions.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Hughes, Coleman, Stumpf, Dunn and Anderson introduced—

S. F. No. 956: A bill for an act relating to education; creating a statewide post-secondary vocational-technical education system; transferring to the state board for post-secondary vocational-technical education the powers and duties of the state board for vocational education; appropriating money; amending Minnesota Statutes 1976, Sections 120.05; and 121.09; repealing Minnesota Statutes 1976, Sections 121.11, Subdivision 1; 121.21; 121.212; 121.213; 121.214; 121.215; 121.216; 124.52; 124.53; 124.54; 124.55; 124.56; 124.561; 124.562; 124.563; 124.564; 124.565; 124.566; 124.58; 124.59; 124.60; 124.61; 124.69; 126.151; 275.125, Subdivisions 13 and 14; Laws 1967, Chapter 822, as amended; Laws 1969, Chapters 775 and 1060, as amended; Laws 1971, Chapter 209; and Laws 1971, Chapter 722, as amended.

Referred to the Committee on Education.

Mr. Benedict introduced—

S. F. No. 957: A bill for an act authorizing a revenue bond issue upon approval by the voters in the metropolitan area, for remodeling and upgrading Metropolitan Stadium.

Referred to the Committee on Governmental Operations.

Messrs. Dieterich and Stumpf introduced—

S. F. No. 958: A bill for an act relating to Ramsey county and the cities of Arden Hills, Roseville, Saint Paul and Shoreview; providing for construction of necessary highway improvements; apportioning costs; prescribing certain limitations; amending Laws 1974, Chapter 435, Section 1.0209, as amended.

Referred to the Committee on Local Government.

Mr. Sikorski introduced—

S. F. No. 959: A bill for an act relating to health care plans; requiring minimum anticipated loss ratios for certain insurance

plans; eliminating certain open enrollment requirements for non-profit health service plans; revising the Minnesota comprehensive health insurance act of 1976; making necessary improvements and corrections; further prescribing the powers and duties of the commissioner of insurance; amending Minnesota Statutes 1976, Sections 62A.02, Subdivision 3; 62D.10, Subdivision 1; 62E.02, Subdivisions 2, 8, 11 and 21; 62E.03, Subdivision 2; 62E.04, Subdivision 4; 62E.06; 62E.09; 62E.10, Subdivisions 1 and 3; 62E.11, Subdivision 5; 62E.13, Subdivisions 2 and 4; and 62E.14, Subdivision 1.

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

#### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 38.

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.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Sieben, M.; Faricy and Pleasant have been appointed as such committee on the part of the House.

House File No. 38 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 21, 1977

Mr. Sikorski moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 38, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. 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. 56, 148, 168, 300, 319, 672 and 675.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 21, 1977

#### FIRST READING OF HOUSE BILLS

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

H. F. No. 56: A bill for an act relating to children; providing visitation rights to minor children in certain cases; amending Minnesota Statutes 1976, Section 257.022, Subdivision 2.

Referred to the Committee on Judiciary.

H. F. No. 148: A bill for an act relating to the city of Minneapolis; selection of supervisor of license inspection for the Minneapolis police department; establishing minimum qualifications; amending Laws 1961, Chapter 108, Section 2, as amended.

Referred to the Committee on Local Government.

H. F. No. 168: A bill for an act relating to Yellow Medicine county; authorizing participation in a mental health services program outside its region.

Referred to the Committee on Rules and Administration.

H. F. No. 300: A bill for an act relating to elections; removing a provision for special hours during which registration locations must be open; amending Minnesota Statutes 1976, Section 201.091, Subdivision 6.

Referred to the Committee on Elections.

H. F. No. 319: A bill for an act relating to daytime activity centers; renaming them developmental achievement centers; making the necessary revisions in Minnesota Statutes; amending Minnesota Statutes 1976, Sections 123.39, Subdivision 13; 252.21; 252.22; 252.23; 252.24; 252.25; and 252.26.

Referred to the Committee on Health, Welfare and Corrections.

H. F. No. 672: A bill for an act relating to insurance; providing for determination of the participation ratio; providing for higher limits of liability coverage and uninsured motorist coverage; amending Minnesota Statutes 1976, Sections 65B.02, Subdivision 7; 65B.06, Subdivision 2; and 65B.49, Subdivision 6.

Referred to the Committee on Commerce.

H. F. No. 675: A bill for an act relating to insurance; changing the filing date for annual statements of township mutual companies; changing limitations on property insurable by township mutual companies; changing limitations on investments by township mutual companies; amending Minnesota Statutes 1976, Sections 67A.11, Subdivision 3; 67A.14, Subdivisions 1 and 5; and 67A.23.

Referred to the Committee on Commerce.

#### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk with the exception of the reports on S. F. Nos. 645 and 1 be now adopted. The motion prevailed.

Mr. Chenoweth from the Committee on Governmental Operations to which was referred

S. F. No. 345: A bill for an act relating to the Minnesota munic-

ipal board; providing for per diem compensation and reimbursement of expenses for board members; amending Minnesota Statutes 1976, Section 414.01, Subdivision 6a.

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

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 173: A bill for an act relating to Kittson county; providing for the imposition of a tax upon persons, copartnerships, companies, joint stock companies, corporations, and associations however organized engaged therein in the business of removing gravel from gravel pits or deposits of gravel, for enforcing and collecting the same and prescribing penalties for violations thereof.

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

Page 1, line 12, strike "COUNTY" and insert "AND MARSHALL COUNTIES"

Page 1, line 14, after "Kittson" insert "or Marshall"

Page 1, line 20, after "Kittson" insert "or Marshall"

Page 2, line 1, strike "of Kittson"

Page 2, line 2, strike "county"

Page 2, line 13, strike "of Kittson county"

Page 2, line 30, after "Kittson" insert "or Marshall"

Page 3, line 30, before "This" insert "The provisions of"

Page 3, line 30, after "act" insert "that relate to Kittson county"

Page 4, line 1, after the period, insert "The provisions of this act that relate to Marshall county shall become effective only after its approval by a majority of the members of the board of county commissioners of Marshall county and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Amend the title as follows:

Line 2, after "to" insert "taxation;"

Line 2, strike "county" and insert "and Marshall counties"

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

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 475: A bill for an act relating to Becker county; providing for the imposition of a tax upon persons, copartnerships, companies, joint stock companies, corporations, and associations however organized engaged therein in the business of removing gravel from gravel pits or deposits of gravel, for enforcing the same and prescribing penalties for violations thereof.

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

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

S. F. No. 586: A bill for an act relating to insurance; legal expense insurance; authorizing the use of closed panel insurance plans; amending Minnesota Statutes 1976, Section 60A.08, Subdivision 10.

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

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

S. F. No. 105: A bill for an act relating to public welfare; providing pre-trial proceedings and hearings to determine paternity of illegitimate children; requiring a notice to be given a father when a mother intends to relinquish a child for purposes of adoption; enacting the uniform parentage act; revising Minnesota Statutes to conform with the uniform parentage act; amending Minnesota Statutes 1976, Sections 144.159; 144.167; 144.171, Subdivision 2; 257.025; 257.175; 257.28; 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivision 1; 259.29; 260.111, Subdivision 2; 525.172; and 525.173; repealing Minnesota Statutes 1976, Sections 144.177; 257.251; 257.252; 257.253; 257.254; 257.255; 257.256; 257.257; 257.258; 257.259; 257.261; 257.262; 257.263; 257.264; 257.27; 257.29; 257.30; 257.31; 257.33; 259.261; and 517.19.

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

Page 5, line 6, strike "*obtaining*" and insert "*the person bringing the action has obtained*"

Page 5, line 7, strike "*five*" and insert "*three*"

Page 5, line 27, strike "*subdivision 2,*"

Page 6, line 3, strike "*other than by the child*"

Page 6, line 12, strike "*three years*" and insert "*one year*"

Page 6, line 19, before "*The*" insert "*Except in Hennepin and Ramsey counties,*"

Page 6, line 20, strike "*district*" and insert "*county*"

Page 6, line 21, after the period insert "*In Hennepin and Ramsey counties, the district court has jurisdiction of an action brought under sections 1 to 25.*"

Page 7, line 17, strike "*an informal*" and insert "*a pre-trial*"

Page 7, line 18, after "*held*" and before the period insert "*in accordance with the rules of civil procedure*"

Page 8, line 7, after "*BLOOD*" insert "*AND GENETIC*"

Page 8, line 9, after "*tests*" insert "*or genetic tests, or both*"

Page 8, line 10, strike the first "*an*" and insert "*a qualified*"

Page 8, line 10, strike "*qualified as an*"

Page 8, line 11, strike "*examiner of blood types,*"

Page 8, line 14, after "*other*" insert "*qualified*"

Page 8, line 14, strike "*qualified as examiners of blood types*"

Page 8, line 24, before "*Blood*" insert "*Genetic and*"

Page 9, strike lines 3 to 13

Page 9, line 14, strike "*(b) That*" and insert "Sec. 14. [COM-PROMISE.]"

Page 9, line 14, after "*matter*" insert "*may*"

Page 9, line 20, strike "*conducting the hearing*"

Page 9, line 22, strike the first "*the*" and insert "*a*"

Page 9, line 22, strike "*conducting the hearing*"

Page 9, line 32, strike the semicolon and insert a period

Page 10, strike lines 1 to 19

Page 10, line 25, after "*apply*" and before the period insert "*to proceedings under this section*"

Page 11, line 4, strike "*he*" and insert "*that man*"

Page 11, line 6, after "*is*" insert "*so*"

Page 11, line 19, after "*contain*" insert "*a provision declaring the name of the child, or*"

Page 12, line 27, strike "*blood*" and insert "*appropriate*"

Page 12, line 30, strike "*county welfare board*" and insert "*appropriate agency*"

Page 14, line 5, strike "*a district*" and insert "*the*"

Page 14, line 6, strike "*judge,*" and insert "*or a*"

Page 14, lines 10 and 14, strike "*complainant*" and insert "*petitioner*"

Page 14, line 11, strike "*of this act*"

Page 15, line 14, after "*1.*" insert "*Upon compliance with the provisions of section 5, subdivision 1, clause (e) or*"

Page 15, line 17, after "*the*" insert "*acknowledgement or the*"

Page 16, line 9, after "*exist*" insert "*, or the father has entered into a written agreement conferring authority to place for adoption pursuant to section 259.29*"

Page 17, line 12, strike the first comma

Page 17, line 12, after "*shall*" insert "*proceed to determine the existence or non-existence of the father and child relationship. If the court determines that the father and child relationship exists, it shall*"

Page 17, line 27, after "*the*" insert "*adoption*"

Page 18, line 1, strike "*If no person has been identified as the*"

Page 18, strike lines 2 to 8

Page 18, after line 8, insert

"Sec. 26. Minnesota Statutes 1976, Section 62A.041, is amended to read:

62A.041 [MATERNITY BENEFITS; UNMARRIED WOMEN.] Each group policy of accident and health insurance issued or renewed after June 4, 1971, shall provide the same coverage for maternity benefits to unmarried women and minor female dependents that it provides to married women including the wives of employees choosing dependent family coverage. If an *unmarried* insured is a parent ~~or an acknowledged or adjudicated parent~~ of a dependent ~~illegitimate~~ child, each group policy issued or renewed after July 1, 1976, shall provide the same coverage for that child as that provided for the child of an employee choosing dependent family coverage if the insured elects dependent family coverage.

Each individual policy of accident and health insurance shall provide the same coverage for maternity benefits to unmarried women and minor female dependents as that provided for married women. If the *an unmarried* insured is a parent ~~or an acknowledged or adjudicated parent~~ of a dependent ~~illegitimate~~ child, each individual policy issued or renewed after July 1, 1976, shall also provide the same coverage for that child as that provided for the child of an insured choosing dependent family coverage if the insured elects dependent family coverage.

For the purposes of this section, the term "maternity benefits" shall not include elective, induced abortion whether performed in a hospital, other abortion facility, or the office of a physician.

Sec. 27. Minnesota Statutes 1976, Section 62C.14, Subdivision 5a, is amended to read:

Subd. 5a. Any group subscriber's contract delivered or issued for delivery or renewed in this state after August 1, 1973 shall provide the same coverage for maternity benefits to unmarried women and minor female dependents as that provided for married women. If a *an unmarried* subscriber is a parent ~~or an acknowledged or adjudicated parent~~ of a dependent ~~illegitimate~~ child, each group subscriber's contract delivered or issued for delivery or renewed after July 1, 1976, shall, if the subscriber chooses family coverage, provide the same coverage for that child as that provided for the child of any other subscriber choosing dependent family coverage. Any group contracting for a group subscriber's contract may request that the coverage required by this section be omitted.

An individual subscriber's contract delivered or issued for delivery in this state shall provide the same coverage for maternity benefits to unmarried women and minor female dependents as that provided for married women. If ~~the an unmarried subscriber is a parent or the acknowledged or adjudicated parent of a dependent illegitimate child, each subscriber's individual contract delivered or issued for delivery or renewed after July 1, 1975, shall, if the subscriber chooses dependent family coverage, provide the same coverage for that child as that provided for the child of any other subscriber choosing dependent family coverage.~~

Sec. 28. Minnesota Statutes 1976, Section 64A.22, Subdivision 1, is amended to read:

64A.22 [BENEFICIARIES.] Subdivision 1. [CHANGE; ELIGIBILITY; RIGHTS.] The member shall have the right at all times to change the beneficiary or beneficiaries in accordance with the constitution, laws or rules of the association. Every association by its constitution, laws or rules may limit the scope of beneficiaries and shall provide that no beneficiary shall have or obtain any vested interest in the proceeds of any certificate until the certificate has become due and payable in conformity with the provisions of the insurance contract; except that associations which fail to meet the requirements of section 64A.20, clause (3) shall confine the payment of death benefits to the wife, husband, family, relatives by blood or marriage, including illegitimate children *as to whom he is a parent, as defined in sections 1 to 25*, parent or child by adoption, affianced husband or wife, a person dependent on the member or on whom the member is dependent, the member's estate, a benevolent, educational, religious, or charitable corporation, or to an incorporated institution for the support of the member. Any association may limit the beneficiaries within the above classes."

Page 19, line 15, strike "*of this*"

Page 19, line 16, strike "*act*"

Page 19, after line 16, insert:

"Sec. 32. Minnesota Statutes 1976, Section 144.175, Subdivision 2, is amended to read:

Subd. 2. [PROCEDURE IN CERTAIN CASES.] Except as provided in *section 24, or this section and section 144.176*, disclosure of illegitimacy of birth ~~or of information from which it can be ascertained may be made, or a certified copy of the birth certificate issued, only to the guardian of such person, the person to whom the record pertains when such person is 18 years of age or over, or that a new certificate of birth has been issued shall be confidential and may be released only upon order of a court of competent jurisdiction in a case where such information is necessary for the determination of personal or property rights and then only for such purpose~~. The birth and death records of the state board of health shall be opened to inspection by the commissioner of public welfare, and it shall not be necessary for him

to obtain an order of the court in order to inspect *the* records of illegitimate children or to secure certified copies thereof."

Page 20, line 17, strike "*in itself*"

Page 20, line 17, strike "*a*" and insert "*determinative of the custody of the child*"

Page 20, line 18, strike "*relevant factor*"

Page 21, line 15, strike "*15 of this*" and insert "*16*"

Page 21, line 16, strike "*act*"

Page 21, after line 16, insert:

"Sec. 36. Minnesota Statutes 1976, Section 257.33, is amended to read:

257.33 [DUTIES OF COMMISSIONER OF PUBLIC WELFARE.] It shall be the duty of the commissioner of public welfare when notified of a woman who is delivered of an illegitimate child, or pregnant with child likely to be illegitimate when born, to take care that the interests of the child are safeguarded; that appropriate steps are taken to establish his paternity; and that there is secured for him to offer appropriate social services to any pregnant woman who is determined to be at risk under criteria prescribed by rule of the commissioner. The commissioner shall also offer appropriate social services to the woman and her child after the birth of the child the nearest possible approximation to the care, support, and education that he would be entitled to if born of lawful marriage. For the better accomplishment of these purposes the commissioner of public welfare may initiate such legal or other action as is deemed necessary; may make such provision for the care, maintenance, and education of the child as the best interests of the child may from time to time require, and may offer his aid and protection in such ways as are found wise and expedient to the unmarried woman approaching motherhood."

Page 21, line 26, strike "*24 of this act*" and insert "*25*"

Page 24, line 5, strike "*the uniform parentage act*" and insert "*sections 1 to 25*"

Page 25, lines 16 and 20, strike "*the uniform parentage act*" and insert "*section 25*"

Page 25, after line 30, insert:

"Sec. 43. Minnesota Statutes 1976, Section 260.221, is amended to read:

260.221 [GROUNDS FOR TERMINATION OF PARENTAL RIGHTS.] The juvenile court may, upon petition, terminate all rights of parents to a child in the following cases:

(a) With the written consent of parents who for good cause desire to terminate their parental rights; or

(b) If it finds that one or more of the following conditions exist:

- (1) That the parents have abandoned the child; or
- (2) That the parents have substantially and continuously or repeatedly refused to give the child necessary parental care and protection; or
- (3) That, although the parents are financially able, they have substantially and continuously neglected to provide the child with necessary subsistence, education, or other care necessary for his physical or mental health or morals or have neglected to pay for such subsistence, education or other care when legal custody is lodged with others; or
- (4) That the parents are unfit by reason of debauchery, intoxication or habitual use of narcotic drugs, or repeated lewd and lascivious behavior, or other conduct found by the court to be likely to be detrimental to the physical or mental health or morals of the child; or
- (5) That following upon a determination of neglect or dependency, reasonable efforts, under the direction of the court, have failed to correct the conditions leading to the determination; or
- (6) That in the case of an illegitimate child the person appeared at an adoption hearing held pursuant to section 25 but failed to claim custodial rights, or that the person was notified of an adoption hearing pursuant to section 25 and failed to appear at the hearing, or that the person is not entitled to notice of an adoption hearing under section 250.26 and either the person has not filed a notice of his intention to retain parental rights under section 250.261 or that such notice has been successfully challenged 25.

Sec. 44. Minnesota Statutes 1976, Section 260.231, Subdivision 3, is amended to read:

Subd. 3. The court shall have notice of the time, place, and purpose of the hearing served on the parents, *as defined in sections 1 to 25*, in the manner provided in sections 260.135 and 260.141, except that personal service shall be made at least ten days before the day of the hearing ~~provided that in the case of an illegitimate child, notice shall be given to the parent of an illegitimate child meeting the requirements of section 250.26, subdivision 1, clause (3).~~ Published notice shall be made for three weeks, the last publication to be at least ten days before the day of the hearing; and notice sent by certified mail shall be mailed at least 20 days before the day of the hearing. A parent who consents to the termination of parental rights under the provisions of section 260.221, clause (a), may waive in writing the notice required by this subdivision; however, if the parent is a minor or incompetent his waiver shall be effective only if his guardian ad litem concurs in writing."

Page 26, lines 12 and 20, strike "*the uniform parentage act*" and insert "*sections 1 to 25*"

Page 26, line 26, strike "257.33;"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, after "Sections" insert "62A.041; 62C.14, Subdivision 5a; 64A.22, Subdivision 1;"

Page 1, line 10, after "2;" insert "144.175, Subdivision 2;"

Page 1, line 11, after "257.28;" insert "257.33;"

Page 1, line 13, after "2;" insert "260.221; 260.231, Subdivision 3;"

Page 1, line 18, strike "257.33;"

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

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

S. F. No. 417: A bill for an act relating to highway traffic regulations; accidents; requiring certain information to be given; amending Minnesota Statutes 1976, Section 169.09, Subdivision 3.

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

Page 1, line 10, before "The" insert "(a)"

Page 1, line 22, strike "If not"

Page 1, after line 22 insert "(b) If not"

Page 2, line 2, after "give" insert "upon request"

Page 2, line 2, strike the first "the" and insert "any"

Page 2, line 2, strike "struck, or the" and insert "involved in the accident"

Page 2, strike line 3

Page 2, line 4, strike "collided with,"

Page 2, line 6, after the period insert "A driver who fails to provide the information requested pursuant to this clause is guilty of a petty misdemeanor."

Page 2, after line 6 insert

"Sec. 2. Minnesota Statutes 1976, Section 169.09, Subdivision 7, is amended to read:

Subd. 7. [ACCIDENT REPORT TO COMMISSIONER.] The driver of a vehicle involved in an accident resulting in injury to or death of any person or total property damage to an apparent extent of \$100 \$300 or more, shall forward a written report of the accident to the commissioner of public safety within ten days thereof. If, in the opinion of the commissioner of public safety, the original report of any driver of a vehicle involved in an accident of which report must be made as provided in this section is insufficient he may require the driver to file supplementary reports.

Sec. 3. Minnesota Statutes 1976, Section 169.09, Subdivision 14, is amended to read:

Subd. 14. [PENALTY.] *Except as provided in Subdivision 3, clause (b), any person failing to comply with any of the requirements of this section, under the circumstances specified, shall be guilty of a misdemeanor.*

Amend the title as follows:

Page 1, line 4, after the semicolon insert

*“raising the amount of property damage required before an accident must be reported to the commissioner of public safety; providing penalties;”*

Page 1, line 5, strike “Subdivision 3” and insert “Subdivisions 3, 7, and 14”

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

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

S. F. No. 13: 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 1976, Section 1.043.

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

Page 1, line 11, strike “*Subdivision 1.*”

Page 1, line 20, after “*jurisdiction*” and before the period insert “*pursuant to section 2*”

Page 1, line 20, strike “*Retrocession of jurisdiction shall be*”

Page 1, after line 20, insert:

“Sec. 2. Minnesota Statutes 1976, Chapter 1, is amended by adding a section to read:

[1.0431] [RETROCESSION.] *Subdivision 1. Notwithstanding any law to the contrary, all or any part of the jurisdiction acquired by the United States over any land or place in the state pursuant to sections 1.041 or 1.042 or any other statute may be retroceded to the state in the manner provided herein.*

*Subd. 2. Retrocession of jurisdiction shall be*”

Page 2, line 8, strike “2” and insert “3”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after “1.043” and before the period insert “; and Chapter 1, by adding a section”

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

Mr. Purfeerst from the Committee on Transportation, to which was re-referred

S. F. No. 265: A bill for an act relating to highways; providing that towns be reimbursed for repairing and restoring town roads damaged while utilized as a haul road in transporting road building materials used in the construction, reconstruction or maintenance of public highways or city streets.

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

Page 1, line 10, strike "governmental subdivision" and insert "persons"

Page 1, line 12, strike "in the construction, reconstruction or"

Page 1, strike line 13

Page 1, line 14, strike "jurisdiction"

Amend the title as follows:

Page 1, line 5, strike "the"

Page 1, line 6, strike ", reconstruction"

Page 1, line 6, strike "of" and insert a period

Page 1, strike line 7

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 757: A bill for an act relating to transportation; repealing the "Sunday holiday law"; allowing commercial vehicles to operate within 35 miles of cities of the first class on Sundays and legal holidays; repealing Minnesota Statutes 1976, Sections 221.191 and 221.211.

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

Mr. Olson from the Committee on General Legislation and Veterans Affairs, to which was referred

S. F. No. 530: A bill for an act relating to used motor oil recycling; requiring certain collection facilities or the posting of certain informational lists; requiring registration of used motor oil haulers.

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

Page 1, after line 10, insert:

"Subd. 2. "Motor oil" means petroleum based oil used as a lubricant in a motor vehicle as defined in section 168.011, subdivision 4."

Renumber the subdivisions accordingly.

Page 1, line 11, strike "a petroleum based" and insert "motor"

Page 1, line 15, strike "private or"

Page 1, line 16, strike "public"

Page 1, line 17, strike "industry" and insert "sole proprietorship"

Page 1, line 18, strike the period and bracket at the end of the line and insert a semicolon

Page 1, line 19, strike "Subdivision 1. ["

Page 1, line 20, after "selling" insert "at retail"

Page 1, line 22, strike "list of locations" and insert "notice indicating the nearest location, or a location within 10 miles of the point of sale,"

Page 2, line 2, strike "on the premises" and insert "at the point of sale"

Page 2, line 4, strike "Any list of locations" and insert "The notice of recycling location"

Page 2, line 9, after "available" insert " , unless prohibited by local ordinance"

Page 2, line 9, strike "The tank shall"

Page 2, strike lines 10 through 15

Page 2, after line 15, insert:

"Sec. 3. Any person violating this act shall not thereby be subject to any criminal penalty."

Renumber the sections in sequence.

Amend the title as follows:

Page 1, line 4, strike "informational lists; requiring" and insert "notices."

Page 1, strike line 5

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 re-referred

S. F. No. 1: A bill for an act relating to solid waste pollution; requiring beverage containers to have certain refund values after a certain date; providing penalties.

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

Strike everything after the enacting clause and insert:

"Section 1. [116.451] [DEFINITIONS.] Subdivision 1. For purposes of sections 1 to 4, the terms defined in this section have the meanings given them.

Subd. 2. "Beverage container" means an individual, hermetically sealed glass, metal or plastic bottle, can, jar or carton used for the purpose of containing beer, ale, or other malt drink containing one half of one percent or more of alcohol by volume; or mineral waters, soda waters or any other carbonated soft drink in liquid form and intended for human consumption.

Subd. 3. "Bottler" means a person bottling, canning or otherwise filling a beverage container for sale to a distributor or dealer in this state.

Subd. 4. "Dealer" means a person who sells a filled beverage container at retail in this state.

Subd. 5. "Distributor" means a person, including but not limited to a bottler, who sells filled beverage containers to a dealer in this state.

Sec. 2. [116.452] [REFUNDS.] Subdivision 1. [VALUE OF CONTAINERS.] After June 30, 1978, a filled beverage container sold or offered for retail sale in this state shall have a refund value of not less than ten cents.

Subd. 2. [REFUND PAYMENT REQUIRED.] Except as provided in subdivision 3, after June 30, 1978:

(a) A dealer shall accept an empty, unbroken and reasonably clean beverage container of the kind, size and brand sold by the dealer, and shall pay to the person returning the beverage container ninety percent of the refund value displayed thereon pursuant to section 3.

(b) A distributor or bottler or a designee of a distributor or bottler shall accept from a dealer an empty beverage container of the kind, size and brand sold by the distributor or bottler, and shall pay the dealer the refund value displayed thereon pursuant to section 3. A distributor or his designee shall pick up any empty beverage container of the kind, size and brand sold by the distributor from a dealer at least once per week, unless the distributor and the dealer mutually agree to the contrary in writing.

Subd. 3. [EXCEPTIONS.] A dealer may refuse to accept, and a distributor, bottler or designee may refuse to accept from a dealer, an empty beverage container that does not visibly display a refund value as required by section 3.

Sec. 3. [116.453] [CONTAINER DESIGN.] After June 30, 1978, a beverage container sold or offered for sale in this state by a bottler, dealer or distributor shall clearly indicate by embossing, by a stamp, by a label or other permanent method of display, the name of this state and the refund value of the container.

Sec. 4. [116.454] [PENALTY.] A violation of section 2 or 3 is a misdemeanor. Each day of violation is a separate offense.

Sec. 5. [EFFECTIVE DATE.] This act is effective on the day following its final enactment."

And when so amended the bill do pass. Mr. Laufenburger ques-

tioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

H. F. No. 54: A bill for an act relating to state government; purchase of products and services from sheltered workshops and work activity programs; setting standards for price determination; amending Minnesota Statutes 1976, Section 16.281, Subdivision 1.

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

Page 1, strike line 14 and insert "*commissioner of vocational rehabilitation*"

Page 1, line 20, after "commissioner" insert "*of administration*"

Page 1, line 21, strike "to be paid"

Page 2, line 2, after "(a)" insert "*open market*"

Page 2, line 3, after "*years*" insert "*for similar products and services*"

Page 2, lines 5 and 6, strike "*cost as estimated by the commissioner of purchasing the same products and services on the open*" and insert "*fair*"

Page 2, line 6, after "*market*" insert "*price*"

Page 2, after line 14, insert:

"Sec. 2. Minnesota Statutes 1976, Section 16.281, Subdivision 3, is amended to read:

Subd. 3. The commissioner of administration shall promulgate rules and regulations necessary to carry out the purposes of this section, including but not limited to rules and regulations providing for a procedure by which the commissioner shall determine product specifications, quality standards and timing of delivery to be complied with by the sheltered workshop and work activity program boards on purchases made under this section. *The list to be prepared pursuant to subdivision 1 shall not be promulgated as a rule.*

Sec. 3. Laws 1975, Chapter 171, Section 2, is amended to read:

Sec. 2. This act is effective July 1, 1975 and shall expire on June 30, 1977."

Page 2, line 16, after "*enactment*" insert "; *provided that until July 1, 1977, the director of community long term sheltered workshop programs shall perform the functions of the commissioner of vocational rehabilitation as provided in section 1*"

Renumber sections accordingly.

Amend the title as follows: Strike it in its entirety and insert

"A bill for an act relating to state procurement; extending the

program for procurement from sheltered workshops and work activity programs; permitting purchase price to exceed fair market price; amending Minnesota Statutes 1976, Section 16.281, Subdivisions 1 and 3; and Laws 1975, Chapter 171, Section 2."

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

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

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, Section 115.71, Subdivision 7; and 144.12, Subdivision 1.

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

Page 1, line 15, before the period insert "*, or its successor agencies*"

Page 1, line 19, strike "*apartment*" and insert "*living*"

Page 2, line 7, before "*public*" insert "*all*"

Page 2, line 7, strike "*systems*" and insert "*supplies*"

Page 2, line 29, after "*and*" insert "*state*"

Page 3, line 4, strike "*such*" and insert "*the*"

Page 3, line 6, strike "*found guilty in district court of violating*" and insert "*who violates*"

Page 3, line 7, strike "*failing*" and insert "*fails*"

Page 3, line 8, strike "*failing*" and insert "*fails*"

Page 3, line 10, before the period insert "*, in a civil action brought by the board in district court*"

Page 3, after line 27, insert a section to read:

"Sec. 8. [EXPIRATION.] *The provisions of sections 1 to 7 shall expire 30 days after the conclusion of any fiscal year in which the federal government pays for less than 40 percent of the cost of administering sections 1 to 7.*"

Renumber sections in sequence

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

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

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.

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

Page 3, line 10, after "death," insert "fetal death,"

Page 3, line 22, after "others." insert "Except as otherwise provided in sections 1 to 18, rules previously promulgated by the board relating to the collection, filing and registering of vital statistics shall remain in effect until repealed, modified or superseded by a rule promulgated by the board."

Page 4, line 31, after "The" insert "designated"

Page 6, line 23, strike "destroyed" and insert "confidential pursuant to section 15.162, subdivision 2a, and shall not be disclosed except pursuant to court order"

Page 8, line 23, strike "destroyed and" and insert "confidential pursuant to section 15.162, subdivision 2a, and shall not be disclosed except pursuant to court order;"

Page 8, line 23, after "certificate" insert "shall be"

Page 9, line 5, strike "shall destroy"

Page 9, line 5, after "certificate" insert "shall be confidential pursuant to section 15.162, subdivision 2a, and shall not be disclosed except pursuant to court order"

Page 9, line 26, strike "certificate" and insert "certification"

Page 12, line 15, strike "registration" and insert "registered vital record"

Page 12, line 24, after "Except" insert "as"

Page 12, line 25, after "section" insert a comma

Page 12, line 31, strike "such" and insert "the"

Page 12, line 32, strike "such" and insert "the"

Page 13, line 31, strike ". Such fees to be"

Page 13, line 32, strike everything before the semicolon

Page 14, line 1, strike "under the"

Page 14, lines 2 and 3, strike everything before the semicolon

Page 14, line 4, after "(c)" insert "The"

Page 14, line 4, after "filing" insert "of"

Page 14, line 4, strike the comma

Page 14, line 5, strike everything before the semicolon

Page 14, line 7, strike "such" and insert "an"

Page 14, line 9, strike ", such fee to be"

Page 14, line 10, strike "payable at the time of application"

Page 14, line 11, after "(e)" insert "The"

Page 15, line 1, strike "receipts" and insert "receipt"

Page 15, line 9, strike "such"

Page 15, line 16, strike "such" and insert "a"

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

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

S. F. No. 897: A bill for an act relating to crime victims reparations; eliminating the minimum claim amount necessary for reparations; raising the amount of reparations paid to claimants suffering economic loss; amending Minnesota Statutes 1976, Sections 299B.03, Subdivision 2; and 299B.04.

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

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

S. F. No. 733: A bill for an act relating to health; licensing certain facilities; amending Minnesota Statutes 1976, Section 144.50.

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

Page 2, line 1, strike "*one of the following purposes*"

Page 2, line 4, after "*services*" insert "*offered 24 hours a day, seven days a week,*"

Page 2, after line 22, insert a new section to read:

"Sec. 2. [EXISTING RULES.] *Rules previously promulgated by the State Board of Health relating to the licensure of any institution, place, building or agency, in which any accommodation is maintained, furnished or offered for elective outpatient surgery for preexamined, prediagnosed low risk patients shall apply until repealed, modified or superseded by a rule promulgated in accordance with chapter 15.*"

Renumber the remaining section

Further amend the title:

Page 1, line 2, after "*facilities;*" insert "*allowing for the reinstatement of previously adopted rules;*"

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

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

S. F. No. 514: A bill for an act relating to victims of crime;

directing the commissioner of corrections to establish victim crisis centers; appropriating money.

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

Page 1, line 7, before "VICTIM" insert "CRIME"

Page 1, line 7, after "CENTER.]" insert: "Subdivision 1. For the purposes of this act, "center" means a crime victim crisis center providing services to victims of crime.

Subd. 2."

Page 1, lines 9, 12, 14, 16, 18, strike "victim crisis"

Page 1, line 18, strike ", once"

Strike lines 19 and 20 and insert "shall:"

Page 2, line 4, strike "victim" and insert "victims"

Page 2, line 16, after "occurs" and before the period insert: "; (j) other appropriate services"

Page 2, lines 19, 20, 24, 25, strike "victim crisis"

Page 2, line 24, strike "and" and insert a comma

Page 2, line 25, after "centers" and before the period insert: "and propose alternative means to accomplish the purposes of the act in all areas of the state"

Page 2, line 29, strike "This appropriation"

Page 2, strike lines 30 and 31

Page 3, after line 1, insert: "Sec. 7. [EXPIRATION DATE.] This act shall expire July 1, 1980 unless re-enacted."

Amend the title as follows:

Page 1, line 3, after "establish" insert "crime"

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

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 410: A bill for an act relating to labor; prohibiting the deduction of certain losses from wages without authorization by the employee; providing a cause of action for wrongful deduction.

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

Page 1, line 16, after the comma insert "voluntarily"

Page 2, line 4, after the period insert "This section shall not apply where a contrary provision in a collective bargaining agreement exists."

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

Mr. Laufenburger from the Committee on Employment, to which was re-referred

S. F. No. 238: A bill for an act relating to transportation construction contracts; providing for small business contracts; amending Minnesota Statutes 1976, Chapter 161, by adding a section.

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

Page 2, line 7, strike "*a labor*" and insert "*an area of substantial or persistent unemployment by the United States department of labor*"

Page 2, line 8, strike "*surplus area by the United States department of commerce*"

Page 2, line 11, strike "*regulations*"

Page 2, line 22, strike "*may*" and insert "*shall*"

Page 2, line 22, strike "*up to*" and insert "*at least*"

Page 2, line 27, after "*subcontractors.*" strike "*Up to*" and insert:

"*Subd. 3. [AWARDS TO MINORITY SMALL BUSINESSES.] At least*"

Page 2, line 28, after "*awarded*" insert "*, if possible,*"

Page 3, line 1, after the period insert:

"*Any funds subject to this subdivision which are not awarded according to this subdivision shall be awarded to other small businesses as defined in subdivision 1, clause (a).*"

*Subd. 4. [AWARDS, LIMITATIONS.]*"

Page 3, line 3, strike "*this subdivision*" and insert "*subdivisions 2 and 3*"

Renumber the subdivisions in sequence

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

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 703: A bill for an act relating to labor; granting public employees paid leaves of absence to engage in world athletic competition.

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

Page 1, line 15, after "*world*" insert "*, Pan American,*"

Page 1, line 18, after "*world*" insert "*, Pan American,*"

Page 1, line 19, after "*pay*" insert "*or other benefits or rights*"

Page 2, line 3, strike "school district" and insert "political subdivision"

Page 2, line 4, strike the first "district" and insert "political subdivision"

Page 2, line 4, strike the second "district" and insert "sub-division"

Amend the title as follows:

Page 1, line 3, strike "world" and insert "international"

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

Mr. Laufenburger from the Committee on Employment, to which was re-referred

S. F. No. 555: A bill for an act relating to commerce; providing for state procurement from small business; providing a bonding mechanism for small business; amending Minnesota Statutes 1976, Sections 16.082, by adding a subdivision; and 16.083, Subdivision 2.

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

Page 1, line 11, strike "*bonding*" and insert "*bond*"

Page 1, line 11, strike "*method of*" and insert "*bond which designates as principal, guarantor, or both, a person or persons in addition to the person to whom the contract is proposed for award*"

Page 1, strike lines 12 to 18

Page 1, line 19, strike "*the bond is being issued*"

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

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 376: A bill for an act relating to the city of Minneapolis; selection of supervisor of license inspection for the Minneapolis police department; providing for the establishment of qualifications by the Minneapolis city council; amending Laws 1961, Chapter 108, Section 2, as amended.

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

Page 1, line 13, strike "*Subdivision*"

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

Page 1, line 14, strike "*, except for the position of supervisor*"

Page 1, line 15, strike "*of license inspection,*"

Page 1, line 17, after the period, insert "*The chief of police in making an appointment to the position of supervisor of license in-*

*spection shall appoint someone who has a minimum of four years of investigative experience within the department."*

Page 1, strike lines 18 to 23

Page 2, strike lines 1 to 3

Amend the title as follows:

Line 2, after the semicolon, insert "providing for the"

Line 4, strike "providing for the"

Strike line 5

Line 6, strike "city council;"

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

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred

S. F. Nos. 102, 146, 319, 257, 465, 383, 219, 335, 194, 401, 193, 49, 312, 223, 168, 476, 226 and H. F. Nos. 235 and 464, makes the following report:

That S. F. No. 102 be re-referred to the Committee on Taxes and Tax Laws.

That S. F. No. 312 be re-referred to the Committee on Finance.

That S. F. Nos. 226, 146, 319, 257, 465, 383, 219, 335, 194, 401, 193, 49, 223, 168, 476 and H. F. Nos. 235 and 464 be placed at the head of the General Orders Calendar in the order indicated.

That there were no other bills before the subcommittee on which floor action was requested. Report adopted.

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

H. F. No. 382 for comparison to its companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
382	271				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 382 be amended as follows:

Page 2, lines 30 and 31, restore the stricken and delete the new language

Page 2, delete line 32, and insert "state, the operator and or passenger, if any if below the age of 18 , shall wear"

Page 3, line 1, delete the new language

Page 3, line 5, restore the comma

Page 3, delete lines 12 to 27

Page 3, line 28, delete "*upon*" and insert "*the day following*"

Renumber the remaining section

Further, amend the title as follows:

Page 1, line 5, delete ", and" and insert a period

Page 1, delete lines 6 and 7

And when so amended, H. F. No. 382 will be identical to S. F. No. 271 and further recommends that H. F. No. 382 be given its second reading and substituted for S. F. No. 271 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. Nos. 345, 586, 105, 417, 13, 265, 757, 530, 651, 733, 410, 238, 555 and 376 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. 382 was read the second time.

H. F. No. 54 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

### MOTIONS AND RESOLUTIONS

Mr. Ulland, J. moved that the name of Mr. Chmielewski be added as co-author to S. F. No. 478. The motion prevailed.

Mr. Willet moved that the name of Mr. Moe be added as co-author to S. F. No. 626. The motion prevailed.

Mr. Stumpf moved that the name of Mr. Penny be added as co-author to S. F. No. 793. The motion prevailed.

Mr. Luther moved that the name of Mr. Vega be added as co-author to S. F. No. 842. The motion prevailed.

Mr. Luther moved that the name of Mr. Vega be added as co-author to S. F. No. 848. The motion prevailed.

Mr. Schmitz moved that the name of Mr. Vega be added as co-author to S. F. No. 868. The motion prevailed.

Mr. Kleinbaum moved that the name of Mr. Stumpf be added as co-author to S. F. No. 897. The motion prevailed.

Mr. Sikorski moved that the name of Mr. Vega be added as co-author to S. F. No. 426. The motion prevailed.

Mr. Davies moved that the name of Mr. Sikorski be added as co-author to S. F. No. 804. The motion prevailed.

Mr. Tennessen moved that S. F. No. 448 be withdrawn from

the Committee on Commerce and re-referred to the Committee on Governmental Operations. The motion prevailed.

Mrs. Brataas introduced—

Senate Resolution No. 19: A Senate Resolution congratulating Rochester John Marshall High School on the winning of the State High School Hockey Tournament.

Referred to the Committee on Rules and Administration.

### **SUSPENSION OF RULES**

Mr. Coleman moved that the rules of the Senate be so far suspended that a Memorial Service for deceased Senators be made a Special Order of business for immediate consideration. The motion prevailed. So the rules were suspended.

### **MEMORIAL SERVICE**

Pursuant to rules suspension passed under Motions and Resolutions, the Senate proceeded with a Memorial Service for deceased Senators:

The Honorable Grover C. George

The Honorable William C. F. Heuer

The Honorable Clarence Langley

The Honorable John A. Metcalf

The Honorable Clifton Parks

The Honorable Alf Bergerud

### **A MEMORIAL PRAYER**

Offered by Monsignor Ambrose V. Hayden

Senate of the State of Minnesota

March 24, 1977

The poet has told us that "We live in deeds, not years; in thoughts, not breaths. He most lives who thinks most — feels the noblest — acts the best." It is the deeds and thoughts and noble acts of our former colleagues in the august body which we memorialize today. By this heritage which they have bequeathed to us, their spirits continually reach backward to challenge, to enlighten and encourage us who remain to exercise the work of government.

It was their lot, as it is ours, to propose and to legislate for the common good of the people of this great state. In that endeavor they strove to represent fairly the rights of the people and to see that what was guaranteed to the people by the statutes of a representative government would be safeguarded and exercised in their interest.

That challenge often calls for an uncommon dedication from

the one in public office because the demands upon his or her time, resources, and talents are significant.

The Senators here today take courage and inspiration from those noble servants of another time who saw it better to serve than to be served, and to work honestly and diligently for the common good. We acknowledge and thank them for their service.

Grant to them, O Lord, the sleep of the just to all those who have been associated with us in the bonds of this fraternity — that we together with them may be found worthy to be partakers together of your heavenly kingdom.

Feed them in a green pasture, by the waters of comfort, in the paradise of joy.

### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the memorial prayer be printed in the Journal and that the Secretary of the Senate transmit a formal copy of this memorial prayer to the widows of the deceased Senators or their next of kin. The motion prevailed.

### THIRD READING OF SENATE BILLS

S. F. No. 267: A bill for an act relating to taxation; defining "common carrier" for certain purposes in connection with the sales and use tax; amending Minnesota Statutes 1976, Section 297A.211, Subdivision 1.

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

So the bill passed and its title was agreed to.

S. F. No. 305: A bill for an act relating to intoxicating liquor; expiration date of municipal licenses; amending Minnesota Statutes 1976, Section 340.11, Subdivision 16.

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

So the bill passed and its title was agreed to.

S. F. No. 147: A bill for an act relating to commerce; limiting deficiency judgments in consumer transactions; restricting waiver of garnishment exemptions; amending Minnesota Statutes 1976, Section 550.37, Subdivision 4.

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 33 and nays 30, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knoll	Nelson	Staples
Benedict	Hanson	Lewis	Olhoff	Stokowski
Borden	Humphrey	Luther	Penny	Stumpf
Chmielewski	Johnson	McCutcheon	Perpich	Tennessen
Coleman	Keefe, J.	Merriam	Schaaf	Willet
Davies	Keefe, S.	Milton	Sikorski	
Dieterich	Kleinbaum	Moe	Spear	

Those who voted in the negative were:

Ashbach	Gunderson	Nichols	Renneke	Solon
Bernhagen	Jensen	Ogdahl	Schmitz	Strand
Brataas	Knutson	Olson	Schrom	Ueland, A.
Dunn	Laufenburger	Peterson	Setzepfandt	Ulland, J.
Engler	Lessard	Pillsbury	Sieloff	Vega
Frederick	Menning	Purfeerst	Sillers	Wegener

So the bill failed to pass.

S. F. No. 380: A bill for an act relating to courts; lapse of causes of action arising outside the state; amending Minnesota Statutes 1976, Section 541.14.

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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 78: A bill for an act relating to public indebtedness; investment of debt service funds; amending Minnesota Statutes 1976, Section 475.66, Subdivisions 1 and 2.

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

So the bill passed and its title was agreed to.

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

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 61 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Gearty	Keefe, J.	Lessard
Ashbach	Coleman	Gunderson	Keefe, S.	Lewis
Benedict	Davies	Hanson	Kleinbaum	Luther
Bernhagen	Dieterich	Humphrey	Knoll	McCutcheon
Borden	Engler	Jensen	Knutson	Menning
Brataas	Frederick	Johnson	Laufenburger	Merriam

Milton	Penny	Schmitz	Staples	Vega
Moe	Perpich	Schrom	Stokowski	Wegener
Nelson	Peterson	Sieloff	Strand	Willet
Nichols	Pillsbury	Sikorski	Stumpf	
Ogdahl	Purfeerst	Sillers	Tennessen	
Olhoft	Renneke	Solon	Ueland, A.	
Olson	Schaaf	Spear	Ulland, J.	

Mr. Dunn voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 86: A bill for an act relating to real property; registration of title thereto; providing for changes in the persons who may register land and in the contents of the application for registration; permitting the registration of appurtenant easements over unregistered land and establishing procedures for such registration; changing the period during which the application shall constitute notice; changing the period for appeal from a final decree and establishing a period for appeal to the supreme court from an order of the district court made after the original registration of land; providing that money judgments may be filed on certificates of title only when the judgment debtor has a registered interest therein; prescribing fees of the registrar for the assurance fund; amending Minnesota Statutes 1976, Sections 508.03; 508.04; 508.06; 508.11; 508.23; 508.29; 508.63; and 508.74.

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

So the bill passed and its title was agreed to.

S. F. No. 189: A bill for an act relating to crimes; raising the amount of pecuniary gain which must be received by a person incident to a violation of law before the violation is categorized as a felony; amending Minnesota Statutes 1976, Sections 609.27, Subdivision 2; 609.52, Subdivision 3; 609.53, Subdivision 1; 609.551, Subdivision 1; 609.563, Subdivision 1; 609.576, Subdivision 1; 609.595, Subdivision 1; and 609.615.

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 33 and nays 30, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Laufenburger	Nichols	Strand
Borden	Humphrey	Lewis	Penny	Stumpf
Chmielewski	Johnson	Luther	Perpich	Tennessen
Coleman	Keefe, J.	Merriam	Sikorski	Ulland, J.
Davies	Keefe, S.	Milton	Spear	Willet
Dieterich	Kleinbaum	Moe	Staples	
Gearty	Knoll	Nelson	Stokowski	

Those who voted in the negative were:

Anderson	Frederick	Menning	Purfeerst	Sieloff
Benedict	Gunderson	Ogdahl	Renneke	Sillers
Bernhagen	Jensen	Olhoft	Schaaf	Solon
Brataas	Knutson	Olson	Schmitz	Ueland, A.
Dunn	Lessard	Peterson	Schrom	Vega
Engler	McCutcheon	Pillsbury	Setzepfandt	Wegener

So the bill failed to pass.

S. F. No. 114: A bill for an act relating to highways; requiring a hearing by a county board prior to the adoption of a resolution revoking a county highway that would revert to a town; amending Minnesota Statutes 1976, Section 163.11, by adding a subdivision.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 26: A bill for an act relating to game and fish; extending seasons for taking of certain fish; amending Minnesota Statutes 1976, Section 101.41, Subdivisions 2 and 4.

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 39 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Lessard	Peterson	Sillers
Ashbach	Frederick	Menning	Pillsbury	Solon
Bernhagen	Gearty	Moe	Purfeerst	Staples
Borden	Hanson	Nelson	Renneke	Stokowski
Brataas	Keefe, J.	Nichols	Schmitz	Ueland, A.
Chmielewski	Kleinbaum	Olson	Schrom	Vega
Coleman	Knoll	Penny	Setzepfandt	Wegener
Davies	Laufenburger	Perpich	Sikorski	

Those who voted in the negative were:

Benedict	Humphrey	Lewis	Olhoft	Stumpf
Chenoweth	Jensen	Luther	Schaaf	Tennessen
Dieterich	Johnson	Merriam	Sieloff	Ulland, J.
Dunn	Keefe, S.	Milton	Spear	Willet
Gunderson	Knutson	Ogdahl	Strand	

So the bill passed and its title was agreed to.

### RECONSIDERATION

Mr. Menning moved that the vote whereby S. F. No. 189 failed to pass the Senate on March 24, 1977, be now reconsidered. The motion prevailed.

Mr. Nichols moved that S. F. No. 189 be stricken from the Calendar and placed on General Orders. The motion prevailed.

### RECONSIDERATION

Mr. Laufenburger moved that the vote whereby S. F. No. 147 failed to pass the Senate on March 24, 1977, be now reconsidered. The motion prevailed.

### CONSENT CALENDAR

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.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**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:

H. F. No. 383 which the committee recommends to pass.

S. F. No. 291, which the committee recommends to pass with the following amendment offered by Mr. Merriam:

Page 1, line 9, strike "QUOTAS" and insert "JOB PERFORMANCE"

Amend the title as follows:

Page 1, line 2, strike "certain employer" and insert "termination of employee benefits"

Page 1, line 3, strike "practices"

S. F. No. 22, which the committee recommends to pass with the following amendment offered by Mr. Hanson:

Page 1, line 9, after "county" insert "lying north of the forty-ninth parallel"

Page 1, line 12, strike "identical"

Page 1, line 12, after "population" insert "identical to the population of the Northwest Angle"

Page 1, line 17, after the comma insert "approval of the voters of the Northwest Angle upon submission to them of the question by the county board at the next general election,"

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

Without objection, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Messrs. Keefe, S.; Coleman; Ogdahl; Laufenburger and Nelson introduced—

S. F. No. 960: A bill for an act relating to worker's compensation; including legislators in coverage; requiring owners to elect non-coverage; increasing benefit levels; vesting certain benefits; excluding certain employment; regulating attorney's fees; providing for depending surviving spouses; providing for supplemental benefits; altering notice requirements; providing for adjustments to benefit payments; amending Minnesota Statutes 1976, Sections 176.011, Subdivisions 9 and 11a; 176.012; 176.021, Subdivision 3; 176.041, Subdivision 1; 176.051; 176.081, Subdivisions 1 and 2; 176.101; 176.111, Subdivisions 11 and 21; 176.132, Subdivision 1; 176.141; 176.215, by adding a subdivision; 176.221, Subdivision 1; 176.511, Subdivision 3; 176.645; and Chapter 176, by

adding a section; repealing Minnesota Statutes 1976, Sections 79.30 and 176.185, Subdivision 8.

Referred to the Committee on Employment.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Coleman moved that the Senate do now adjourn until 10:30 o'clock a.m., Monday, March 28, 1977. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate