

TWENTY-SEVENTH DAY

St. Paul, Minnesota, Monday, March 28, 1977

The Senate met at 10:30 o'clock a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Edward J. Flahavan.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Anderson, Bang, Chenoweth, Coleman, Knoll, Lewis, Nichols, Penny, Schrom and Strand were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 24, 1977

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S. F. No. 200.

Sincerely,
Rudy Perpich, Governor

March 24, 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 Acts of the 1977 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1977	Date Filed 1977
200		5	March 24	March 24
	511	6	March 24	March 24

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.

Mr. Willet introduced—

S. F. No. 961: A bill for an act relating to education; state universities; handicapped students; waiving tuition for legally blind students; amending Minnesota Statutes 1976, Section 136.11, Subdivision 1.

Referred to the Committee on Education.

Messrs. Purfeerst; Keefe, S. and Laufenburger introduced—

S. F. No. 962: A bill for an act relating to public employees; designating the number of arbitrators to resolve labor dispute; amending Minnesota Statutes 1976, Section 179.72, Subdivision 6.

Referred to the Committee on Employment.

Mr. Ogdahl introduced—

S. F. No. 963: A bill for an act relating to public safety; modifying requirements of gas containers; amending Minnesota Statutes 1976, Section 299F.40.

Referred to the Committee on Commerce.

Messrs. Tennesen, Laufenburger, Kleinbaum and Mrs. Brataas introduced—

S. F. No. 964: A bill for an act relating to labor relations; providing for the exclusion of certain positions and classes of positions in the classified and unclassified civil service of the executive branch from bargaining units; amending Minnesota Statutes 1976, Section 179.74, Subdivision 4.

Referred to the Committee on Governmental Operations.

Messrs. Moe, Nichols, Mrs. Brataas, Messrs. Pillsbury and Kleinbaum introduced—

S. F. No. 965: A bill for an act relating to taxation; reducing the maximum permissible school district levy for general and special school purposes; amending Minnesota Statutes 1976, Section 275.125, Subdivision 2a.

Referred to the Committee on Education.

Messrs. Humphrey, Lewis and Milton introduced—

S. F. No. 966: A bill for an act relating to education; vocational education; providing programs for certain handicapped and disadvantaged persons; appropriating money.

Referred to the Committee on Education.

Messrs. Davies; Keefe, J. and Strand introduced—

S. F. No. 967: A bill for an act relating to probate; guardianships and conservatorships; providing for resignations and removals of guardians; providing for joinder of sureties in final account hearings; amending Minnesota Statutes 1976, Section 525.582.

Referred to the Committee on Judiciary.

Messrs. Davies; Keefe, J. and Strand introduced—

S. F. No. 968: A bill for an act relating to probate; decrees of descent; changing the requirements for the notice of hearing on a petition for a decree of descent; amending Minnesota Statutes 1976, Section 525.312.

Referred to the Committee on Judiciary.

Messrs. Davies; Keefe, J. and Strand introduced—

S. F. No. 969: A bill for an act relating to probate; surety bonds; authorizing court to order accounting by and judgment against surety in proceedings to settle estate; amending Minnesota Statutes 1976, Section 524.3-606.

Referred to the Committee on Judiciary.

Messrs. Davies; Keefe, J. and Strand introduced—

S. F. No. 970: A bill for an act relating to probate; personal representatives; providing for appointment of successor representatives; amending Minnesota Statutes 1976, Section 524.3-613.

Referred to the Committee on Judiciary.

Messrs. Davies; Keefe, J. and Strand introduced—

S. F. No. 971: A bill for an act relating to probate; registrars; specifying certain powers of registrars; amending Minnesota Statutes 1976, Section 524.1-307.

Referred to the Committee on Judiciary.

Messrs. Davies; Keefe, J. and Strand introduced—

S. F. No. 972: A bill for an act relating to probate; personal representatives; protecting certain good faith purchasers dealing with personal representatives; amending Minnesota Statutes 1976, Section 524.3-714.

Referred to the Committee on Judiciary.

Messrs. Davies; Keefe, J. and Strand introduced—

S. F. No. 973: A bill for an act relating to probate; rules of procedure; providing for probate proceedings to be governed by rules of civil procedure; amending Minnesota Statutes 1976, Chapter 524, by adding a section.

Referred to the Committee on Judiciary.

Mr. Engler introduced—

S. F. No. 974: A bill for an act relating to Independent School District No. 195; authorizing an additional levy for a community recreation program; amending Minnesota Statutes 1976, Section 275.125, Subdivision 8.

Referred to the Committee on Education.

Messrs. Wegener and Olhoft introduced—

S. F. No. 975: A bill for an act relating to counties; authorizing appointment of county administrators without referendum; amending Minnesota Statutes 1976, Section 375A.06, by adding a subdivision.

Referred to the Committee on Local Government.

Mr. Luther introduced—

S. F. No. 976: A bill for an act relating to the environment; solid waste pollution; prohibiting sale of disposable razors; providing a penalty.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Olson; Chmielewski; Penny; Ueland, A. and Kleinbaum introduced—

S. F. No. 977: A bill for an act relating to marriage; requiring the clerk of court to furnish certified copies of marriage license; amending Minnesota Statutes 1976, Section 517.08, Subdivision 3; and Chapter 517, by adding a section.

Referred to the Committee on Judiciary.

Mrs. Staples, Messrs. Kirchner, Gearty, Benedict and Luther introduced—

S. F. No. 978: A bill for an act relating to Hennepin county and tax levies and bond issues for the purposes of the county park reserve district; amending Laws 1967, Chapter 721, Section 2, as amended.

Referred to the Committee on Local Government.

Mr. Ueland, A. introduced—

S. F. No. 979: A bill for an act relating to taxation; providing an exemption from the gasoline and special fuels tax for certain municipal transit systems; amending Minnesota Statutes 1976, Sections 296.02 and 296.025, by adding subdivisions.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Milton; Keefe, S.; Coleman; Sikorski and Mrs. Staples introduced—

S. F. No. 980: A bill for an act relating to public welfare; aid to families with dependent children, medical assistance, and supplemental aid; altering eligibility criteria; amending Minnesota Statutes 1976, Sections 256.73, Subdivision 2; 256B.06, Subdivision 1; and 256D.37, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Sieloff introduced—

S. F. No. 981: A bill for an act relating to taxation; altering income calculation and qualifications for being claimant for income-adjusted homestead credit; amending Minnesota Statutes 1976, Sections 290A.03, Subdivisions 3, 7, and 8; and 290A.05.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Schaaf, Merriam and Davies introduced—

S. F. No. 982: A bill for an act relating to taxation; providing

for a minimum standard deduction from gross income; amending Minnesota Statutes 1976, Section 290.09, Subdivision 15.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Engler and Keefe, J. introduced—

S. F. No. 983: A bill for an act relating to taxation; providing for exclusion from estate of one half of the value of joint property held by decedent and spouse; providing for election to create joint tenancies between spouses; amending Minnesota Statutes 1976, Sections 291.01, Subdivision 4; and 292.01, Subdivision 7.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sieloff introduced—

S. F. No. 984: A bill for an act relating to taxation; exempting certain interest income from gross income for income tax purposes; amending Minnesota Statutes 1976, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sieloff introduced—

S. F. No. 985: A bill for an act relating to taxation; providing an additional deduction for excess interest on debts to buy or retain homesteads; amending Minnesota Statutes 1976, Section 290.09, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Engler, Knutson and Hughes introduced—

S. F. No. 986: A bill for an act relating to education; school aids; providing for increased aid and extended levy authority for purposes of community school programs; amending Minnesota Statutes 1976, Sections 124.271, Subdivision 2; and 275.125, Subdivision 8.

Referred to the Committee on Education.

Messrs. Sieloff, Merriam, Bernhagen, Engler and Pillsbury introduced—

S. F. No. 987: A bill for an act relating to taxation; increasing the maximum income-adjusted homestead credit amount for persons over 65 or disabled; amending Minnesota Statutes 1976, Section 290A.04, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Sikorski, Peterson and Engler introduced—

S. F. No. 988: A bill for an act relating to financial institutions; power to make conventional loans and purchase of obligations representing such loans; amending Minnesota Statutes 1976, Section 47.20, Subdivision 3.

Referred to the Committee on Commerce.

Messrs. Anderson, Penny, Olson, Dunn and Willet introduced—

S. F. No. 989: A bill for an act relating to agriculture; establishing pilot programs for direct farmers' market facilities, and prescribing the duties of the commissioner of agriculture in relation thereto; providing for research, promotional and informational services relating to direct farmer markets to be furnished by the University of Minnesota, college of agriculture; and appropriating money.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Menning and Johnson introduced—

S. F. No. 990: A bill for an act relating to game and fish; authorizing two line fishing; amending Minnesota Statutes 1976, Sections 97.40, Subdivision 32; 101.41, Subdivision 2; and 101.42, Subdivision 20.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Frederick, Knutson, Engler, Chmielewski and Mrs. Brataas introduced—

S. F. No. 991: A bill for an act relating to taxation; allocating the proceeds of the motor vehicle excise tax between the general fund and the highway user tax distribution fund; amending Minnesota Statutes 1976, Sections 168.27, Subdivision 16; 297B.035, Subdivision 2; and 297B.09.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Frederick, Knutson, Engler, Chmielewski and Laufenburger introduced—

S. F. No. 992: A bill for an act relating to public safety; state highway patrol; financing the highway patrol activities from the general fund; appropriating money; amending Minnesota Statutes 1976, Sections 299D.02, Subdivision 1; 299D.03, Subdivisions 2, 4, and 5; 299D.04; 299D.05, Subdivision 3; and Chapter 299D, by adding a section.

Referred to the Committee on Finance.

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

S. F. No. 993: A bill for an act relating to retirement; membership of Hennepin county soil and water conservation district employees in the public employees retirement association; amending Minnesota Statutes 1976, Chapter 353, by adding a section.

Referred to the Committee on Governmental Operations.

Messrs. Dieterich, Luther and Spear introduced—

S. F. No. 994: A bill for an act relating to natural resources; withdrawing state lands located on or near Lake Superior from sale, exchange, or other conveyance which will result in creation of a place for deposit or storing mine waste materials, rocks, or tailings; prohibiting the issuance of certain permits in the same area; amending Minnesota Statutes 1976, Chapter 92, by adding a section; and section 116D.04, by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Kleinbaum, Mrs. Brataas, Messrs. Stokowski and Laufenburger introduced—

S. F. No. 995: A bill for an act relating to banking; interest payments on escrow accounts; amending Minnesota Statutes 1976, Section 47.20, Subdivision 8.

Referred to the Committee on Commerce.

Messrs. Olson; Ueland, A.; Purfeerst; Menning and Nichols introduced—

S. F. No. 996: A bill for an act relating to health and welfare; Title XX funds for social services; establishing a formula for allocating Title XX funds to counties.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Tennessen, Mrs. Brataas, Messrs. Spear, Nelson and Hanson introduced—

S. F. No. 997: A bill for an act relating to civil actions; abolishing all civil causes of action for breach of promise to marry, alienation of affections, criminal conversation and seduction; providing penalties.

Referred to the Committee on Judiciary.

Messrs. Tennessen, Perpich, Solon and Mrs. Staples introduced—

S. F. No. 998: A bill for an act relating to welfare; aid to

families with dependent children; changing certain eligibility qualifications; amending Minnesota Statutes 1976, Sections 256.73, Subdivisions 1, 2, 4, and by adding subdivisions; and 256.79.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Tennesen, Johnson, Ashbach and Jensen introduced—

S. F. No. 999: A bill for an act relating to mobile homes; providing for termination of land leases; amending Minnesota Statutes 1976, Section 327.44.

Referred to the Committee on Judiciary.

Messrs. Renneke, Frederick, Olson, Purfeerst and Menning introduced—

S. F. No. 1000: A bill for an act relating to taxation; requiring indication on income tax return of school district in which taxpayer resides; amending Minnesota Statutes 1976, Section 290.39, Subdivision 1.

Referred to the Committee on Education.

Messrs. Renneke, Olson, Purfeerst, Menning and Jensen introduced—

S. F. No. 1001: A bill for an act relating to drainage; clarifying the power of county boards to construct flood control projects under the drainage laws; transferring the administration of judicial ditches to county boards; improving the power of county boards to repair, assess benefits and damages and construct laterals on county ditches; providing for appeal of decisions by a joint county ditch authority; providing a better procedure for abandonment of ditches in urban areas; providing for the termination of activities of conservancy districts; amending Minnesota Statutes 1976, Sections 106.011, Subdivisions 1, 4, 16 and 17; 106.015, Subdivision 5; 106.021, Subdivision 1; 106.031, Subdivision 1; 106.041; 106.091, Subdivision 1; 106.101, Subdivision 1; 106.121, Subdivision 8; 106.131; 106.141, Subdivision 2; 106.161; 106.171, Subdivisions 1 and 2; 106.191, Subdivision 3; 106.211; 106.221, Subdivision 1; 106.231, Subdivision 1; 106.251; 106.281; 106.291; 106.301; 106.321; 106.331; 106.401; 106.431, Subdivision 2; 106.471, Subdivisions 1, 2, 3, 4 and 7; 106.501, Subdivisions 1 and 2; 106.511; 106.521; 106.531; 106.551; 106.561, Subdivisions 1 and 2; 106.601; 106.631, Subdivision 5; 106.651; 106.661; and 112.76; repealing Minnesota Statutes 1976, Sections 106.011, Subdivisions 5, 6, 7, 8 and 9; 106.015, Subdivisions 3 and 4; 106.021, Subdivision 5; 106.231, Subdivision 7; 111.01 to 111.42.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Renneke, Setzepfandt, Schrom, Penny and Purfeerst introduced—

S. F. No. 1002: A bill for an act relating to eminent domain; permitting an alternate means of compensation to landowners whose land is condemned by certain companies, associations or utilities; amending Minnesota Statutes 1976, Chapter 117, by adding a section.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Perpich; Johnson; Ueland, A.; Sillers and Wegener introduced—

S. F. No. 1003: A bill for an act relating to consumer protection; transferring the consumer services section from the department of commerce to the attorney general; amending Minnesota Statutes 1976, Sections 45.15; and 45.16.

Referred to the Committee on Commerce.

Messrs. Lewis; Kirchner; Keefe, S. and McCutcheon introduced—

S. F. No. 1004: A bill for an act relating to metropolitan government; providing for the investment of metropolitan airports commission funds; amending Minnesota Statutes 1976, Section 473.606, Subdivision 3.

Referred to the Committee on Governmental Operations.

Messrs. Keefe, S.; Luther; Sikorski; Vega and Ulland J. introduced—

S. F. No. 1005: A bill for an act relating to elections; providing for uniform reporting dates for and disclosure of campaign contributions and expenditures of political committees and candidates; providing for statements of economic interest for candidates and persons elected to public office; providing for registration of voters for all counties; defining certain terms; providing uniform filing date for corporations spending money for certain election purposes; providing exemption from disclosure requirements for certain persons and political committees; providing restrictions on the use of names and pictures of public officials in government publications; prohibiting sample ballots of the same color as official ballots; giving the secretary of state and county auditors certain duties with respect to elections; permitting codes of ethics for counties, cities, and school districts; providing penalties; amending Minnesota Statutes 1976, Sections 210A.01, Subdivisions 1, 3, 5, 6, and 8, and by adding subdivisions; 210A.05, Subdivision 1; 210A.16; 210A.21; 210A.24; 210A.27, Subdivision 1; 210A.29; 210A.32; 210A.34, Subdivision 8; and 290.09, Subdivision 2; and Chapters 123, by adding a section; 210A, by adding sections; 375, by adding a section; and 471, by adding a section; repealing Minnesota Stat-

utes 1976, Sections 123.015; 210.22; 210A.01, Subdivisions 4, 7, and 9; 210A.22; 210A.23; 210A.25; 210A.26; 210A.28; 210A.30; 210A.31; and 210A.33; and Laws 1975, Chapter 342, Section 1.

Referred to the Committee on Elections.

Mr. Keefe, S.; Mrs. Staples; Messrs. Benedict; Strand and Mrs. Brataas introduced—

S. F. No. 1006: A bill for an act relating to political activities; providing for their regulation; revising certain filing and reporting requirements; clarifying language; removing obsolete provisions; amending Minnesota Statutes 1976, Sections 10A.01, Subdivisions 2, 5, 6, 7, 9, 10, 11, 13, 15 and 18; 10A.02, Subdivisions 1, 2, 4, 8, 9, 11, 12 and 13; 10A.04, Subdivision 1; 10A.07; 10A.09, Subdivision 6; 10A.11, Subdivision 6; 10A.12, Subdivisions 1, 3 and 5; 10A.13; 10A.14, Subdivisions 1 and 2; 10A.15; 10A.16; 10A.17; 10A.20, Subdivisions 3, 4, 5 and 6; 10A.21; 10A.22, Subdivisions 3, 4, 5 and 7; 10A.24; 10A.25; 10A.26; 10A.27, Subdivision 4 and by adding a subdivision; 10A.28; 10A.29; 10A.31, Subdivisions 3a, 7, 10 and by adding a subdivision; 10A.32, Subdivisions 2, 3 and 4; 10A.33; and 210A.44; and Chapter 10A by adding sections.

Referred to the Committee on Elections.

Messrs. Nichols and Strand introduced—

S. F. No. 1007: A bill for an act relating to public health; permitting plastic well casings; amending Minnesota Statutes 1976, Chapter 156A, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Menning, Olhoff and Bernhagen introduced—

S. F. No. 1008: A bill for an act relating to obscenity; prohibiting the showing of obscene motion pictures at drive-in theatres; providing for a hearing in the courts to determine if a motion picture is obscene; prescribing penalties.

Referred to the Committee on Judiciary.

Mrs. Brataas, Messrs. Bernhagen, Merriam, Laufenburger and Nelson introduced—

S. F. No. 1009: A bill for an act relating to trials; authorizing electronic transcription of trial proceedings; providing for costs and payment.

Referred to the Committee on Judiciary.

Messrs. Chmielewski, Olson, Schrom, Menning and Jensen introduced—

S. F. No. 1010: A bill for an act relating to public health; permitting the use of the drug laetrile.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Schaaf and Stokowski introduced—

S. F. No. 1011: A bill for an act relating to the city of Columbia Heights fire department relief association; an establishment of paid division and volunteer division of the association and the administration of each division; benefits and contributions; membership of certain fire personnel in the public employees' police and fire fund.

Referred to the Committee on Governmental Operations.

Messrs. Olhoft, Bernhagen, Menning, Mrs. Staples and Mr. Nelson introduced—

S. F. No. 1012: A bill for an act relating to obscenity; prohibiting the dissemination of obscene photographs or other similar visual representations which depict minors involved in scenes of patently offensive sexual conduct; prescribing penalties; amending Minnesota Statutes 1976, Chapter 617, by adding a section.

Referred to the Committee on Judiciary.

Messrs. Knoll, Lewis, Sikorski, Milton and Keefe, J. introduced—

S. F. No. 1013: A bill for an act relating to public welfare; neglected children; defining and providing procedures for termination of parental rights as to neglected children in foster care.

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

Messrs. Olhoft, Strand, Davies, Hanson and Sillers introduced—

S. F. No. 1014: A bill for an act relating to courts; providing for uniform conciliation court forms.

Referred to the Committee on Judiciary.

Messrs. Willet, Johnson, Olhoft, Borden and Luther introduced—

S. F. No. 1015: A bill for an act relating to the environment; establishing a program of state assistance for the removal of dilapidated buildings; appropriating money.

Referred to the Committee on Agriculture and Natural Resources.

Mrs. Brataas, Messrs. Setzepfandt, Nichols, Merriam and Anderson introduced—

S. F. No. 1016: A bill for an act relating to taxation; providing for a deduction from gross income for amounts paid for post secondary school expenses; amending Minnesota Statutes 1976, Section 290.09, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mr. Lessard introduced—

S. F. No. 1017: A bill for an act relating to the town of Bass Brook; authorizing the town board to exercise the powers described in Minnesota Statutes, Section 368.01, and Chapters 412, 429, 474 and 475.

Referred to the Committee on Local Government.

Mr. Gunderson introduced—

S. F. No. 1018: A bill for an act relating to state lands; authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Houston county.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Sillers introduced—

S. F. No. 1019: A bill for an act relating to the city of Moorhead; authorizing taxes in excess of levy limitations for support of the arts.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Humphrey, Bernhagen, Borden, Merriam and Keefe, J. introduced—

S. F. No. 1020: A bill for an act relating to corporations; requiring domestic corporations to file a biennial report with the secretary of state; requiring the secretary of state to perform certain duties; providing that corporations that fail to file reports are inactive; permitting corporations and others to utilize the names of inactive corporations; establishing filing fees; appropriating money; amending Minnesota Statutes 1976, Chapter 301, by adding a section; Sections 301.02, by adding a subdivision; 301.05, Subdivision 2; and 301.071, Subdivision 2.

Referred to the Committee on Commerce.

Mr. Moe introduced—

S. F. No. 1021: A bill for an act relating to natural resources; recodifying statutes relating to certain conservation areas; abolishing consolidated conservation areas fund; repealing obsolete provisions; appropriating money; amending Minnesota Statutes 1976,

Sections 84A.01; 84A.03; 84A.07; 84A.10; 84A.51, Subdivision 4; 84A.52; 84A.53; 84A.55, Subdivisions 1, 3, 6, 8, 9, 10, 11, and 12; 281.23, Subdivision 8; 282.14; 282.16, Subdivision 1, and by adding subdivisions; 282.19; 282.21; and Laws 1961, Chapter 612, Section 1; repealing Minnesota Statutes 1976, Sections 84A.02; 84A.04; 84A.08; 84A.09; 84A.11; 84A.20 to 84A.23; 84A.26 to 84A.33; 84A.36 to 84A.42; 84A.50; 84A.51, Subdivisions 1, 2, and 3; 84A.54; 84A.55, Subdivision 14; and 282.221 to 282.226.

Referred to the Committee on Finance.

Messrs. Knutson, Engler and Vega introduced—

S. F. No. 1022: A bill for an act relating to the county of Dakota; providing for sheriff's civil service commissioners.

Referred to the Committee on Local Government.

Messrs. Wegener; Ueland, A. and Menning introduced—

S. F. No. 1023: A bill for an act relating to public indebtedness; regulating the sale of securities by municipalities subject to reverse repurchase agreements; providing penalties for misconduct of municipal officers in the execution of agreements; amending Minnesota Statutes 1976, Section 475.51, by adding a subdivision; and Chapter 475, by adding a section.

Referred to the Committee on Local Government.

Mr. Chmielewski introduced—

S. F. No. 1024: A bill for an act relating to highway traffic regulations; prescribing penalties for certain offenses; eliminating the requirement that court records of convictions for petty misdemeanors be forwarded to the department of public safety; and prohibiting the drivers license division from maintaining records of petty misdemeanors; amending Minnesota Statutes 1976, Sections 169.141, Subdivision 2; 169.89, Subdivision 1; 169.95; and 171.12, Subdivision 2.

Referred to the Committee on Judiciary.

Mr. Ueland, A. introduced—

S. F. No. 1025: A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Blue Earth county to the city of Mankato.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Sikorski, Coleman, Engler, Solon and Kleinbaum introduced—

S. F. No. 1026: A bill for an act relating to insurance; remov-

ing licensing exemptions for certain insurance adjusters and appraisers; establishing a bill of rights for the processing of certain automobile claims; prohibiting certain practices; amending Minnesota Statutes 1976, Sections 72B.03; and 72B.14; repealing Minnesota Statutes 1976, Section 72B.10.

Referred to the Committee on Commerce.

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

S. F. No. 1027: A bill for an act relating to the organization and operation of state government; education; changing the membership of the higher education coordinating board; prescribing additional duties for the board; appropriating money; amending Minnesota Statutes 1976, Sections 136A.02, Subdivisions 1, 1a, and 2; 136A.04; 136A.05; and 136A.07.

Referred to the Committee on Education.

MESSAGES FROM THE HOUSE

Mr. President:

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

S. F. Nos. 21, 107, 183 and 250.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 24, 1977

Mr. President:

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

S. F. No. 76: A bill for an act relating to commerce; extending the effective date of certain provisions of law that require tents and sleeping bags to be flame resistant; amending Laws 1975, Chapter 341, Section 6.

Senate File No. 76 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 24, 1977

Mr. Borden moved that S. F. No. 76 be laid on the table. The motion prevailed.

Mr. President:

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

Senate Concurrent Resolution No. 7: A Senate Concurrent Resolution relating to joint rules; providing for joint rules for the Legislature of the State of Minnesota.

Senate Concurrent Resolution No. 7 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 25, 1977

Mr. Borden moved that Senate Concurrent Resolution No. 7 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 57, 166, 439, 531, 231, 261, 562, 586, 621, 229, 262, 301 and 636.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 24, 1977

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 188.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 25, 1977

FIRST READING OF HOUSE BILLS

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

H. F. No. 57: A bill for an act relating to health and safety; licensing and certification of ambulance services; amending Minnesota Statutes 1976, Chapter 144, by adding a section; Sections 144.801; 144.802; 144.803; 144.804; and 144.805.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 146 now on General Orders.

H. F. No. 166: A bill for an act relating to health; licensing certain facilities; allowing for the reinstatement of previously adopted rules; amending Minnesota Statutes 1976, Section 144.50.

Referred to the Committee on Rules and Administration.

H. F. No. 439: A bill for an act relating to agriculture; regulating the use of the name "Minnesota Farmstead Cheese"; amending Minnesota Statutes 1976, Section 28A.08.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 531: A bill for an act relating to banks; permitting banks to take second mortgages in federal disaster areas; amending Minnesota Statutes 1976, Section 48.19, Subdivision 1.

Referred to the Committee on Commerce.

H. F. No. 231: A bill for an act relating to transportation, particular uses of highway right of way; amending Minnesota Statutes 1976, Section 160.27, Subdivision 2.

Referred to the Committee on Rules and Administration.

H. F. No. 261: A bill for an act relating to veterans; permitting the commissioner of veterans affairs to act as guardian for minors or incompetents without posting bond; amending Minnesota Statutes 1976, Chapter 196, by adding a section.

Referred to the Committee on General Legislation and Veterans Affairs.

H. F. No. 562: A bill for an act relating to motor vehicles; requiring informational labels on new pickup trucks; providing penalties.

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

H. F. No. 586: A bill for an act relating to taxation; information contained in tax returns; amending Minnesota Statutes 1976, Sections 290.081; 290.61; and 290A.17.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 621: A bill for an act relating to motor vehicles; defining terms; clarifying certain motor vehicle dealer licensing requirements; prohibiting brokerage sales of new motor vehicles by motor vehicle brokers; preempting local bonding requirements; amending Minnesota Statutes 1976, Section 168.27, Subdivisions 1, 4, 5, 8, 13, 16, 22, 24 and by adding a subdivision.

Referred to the Committee on Commerce.

H. F. No. 229: A bill for an act providing for withholding of pay to residents for active service as members of the armed forces; amending Minnesota Statutes 1976, Section 290.92, Subdivisions 1 and 16.

Referred to the Committee on Employment.

H. F. No. 262: A bill for an act relating to veterans; commissioner of veterans affairs; changing residency requirements for the commissioner and certain officers and employees of the department of veterans affairs; amending Minnesota Statutes 1976, Sections 196.02, Subdivision 1; and 197.601.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 383 now on General Orders.

H. F. No. 301: A bill for an act relating to veterans; establishing a deadline for entering military service and becoming eligible for veterans preference; redefining the term "veteran" for certain

other purposes; amending Minnesota Statutes 1976, Sections 43.30 and 197.447.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 219 now on General Orders.

H. F. No. 636: A bill for an act memorializing Congress to propose to the states a federal Constitutional Amendment for the direct popular election of the President and Vice President of the United States.

Referred to the Committee on Rules and Administration.

H. F. No. 188: A bill for an act relating to game and fish; defining conviction; increasing the penalty for a conviction related to big game; amending Minnesota Statutes 1976, Sections 97.40, by adding a subdivision; and 98.52, Subdivision 1.

Referred to the Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Borden moved that the Committee Reports at the Desk with the exception of the report on S. F. No. 125, be now adopted. The motion prevailed.

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

S. F. No. 667: A bill for an act relating to the city of Minneapolis; authorizing a rehabilitation loan program for small and medium sized commercial buildings; and providing for the issuance and security of limited general obligation and revenue bonds to finance the program.

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

Page 3, line 22, after "private" insert "nonprofit"

Page 4, line 1, after "obligation" insert "bonds"

Page 4, line 2, after "bonds" insert "or obligations"

Page 4, line 5, after "bonds" and before "may" insert "or obligations"

Page 4, line 10, after "bonds" insert "or obligations"

Page 4, line 19, after "obligation" insert "bonds"

Page 4, line 19, after "bonds" insert "or obligations"

Page 4, line 22, after "bonds" insert "or obligations"

Page 4, line 27, after "bonds" insert "or obligations"

Page 4, after line 27, insert:

"Subd. 4. [AUTHORITY.] In the making or purchase of loans or other securities in furtherance of the program authorized by this act, and in the issuance of revenue bonds or other obligations the city of Minneapolis may exercise, or may by ordinance authorize

an existing agency or an agency created by such ordinance to exercise, within the corporate limits of the city, any and all of the same powers as the Minnesota housing finance agency is authorized to exercise under the provisions of Minnesota Statutes, Chapter 462A.

Subd. 5. [ADDITIONAL SECURITY FOR BONDS.] The city council shall not amend the regulations adopted by ordinance and in effect at the time any bonds or obligations authorized by this act are issued, to the detriment of the holder of such bonds or obligations."

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. 23: A bill for an act relating to workers' compensation; requiring an employer to furnish certain remodeling for a handicapped employee's residence; amending Minnesota Statutes 1976, Chapter 176, by adding a section.

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

Page 1, strike line 13 and insert "*employee who is permanently disabled because*"

Page 1, line 17, strike "*his handicap*" and insert "*the disability*"

Page 1, line 17, after the period insert "*Any remodeling or alteration shall be furnished only when the Division or Workers' Compensation Court of Appeals determines that the injury is to such a degree that the employee is substantially prevented from functioning within the principal residence.*"

Page 1, line 21, strike "*In no event shall an award under*"

Page 1, strike line 22

Page 1, line 23, strike "*At the option of the employee*" and insert "*Where the alteration or remodeling of the employee's residence is not practicable*"

Page 2, line 1, strike "*used*"

Page 2, line 1, after the first "*new*" insert "*or different*"

Page 2, line 1, after the second "*new*" insert "*or different*"

Page 2, line 2, strike "*his handicap*" and insert "*the disability*"

Page 2, line 4, strike "*a workers'*"

Page 2, line 5, strike "*compensation judge*" and insert "*the Division or Workers' Compensation Court of Appeals*"

Page 2, line 6, after "*remodeling*" insert "*of an existing residence or the building or purchase of a new or different residence*"

Page 2, line 7, after "*1.*" insert "*The council for the handicapped shall advise the Division or Workers' Compensation Court of Appeals as provided in section 256.482, subdivision 5, clause (7).*"

Page 2, line 7, strike "*Within one year after an award is made*"

Page 2, lines 8 through 12, strike the new language and insert "*The alteration or remodeling of an existing residence, or the building or purchase of a new home must be done under the supervision of a licensed architect relative to the specific needs to accommodate the handicap.*"

Page 2, after line 12, insert:

"Subd. 5. *An employee is limited to \$30,000 under this section for each personal injury.*

Sec. 2. Minnesota Statutes 1976, Section 256.482, Subdivision 5, is amended to read:

Subd. 5. [DUTIES AND POWERS.] The council shall have the following duties and powers:

(1) To advise the governor, appropriate state agencies, and the public on matters pertaining to public policy and the administration of programs, services and facilities for handicapped persons in Minnesota;

(2) To encourage the development of coordinated, interdepartmental goals and objectives and the coordination of programs, services and facilities among all state departments and private providers of service as they relate to handicapped persons;

(3) To serve as a source of information to the public regarding all services to handicapped persons;

(4) To review and make comment to the governor, state agencies, the legislature, and the public concerning adequacy of state programs, plans and budgets for services to handicapped persons and for funding under the various federal grant programs;

(5) To research, formulate and advocate plans, programs and policies which will serve the needs of handicapped persons;

(6) To advise the department of labor and industry and the state board of education on the administration and improvement of the worker's compensation law as the law relates to programs, facilities and personnel providing assistance to injured and handicapped workers ;

(7) *To advise the workers' compensation division of the department of labor and industry and the Workers' Compensation Court of Appeals as to the necessity and extent of any alteration or remodeling of an existing residence or the building or purchase of a new or different residence which is proposed by a licensed architect under section 1."*

Renumber the sections in sequence

Further amend the title as follows:

Page 1, line 4, after "residence;" insert "giving the council for the handicapped additional duties;"

Page 1, line 6, before the period insert "; and Section 256.482, Subdivision 5"

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

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

S. F. No. 418: A bill for an act relating to motor vehicles; application for registration or certificate of title; specifying information to be supplied; appropriating money; amending Minnesota Statutes 1976, Sections 168.10, Subdivision 1; 168A.04, Subdivision 1; and 168A.05, Subdivision 3.

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

Page 1, line 15, strike "or owners"

Page 1, line 17, strike "he or they shall become the owner or owners thereof" and insert "ownership of a motor vehicle is acquired"

Page 1, line 23, strike "name" and insert "names"

Page 1, line 23, strike "date" and insert "dates"

Page 1, line 23, strike "address" and insert "addresses"

Page 1, line 23, strike "the owner or" and insert "all"

Page 2, line 1, after "owners" insert "thereof who are natural persons, the full names and addresses of all other owners"

Page 2, line 22, strike "such" and insert "to the"

Page 2, line 30, strike "such" and insert "the"

Page 3, line 8, strike "name" and insert "names"

Page 3, line 8, strike "date" and insert "dates"

Page 3, line 8, strike "address" and insert "addresses"

Page 3, line 8, after "of" strike "the" and insert "all"

Page 3, line 9, strike "owner or" and insert "who are natural persons, the full names and addresses of all other"

Page 3, line 29, strike "name" and insert "names"

Page 3, line 29, strike "date" and insert "dates"

Page 3, line 29, strike "address" and insert "addresses"

Page 3, line 29, strike "the owner" and insert "all"

Page 3, line 30, strike "or" and after "owners" insert "who are natural persons, the full names and addresses of all other owners"

Amend the title as follows:

Page 1, line 2, strike "application" and insert "requiring information as to all owners in applications"

Page 1, line 3, strike "specifying"

Page 1, line 4, strike "information to be supplied;"

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

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

S. F. No. 430: A bill for an act relating to peace officers; vocational-technical school training in compliance with training requirements; amending Minnesota Statutes 1976, Section 626.846, by adding a subdivision.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 626.846, is amended by adding a subdivision to read:

Subd. 3. A peace officer who has satisfactorily completed a law enforcement training program in a post-secondary vocational-technical institute within the state which (1) is approved by the state board of education, (2) consists of 2,000 hours or more of basic police training, and (3) complies with rules with respect to curriculum promulgated by the attorney general, shall be exempt from the educational requirements of this section, provided the peace officer successfully completes one year of employment as a probationary officer with a single law enforcement agency. Upon written notification to the executive director from the chief supervisor of the law enforcement agency that a peace officer under his supervision has fulfilled the requirements of the subdivision, the executive director shall certify the peace officer pursuant to section 626.845, clause (d). Provided, however, that nothing in this subdivision shall prevent any law enforcement agency from imposing any other educational requirements upon peace officers it supervises or as a condition of employment.

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

Amend the title as follows:

Page 1, line 2, after the semicolon insert "permitting"

Page 1, line 3, strike "in" and insert "as"

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

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

S. F. No. 783: A bill for an act relating to libraries; requiring distribution of certain state publications to county and regional libraries; amending Minnesota Statutes 1976, Sections 15.051, Subdivision 4; 15.047, Subdivision 2; and 648.39, by adding a subdivision.

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

Page 2, line 13, strike "*and each*" and insert "*or 134.12 except in counties containing cities of the first class.*"

Page 2, strike line 14 and insert "*If a county has not established a county library pursuant to section 375.33 or 134.12, the copies shall be provided to a library designated by the county board.*"

Page 2, line 17, before "Rules" insert "Copies of"

Page 2, line 17, strike "and regulations"

Page 2, line 20, strike "supply" and insert "provide"

Page 2, line 22, after "375.33" insert "or 134.12"

Page 2, strike lines 23 and 24 and insert " , *except in counties containing cities of the first class. If a county has not established a county library pursuant to section 375.33 or 134.12, the copies shall be provided to a library designated by the county board.*"

Page 2, line 27, strike "distribute" and insert "provide"

Page 2, strike lines 31 and 32 and insert "*or 134.12, except in counties containing cities of the first class. If a county has not established a county library pursuant to section 375.33 or 134.12, the copies shall be provided to a library designated by the county board.*"

Sec. 4. *There is appropriated to the commissioner of administration \$ and to the revisor of statutes \$ from the general fund for the biennium ending June 30, 1979 to effectuate the purposes of this act.*"

Amend the title as follows:

Page 1, line 3, strike "and regional"

Page 1, line 4, after the semicolon, insert "appropriating money;"

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

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

S. F. No. 620: A bill for an act relating to sheriffs; salaries, fees and budgets; providing that the salary and budget of the sheriff shall be set by the county board in each county of the state; authorizing costs and reasonable attorney fees on appeal; amending Minnesota Statutes 1976, Section 387.20, Subdivisions 2 and 7; repealing Minnesota Statutes 1976, Section 387.20, Subdivisions 1, 4, and 8.

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

Page 1, after the enacting clause, insert:

"Section 1. Minnesota Statutes 1976, Section 387.20, Subdivision 1, is amended to read:

387.20 [SALARIES; APPEALS.] Subdivision 1. The sheriffs of all counties of the state with less than 75,000 inhabitants according to the 1960 federal census shall receive yearly salaries for all services rendered by them for their respective counties, not less than the following amounts according to the then last preceding federal census:

- (a) In counties with less than 10,000 inhabitants, \$6,000;
- (b) In counties with 10,000 but less than 20,000 inhabitants, \$6,500;
- (c) In counties with 20,000 but less than 30,000 inhabitants, \$7,000;
- (d) In counties with 30,000 but less than 40,000 inhabitants, \$7,500;
- (e) In counties with 40,000 or more inhabitants, \$8,000.

In addition to such salary each sheriff shall be reimbursed for all expenses incurred by him in the performance of his official duties for his county and his claim for such expenses shall be prepared, allowed, and paid in the same manner as other claims against counties are prepared, allowed, and paid except that the expenses incurred by such sheriffs in the performance of service required of them in connection with insane persons either by a probate court or by law and a per diem for deputies and assistants necessarily required under such performance of such services shall be allowed and paid as provided by the law regulating the apprehension, examination, and commitment of insane persons; provided that any sheriff or deputy receiving an annual salary shall pay over any per diem received by him to the county in the manner and at the time prescribed by the county board, but not less often than once each month.

All claims for livery hire shall state the purpose for which such livery was used and have attached thereto a receipt for the amount paid for such livery signed by the person of whom it was hired and if the sheriff uses his own team or automobile he shall be allowed therefor the same amount which would be charged reasonably by any other person for the use of such team or automobile under the same circumstances."

Page 3, line 10, strike "*Subdivisions 1, 4 and*" and insert "*Subdivision*"

Page 3, line 10, strike "*are*" and insert "*is*"

Renumber sections in sequence

Amend the title as follows:

Page 1, line 8, after "*Subdivisions*" insert "*1,*"

Line 9, strike "*Subdivisions 1, 4, and*" and insert "*Subdivision*"

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

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

S. F. No. 393: A bill for an act relating to interim claims against the state; appropriating moneys for the payment thereof.

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

Page 3, after line 12 insert:

"Sec. 4. Subdivision 1. There is appropriated from the general fund in the state treasury the sums of money set forth in this section to the persons named therein in full payment of claims against the state for adjusted compensation arising from World War II and Korean conflict service.

Subd. 2. [WORLD WAR II SERVICES.] Robert S. Hudson, 1269 McLean Avenue, Saint Paul, Minnesota, 55106\$345

Howard D. Hall, 630 Cedar Avenue So., Apt. 807, Minneapolis, Minnesota, 55416.....\$315

Max F. Woodfall, 1810 So. Washington, Minneapolis, Minnesota, 55454\$400

Subd. 3.[KOREAN CONFLICT.] Roxanne R. Bergquist, Beneficiary of Robert W. Clark, 1211 Willow Drive, Olathe, Kansas, 66061.....\$120

James C. Birch, Beneficiary of Elden M. Fraetis, 4085 Foss Road, Saint Paul, Minnesota, 55112.....\$191.25

Joyce M. Nelson, Beneficiary of Elden M. Fraetis, 395 Hall Avenue, Apt #2, Saint Paul, Minnesota, 55107.....\$191.25

Rex R. Gilman, 630 Pine Street, Room 209, Klamath Falls, Oregon, 97601.....\$ 82.50

Darold H. Hoefker, 131 West George, Saint Paul, Minnesota, 55107\$165

Stanislaus L. Huber, 7596 Macomb Street, Grosseille, Michigan, 48138\$165

Richard M. Oren, P.O. Box 284, Lake Hubert, Minnesota, 56459\$ 82.50

Ross W. Erdman, 1954 South Stern Avenue, Tucson, Arizona, 85711\$200 "

Renumber the sections

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

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

S. F. No. 157: A bill for an act relating to elections; providing for payment of costs of certain special elections; imposing duties

on the secretary of state; amending Minnesota Statutes 1976, Section 204A.24.

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

Page 1, lines 14 and 15, strike "out of moneys not otherwise appropriated"

Page 2, after line 14, insert:

"Sec. 2. The sums set forth in this section are appropriated from the general fund to the secretary of state for reimbursement of special election costs as provided in this act, to be available for the fiscal year ending June 30 in the years indicated.

1977	1978	1979
\$115,044	\$10,000	\$10,000

If the appropriation for any of these years is insufficient, the appropriations for the other years are available for it."

Renumber the remaining section

Page 2, line 15, after "effective" insert "upon final enactment. Money appropriated by this act may be used to pay costs incurred on or after"

Amend the title in line 4, after "state;" insert "appropriating money;"

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

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

S. F. No. 20: A bill for an act relating to highways; requiring reimbursement of fire fighting and protection expenses in certain instances.

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

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 817: A bill for an act relating to taxation; providing for revocation of motor carrier licenses for failure to file road tax reports; providing credit for tax paid on gasoline or fuel used in other states; amending Minnesota Statutes 1976, Section 296.17, Subdivisions 3, 11, and 12; and Chapter 296, by adding a section; repealing Minnesota Statutes 1976, Section 296.18, Subdivision 1a.

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

Page 1, line 22, strike "shall" and insert "may"

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

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 705: A bill for an act relating to taxation; information contained in income tax returns; amending Minnesota Statutes 1976, Sections 290.081; and 290.61.

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

Page 4, line 19, strike "commission" and insert "commissioner"

Page 4, line 27, strike "and except"

Page 4, line 28, strike "as provided in section 290.361"

Page 5, line 18, after the period insert:

"Upon request of a majority of the members of the senate tax committee and a majority of the members of the house tax committee, the commissioner may furnish abstracted financial information to those committees for research purposes from returns or reports filed pursuant to this chapter, provided that he shall not disclose the name, address, social security number, business identification number or any other item of information associated with any return or report, which the commissioner believes is likely to identify the taxpayer."

Page 5, after line 20, insert:

"Sec. 3. Minnesota Statutes 1976, Section 290A.17, is amended to read:

290A.17 [PUBLICITY OF CLAIMS.] ~~It shall be unlawful for the commissioner or any other public official or employee to divulge or otherwise make known any particulars disclosed in any claim filed pursuant to sections 290A.01 to 290A.21. The provisions of section 290.61 relating to the confidential nature of income tax returns shall also be applicable to claims thus filed pursuant to the provisions of chapter 290A.~~

Nothing herein shall be construed to prohibit the commissioner from making public the publishing or releasing information concerning amounts of property tax accrued and the relief granted to taxpayers without including information which would identify individual taxpayers. The commissioner may examine income tax returns as he deems necessary and may utilize the information in legal and administrative proceedings to insure proper administration of sections 290A.01 to 290A.21, notwithstanding section 290.61."

Renumber the remaining section.

Further amend the title as follows:

Line 2, after the semicolon insert "providing for certain disclosures of"

Line 3, delete "income"

Line 4, delete "and" and after "290.61" insert "; and 290A.17"

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. 769: A bill for an act relating to the town of White and the city of Aurora; providing for their separation.

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

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

S. F. No. 569: A bill for an act relating to Norman county; validating certain funds transfers.

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

Page 1, line 8, strike "or after the effective date of" and insert "1977"

Page 1, line 9, strike "this act"

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. 246: A bill for an act relating to the city of Minneapolis and Hennepin county; providing for representation for the Minneapolis city council on the municipal building commission; amending Laws 1903, Chapter 247, Section 1.

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

Page 1, line 18, strike "the auditor of Hennepin county." and insert "*a person appointed by the board of county commissioners of Hennepin county, who shall serve at its pleasure,*"

Page 2, line 1, strike "auditor of Hennepin county" and insert "*person appointed by the board of county commissioners of Hennepin county*"

Page 2, line 4, strike "shall be the treasurer of such commission and"

Page 2, line 5, strike "as such"

Page 2, line 5, strike "its" and insert "*the*"

Page 2, line 6, after "expenditures" insert "*of the commission*"

Page 2, line 6, after the period insert "*The commission shall by resolution establish regular meeting dates.*"

Amend the title as follows:

Line 3, after "the" insert "board of county commissioners of Hennepin county and the"

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. 640: A bill for an act relating to the county of Hennepin; permitting longer duration contracts for goods and services entered into by the county of Hennepin; amending Laws 1969, Chapter 476, Section 1.

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

Page 1, line 22, strike "*final enactment*" and insert "*approval of the Hennepin county board of commissioners and compliance with Minnesota Statutes, Section 645.021.*"

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. 655: A bill for an act relating to appropriations; providing funding for the continued operation of detached worker programs for assistance to young people.

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

Page 1, line 10, after "\$" insert "59,600"

Page 1, line 15, after "\$" insert "6,500"

Page 1, line 16, strike "\$38,063" and insert "\$38,000"

Page 1, line 17, strike "northeastern" and insert "northwestern"

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

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

S. F. No. 587: A bill for an act relating to courts; criminal defendants; providing authority to county courts to order examination of a defendant's mental capacity; amending Minnesota Statutes 1976, Section 253A.07, Subdivision 30.

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

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

S. F. No. 466: A bill for an act relating to post conviction remedy; authorizing the court to determine whether a petitioner must

be present at a post conviction hearing; amending Minnesota Statutes 1976, Section 590.04, Subdivision 3.

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

Page 1, line 11, strike "If"

Page 1, line 11, strike "determines that the issues"

Page 1, line 12, strike "present only questions of law, it"

Page 1, line 13, strike "; in all other cases it"

Page 1, line 14, strike the new language

Page 1, line 14, strike "order the petitioner to be present at the hearing"

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

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 816: A bill for an act relating to taxation; exempting the department of revenue from administrative procedure act requirements; authorizing the commissioner of revenue to enter into administrative agreements with the secretary of the treasury; changing requirements for orders of the commissioner; allowing commissioner to dismiss certain confiscation procedures; providing penalties for cigarette tax violations; amending Minnesota Statutes 1976, Sections 15.0411, Subdivision 2; 270.06; 270.10, Subdivision 1; 297.08, Subdivision 4; 297.12, Subdivision 1, and by adding a subdivision.

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

Page 1, strike lines 17 through 27

Page 2, strike lines 1 through 6 and insert:

"Section 1. Minnesota Statutes 1976, Section 291.09, Subdivision 1, is amended to read:

291.09 [DETERMINATION OF TAX.] Subdivision 1. (a) Every personal representative shall submit to the commissioner a copy of the inventory and appraisal prepared by him in accordance with sections 524.3-706 to 524.3-708 relating to the inventory and appraisal, and a true and complete schedule of non-probate assets, on a form prescribed by the commissioner, *and copies of such other documents as the commissioner shall request, within 30 days of receipt of the inheritance tax return, for the proper valuation of assets and the determination of the amount of the tax which may be due.*

(b) Every personal representative shall file with the commissioner, on a form prescribed by the commissioner, an inheritance tax return showing the values contained in the inventory and appraisal and schedule of non-probate assets and deductions and exemptions claimed by the representative, and containing a com-

putation of the inheritance tax due under the provisions of this chapter.

(c) Except as hereinafter provided, such inheritance tax return shall be conclusive as to the valuation of both probate and non-probate assets, to all other matters relating to the taxability of probate assets, and to the computation of the tax, unless, within 90 days after such filing, the commissioner, or any other person from whom any portion of such tax is due, has filed with the personal representative (and with the commissioner if the person objecting is one other than a personal representative) written objections ~~to any matter indicating the items to which the commissioner or any other person specifically objects with respect to the determination of the tax, and detailing the rights available to the personal representative under chapter 15.~~ For purposes of this clause, the inheritance tax return shall not be considered as having been filed until the documents required in clause (a) above and elsewhere in this chapter have been received by the commissioner. Except as provided in clause (f) of this subdivision, upon objection the commissioner shall fix the time and place of a hearing thereon no earlier than ten days and no later than 30 days after the date of the filing of the objection ~~unless the personal representative shall elect to postpone or waive his rights as specified under chapter 15.~~ At such hearing the commissioner shall consider all available material presented by the personal representative for the purpose of substantiating or verifying the matters subject to the objections. Not later than 30 days after ~~such hearing~~ *the commissioner receives the report and recommendation of the hearing examiner or the written waiver by the personal representative*, the commissioner shall issue an order indicating the adjustment, if any, of the computation of the inheritance tax due.

(d) If the court upon a hearing on a personal representative's account allows a deduction different in amount than that used in the determination of the inheritance tax return as provided in the preceding subparagraph (b), or if the court determines:

(i) such property passes to a person or persons other than the person or persons reported on the inheritance tax return; or

(ii) such property passes to the person or persons reported on the inheritance tax return in amounts or shares different than those reported thereon; or

(iii) the relationship between the decedent and any person to whom property passes is other than the relationship reported on the inheritance tax return,

the commissioner not later than 90 days after receipt of a copy of the court's order or decree may issue an order adjusting the computation of the inheritance tax due in accordance therewith.

(e) The court may waive the filing of any inheritance tax return required by subparagraph (b) where it appears that no inheritance tax is due, but such waiver shall not limit the right of the commissioner to file a return pursuant to subdivision 3 hereof.

(f) If objections have been filed as provided in clause (c) of this subdivision, the personal representative or any other objector, in lieu of the hearing prescribed in clause (c) or subsequent to the hearing, may elect to have a formal proceeding under chapter 524 to determine the disputed matters.

(g) Any determination made by the commissioner may be appealed to the Minnesota tax court of appeals as provided in section 271.09.

Sec. 2. Minnesota Statutes 1976, Section 291.09, Subdivision 2, is amended to read:

Subd. 2. (a) When no representative has been appointed by the probate court, every person from whom a tax is due under the provisions of this chapter shall file with the commissioner, on forms prescribed by the commissioner, a schedule of non-probate assets listing the transfers on account of which such tax is due and an inheritance tax return showing the values contained in such schedule and all claimed deductions and exemptions and containing a computation of such tax.

(b) When no representative has been appointed by the probate court, and in cases where a representative has been appointed, as to matters reflected in the inheritance tax return which are not to be determined as prescribed in subdivision 1, subparagraph (c) hereof, the tax as computed on the return shall be the inheritance tax imposed by this chapter upon the transfers reported therein unless within 90 days after such filing, the commissioner or any other person from whom any portion of such tax is due mails a written notice to the commissioner, to the person so filing such return, and to each person from whom any part of such tax is due, ~~objecting to such matters indicating the items to which the commissioner or any other person specifically objects and detailing the rights available to the taxpayer or personal representative under chapter 15 and fixing the time and place of a hearing thereon at least 30 days subsequent to the date of such notice unless the taxpayer or personal representative shall have elected in writing to postpone or waive his rights as specified under chapter 15~~. At such hearing the commissioner shall hear such objections, and within 30 days after ~~such hearing receiving the report and recommendation of the hearing examiner or the waiver by the taxpayer or personal representative~~, shall make his order determining the inheritance tax imposed by this chapter.

(c) The filing of an inheritance tax return shall not be required under the preceding subparagraph (a) where the transfers resulting in the tax were included in a schedule of non-probate assets and an inheritance tax return previously filed with the commissioner.

(d) For purposes of clause (b) the inheritance tax return shall not be considered as having been filed until copies of all documents as the commissioner shall request, within 30 days of receipt of the inheritance tax return, for the proper valuation

of assets and determination of the amount of the tax which may be due have been received by the commissioner.

Sec. 3. Minnesota Statutes 1976, Section 273.1104, is amended to read:

273.1104 [IRON ORE, VALUE.] *Subdivision 1.* The term value as applied to iron ore in section 273.13, subdivision 2 and in section 273.15 shall be deemed to be three times the present value of future income notwithstanding the provisions of section 273.11. The present value of future income shall be determined by the commissioner of revenue in accordance with professionally recognized mineral valuation practice and procedure. Nothing contained herein shall be construed as requiring any change in the method of determining present value of iron ore utilized by the commissioner prior to the enactment hereof or as limiting any remedy presently available to the taxpayer in connection with the commissioner's determination of present value, or precluding the commissioner from making subsequent changes in the present worth formula.

Subd. 2. On or before October 1 in each year, the commissioner shall send to each person subject to the tax on unmined iron ores and to each taxing district affected, a notice of the assessed valuation of the unmined ores as determined by the commissioner. Said notice shall be sent by mail directed to such person at the address given in the report filed by him and the assessor of such taxing district, but the validity of the tax shall not be affected by the failure of the commissioner of revenue to mail such notice or the failure of the person subject to the tax to receive it.

On the first secular day following the tenth day of October, the commissioner of revenue shall hold a hearing at his office in St. Paul which may be adjourned from day to day. All evidence commonly accepted by reasonable men in the conduct of their affairs as having probative value with respect to the issues shall be submitted at the hearing and such hearing shall not be a "contested case" within the meaning of section 15.0411, subdivision 4. Every person subject to such tax may at such hearing present evidence and argument on any matter bearing upon the validity or correctness of the tax determined to be due from him, and the commissioner of revenue shall review his determination of such tax.

Sec. 4. Minnesota Statutes 1976, Section 298.09, Subdivision 2, is amended to read:

Subd. 2. On the first secular day following the fourteenth day of May, the commissioner of revenue shall hold a hearing at his office in St. Paul which may be adjourned from day to day. All evidence commonly accepted by reasonable men in the conduct of their affairs as having probative value with respect to the issues shall be submitted at the hearing and such hearing shall not be a "contested case" within the meaning of section 15.0411, subdivision 4. Every person subject to such tax may at such hearing present evidence and argument on any matter bearing upon the validity or correctness of the tax determined

to be due from him, and the commissioner of revenue shall review his determination of such tax."

Page 9, strike lines 11 to 13 and insert "*sentenced as follows:*

(1) *If over 20,000 cigarettes are involved, to imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both;*

(2) *If less than 20,000 cigarettes are involved, to punishment as a misdemeanor."*

Page 9, after line 13, insert:

"Sec. 10. Minnesota Statutes 1976, Chapter 270, is amended by adding a section to read:

[270.60] [AGREEMENTS WITH INDIANS.] *Subdivision 1. [PURPOSE.] In order to implement the United States Supreme Court decision in the case of Bryan v. County of Itasca, 96 S. Ct. 2102, regarding the jurisdiction of the state of Minnesota to impose taxes on the Indian residents of reservations in Minnesota, the legislature hereby empowers the commissioner of revenue to enter into the following agreements with the governing bodies of the Indian reservations:*

(a) *Tax Collection Agreements. The commissioner is authorized to enter into tax collection agreements with the governing body of any Sioux or Chippewa reservation in Minnesota. These agreements may provide for the collection by the department of revenue of any tribally imposed sales or excise tax if imposed at the same rate as comparable state taxes and for the retention by the department of an agreed upon percentage of the gross revenue as an administrative fee.*

(b) *Tax Refund Agreements. The commissioner is authorized to enter into a tax refund agreement with the governing body of any Sioux or Chippewa reservation in Minnesota in lieu of a tax collection agreement. The agreement may provide for a refund to the governing body of any sales or excise tax paid by the Indian residents of a reservation into the state treasury after June 14, 1976, notwithstanding any other law which limits the refundment of taxes.*

Subd. 2. [PERCENTAGE OF STATE AND TRIBAL TAX PROCEEDS REMITTED TO TRIBE.] A tax collection or refund agreement between the commissioner and an Indian tribe may provide, if agreed upon by the parties, that an amount determined by a mutually agreed upon formula shall be remitted to the governing body in lieu of the exact amount of the revenue collected.

Sec. 11. [APPROPRIATION.] *There is annually appropriated from the general fund to the commissioner of revenue the amounts necessary to make the distributions provided in this act."*

Renumber the sections in sequence.

Further amend the title as follows:

Page 1, line 3, after "from" insert "certain"

Page 1, line 4, before the semicolon insert "in certain inheritance, iron ore, and occupation tax proceedings"

Page 1, line 6, before the semicolon insert "and the governing bodies of certain Indian reservations"

Page 1, line 10, after the semicolon insert "appropriating money;"

Page 1, line 11, after "Sections" strike "15.0411, Subdivision 2;"

Page 1, line 12, after "1," insert "273.1104; 291.09, Subdivisions 1 and 2;"

Page 1, line 14, after "subdivision" insert "; 298.09, Subdivision 2; and Chapter 270, by adding a section"

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

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

S. F. No. 32: A bill for an act relating to shade tree disease control; authorizing grants for municipal shade tree removal and reforestation programs; authorizing a shade tree disease control research program; appropriating money; amending Minnesota Statutes 1976, Sections 18.023, Subdivisions 1, 1a, 2, 3a, 4, 7, 8 and 11, and adding a subdivision; 116.07, Subdivision 4; and 275.50, by adding a subdivision; repealing Minnesota Statutes 1976, Section 18.023, Subdivision 6.

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

Page 4, line 11, after the comma insert *(g) criteria for priority designation areas in an approved diseased control program,*"

Page 4, line 11, strike "g" and insert "h"

Page 6, line 9, strike "\$40" and insert "\$50"

Page 6, line 12, strike "one half"

Page 6, line 12, after "removed" insert "on public property"

Page 6, line 16, strike "one half"

Page 6, line 16, after "removed" insert "on public property"

Page 6, line 17, strike "and shall not exceed the lesser of"

Page 6, strike line 18

Page 6, line 19, strike "trees planted pursuant to the reforestation program"

Page 12, line 2, after "1977" insert ", and terminating with the levy made in 1977, payable in 1978"

Page 13, line 13, strike "321,023" and insert "247,418"

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

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

S. F. No. 125: A bill for an act relating to commerce; prohibiting discriminatory trade practices; providing a penalty; amending Minnesota Statutes 1976, Sections 325.8013; and 325.8018, Subdivision 2.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Chapter 325, is amended by adding a section to read:

[325.80155] [DISCRIMINATORY ACTS.] *Subdivision 1. Without limiting section 325.8013, the following, when performed by a person within the jurisdiction of this state, and affecting business in this state, shall be deemed to restrain trade or commerce unreasonably and are unlawful:*

(1) *Requiring any person to be excluded from a business transaction on the basis of that person's sex, race, color, religion, ancestry or national origin or on the basis that the person conducts or has conducted business with persons of a particular race, sex, color, religion, ancestry or national origin, or on the basis that the person has done business in a particular country.*

(2) *Giving, as part of any business transaction, any statement, certification or other document to the effect that the giver of the statement, certification or other document has complied with a policy imposed by any person, nation, or international organization requiring exclusion from any business transaction, or discrimination against, any person on the basis of his race, sex, color, religion, ancestry or national origin or on the basis that the person conducts or has conducted business with persons of a particular race, sex, color, religion, ancestry or national origin, or on the basis that the person has done business in a particular country.*

(3) *Granting, accepting or processing any letter of credit or other document which evidences the transfer of funds or credit, or entering into any contract for the exchange of goods or services, where the letter of credit, contract, or other document contains any provision which requires any person to discriminate against or to certify that he has not dealt with any other person on the basis of race, sex, color, religion, ancestry or national origin, or on the basis that the person conducts or has conducted business with persons of a particular race, sex, color, religion, ancestry or national origin, or on the basis that the person has done business in a particular country.*

(4) *Refusing to grant, accept or process any letter of credit, or other document which evidences the transfer of funds or credit, or refusal to enter into any contract for the exchange of goods or services, on the grounds that it does not contain provisions or certifications described in clause (3) of this subdivision.*

(5) *As part of any business transaction, complying, or agree-*

ing to comply, or certifying or giving other assurance that he complies or agrees to comply, with a policy imposed by another party requiring discrimination against, or refusal to deal with, any person, group of persons, or list of persons, on the basis of race, sex, color, religion, ancestry or national origin or on the basis that the person, group of persons or list of persons conducts or has conducted business with persons of a particular race, sex, color, religion, ancestry or national origin, or on the basis that the person has done business in a particular country.

(6) Providing, agreeing to provide, or requiring another party to provide or agree to provide an assurance that the goods shipped do not have their origin in any particular foreign country.

Provided, however, that the provisions of this section shall not apply to (a) any letter of credit, contract, or other document which contains any provisions pertaining to a labor dispute or an unfair labor practice if the other provisions of such letter of credit, contract, or other document do not violate the provisions of this section; (b) the requiring of association with a particular employer or a particular group as a requisite to obtaining group rates or discount on insurance, recreational activities, or other similar benefits; (c) any act which is an unfair discriminatory practice under section 363.01, subdivision 9 and for which a remedy is provided under chapter 363; (d) persons exempted or acts excepted from the provisions of chapter 363 pursuant to section 363.02.

The exemption contained in section 325.8017, subdivision 2 shall not apply to actions made unlawful under this subdivision. Provided, however, that the provisions of this subdivision shall not apply to any action made lawful by legislation of the United States of America or executive order of the President of the United States of America which affirmatively preempts the provisions of this section.

Subd. 2. Any agreement containing a written or verbal term providing that one or more parties to the agreement will violate the previous subdivision 1 is null and void, and no party to such an agreement may recover in an action for goods or money due by reason of such an agreement or by reason of money paid or goods shipped pursuant to such an agreement.

Sec. 2. Minnesota Statutes 1976, Section 325.8018, Subdivision 2, is amended to read:

Subd. 2. Any person who is found to have willfully committed any of the acts enumerated in section 325.8015 or section 1 of this act shall be guilty of a felony and subject to a fine of not more than \$50,000 or imprisonment in the state penitentiary for not more than five years, or both.

Sec. 3. This act is effective July 1, 1977."

Further, amend the title as follows:

Page 1, line 4, strike "Sections 325.8013; and" and insert "Section"

Page 1, line 5, after "2" insert "; and Chapter 325, by adding a section"

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

APPOINTMENTS

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

H. F. No. 38, pursuant to the request of the House:

Messrs. Sikorski, Ogdahl and Davies.

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

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

S. F. Nos. 145, 108, 213, 292, 606, 57, 18, 217, 270, 141, 478 and H. F. No. 291, makes the following report:

That S. F. No. 606 be re-referred to the Committee on Taxes and Tax Laws.

That S. F. Nos. 145, 108, 213, 292, 57, 18, 217, 270, 141, 478 and H. F. No. 291 be placed on the General Orders Calendar.

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. 168 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	
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H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
168	168				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 168 be amended as follows:

Page 1, line 9, after "may" insert "continue to"

Page 1, line 10, delete "outside its economic"

Page 1, delete line 11, and insert "at Marshall and continue to be eligible for assistance pursuant to section 245.63."

And when so amended, H. F. No. 168 will be identical to S. F. No. 168 and further recommends that H. F. No. 168 be given its second reading and substituted for S. F. No. 168 and that the Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S. F. No. 587 was read the second time.

S. F. Nos. 667, 23, 430, 620, 393, 157, 20, 817, 705, 769, 569, 246, 640, 466, 816 and 32 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. 168 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Sikorski moved that S. F. No. 426 be withdrawn from the Committee on General Legislation and Veterans Affairs and referred to the Committee on Judiciary. The motion prevailed.

Mr. Willet moved that the name of Mr. Gearty be stricken and the name of Mr. Johnson be added as co-author to S. F. No. 158. The motion prevailed.

Mr. Olhofft moved that his name be stricken as chief author and the name of Mr. Schaaf be added as chief author to S. F. No. 176. The motion prevailed.

Mr. Merriam moved that the name of Mr. Keefe, S. be added as co-author to S. F. No. 291. The motion prevailed.

Mr. Johnson moved that the name of Mr. Lessard be added as co-author to S. F. No. 755. The motion prevailed.

Mr. Milton moved that the name of Mr. Vega be added as co-author to S. F. No. 899. The motion prevailed.

Mr. McCutcheon moved that the name of Mr. Nelson be added as co-author to S. F. No. 911. The motion prevailed.

Mr. Humphrey moved that the name of Mrs. Staples be added as co-author to S. F. No. 933. The motion prevailed.

Mr. Nichols moved that the name of Mr. Strand be added as co-author to S. F. No. 952. The motion prevailed.

Mr. Nichols moved that the name of Mr. Strand be added as co-author to S. F. No. 955. The motion prevailed.

Mr. Ogdahl moved that the names of Messrs. Laufenburger, Purfeerst, Tennessen and Kirchner be added as co-authors to S. F. No. 963. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 291: A bill for an act relating to labor; prohibiting

termination of employee benefits; amending Minnesota Statutes 1976, Chapter 181, by adding a section.

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 49 and nays 3, as follows:

Those who voted in the affirmative were:

Benedict	Gunderson	Luther	Purfeerst	Staples
Bernhagen	Hanson	Menning	Renneke	Stokowski
Borden	Hughes	Merriam	Schaaf	Stumpf
Brataas	Humphrey	Milton	Schmitz	Tennessen
Chmielewski	Johnson	Moe	Setzepfandt	Ueland, A.
Davies	Kirchner	Nelson	Sieloff	Ulland, J.
Dieterich	Kleinbaum	Olhoft	Sikorski	Vega
Dunn	Knutson	Olson	Sillers	Wegener
Engler	Laufenburger	Perpich	Solon	Willet
Gearty	Lessard	Peterson	Spear	

Messrs. Frederick, Jensen and Pillsbury voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 22: A bill for an act relating to Lake of the Woods county; authorizing issuance of one off-sale liquor license.

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 51 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Olhoft and Renneke voted in the negative.

So the bill passed and its title was agreed to.

THIRD READING OF HOUSE BILLS

H. F. No. 383: A bill for an act relating to agriculture; potato industry promotion; providing for an increase in the assessment levied; amending Minnesota Statutes 1976, Section 30.469.

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 54 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Laufenburger	Peterson	Spear
Benedict	Gunderson	Lessard	Pillsbury	Staples
Bernhagen	Hanson	Luther	Purfeerst	Stokowski
Borden	Hughes	Menning	Renneke	Stumpf
Brataas	Humphrey	Merriam	Schaaf	Tennessen
Chmielewski	Jensen	Milton	Schmitz	Ueland, A.
Davies	Johnson	Moe	Setzepfandt	Ulland, J.
Dieterich	Keefe, S.	Nelson	Sieloff	Vega
Dunn	Kirchner	Olhoft	Sikorski	Wegener
Engler	Kleinbaum	Olson	Sillers	Willet
Frederick	Knutson	Perpich	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:

S. F. Nos. 226, 319, 401, 193, 49, 476, and H. F. No. 464 which the committee recommends to pass.

S. F. No. 194, which the committee recommends to pass with the following amendment offered by Mr. Ueland, A.:

Page 2, line 26, before "or" insert a semicolon

Page 2, line 26, strike the semicolon after "or"

H. F. No. 382, which the committee recommends to pass with the following amendments offered by Messrs. Kirchner and Laufenburger:

Mr. Kirchner moved that the amendment made to H. F. No. 382 by the Committee on Rules and Administration in the report adopted March 24, 1977, pursuant to Rule 49 be stricken, and further moved to amend H. F. No. 382 as follows:

Page 3, strike lines 12 to 21 and insert:

"Sec. 3. Minnesota Statutes 1976, Section 169.974, is amended by adding a subdivision to read:

Subd. 6. In an action to recover damages for negligence resulting in any head injury to an operator or passenger of a motorcycle, evidence of whether or not the injured person was wearing protective headgear of a type approved by the commissioner shall be admissible only with respect to the question of damages for head injuries. Damages for head injuries of any person who was not wearing protective headgear shall be reduced to the extent that those injuries could have been avoided by wearing protective headgear of a type approved by the commissioner. For the purposes of this subdivision "operator or passenger" means any operator or passenger regardless of whether that operator or passenger was

required by law to wear protective headgear approved by the commissioner."

Page 3, line 24, after "Subd." strike "6" and insert "7"

Amend the title as follows:

Page 1, strike line 3, and insert "limiting the motorcycle helmet requirement to persons under 18 and persons holding instruction permits; including motorcycles within state"

Page 1, line 4, after the semicolon insert "providing for admission of certain evidence for determination of damages in negligence actions;"

Page 1, line 6, strike everything after "adding"

Page 1, strike line 7 and insert "subdivisions."

Mr. Laufenburger moved to amend H. F. No. 382 as follows:

Page 3, after line 27, insert:

"Sec. 5. No later than November 15, 1979, the commissioner of public safety shall submit to the governor and the legislature a report analyzing the public safety, health and insurance implications and the societal costs of this act. The report shall include recommendations regarding the continuation or modification of this act."

Renumber the remaining section

Amend the title as follows:

Page 1, line 4, before "amending" insert "requiring a report;"

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Borden moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, March 31, 1977. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate