

TWENTY-NINTH DAY

St. Paul, Minnesota, Thursday, March 31, 1977

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

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

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Bang and Engler were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Ashbach, Sieloff, Ogdahl, McCutcheon and Johnson introduced—

S. F. No. 1028: A bill for an act relating to taxation; exempting certain aids to handicapped persons from property tax assessments; amending Minnesota Statutes 1976, Section 272.02, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Chmielewski and Wegener introduced—

S. F. No. 1029: A bill for an act relating to counties; authorizing inclusion of cities in sewer and water districts; allowing certain special assessments; providing a flexible accounting system for multi-county projects; amending Minnesota Statutes 1976, Sections 116A.01, Subdivisions 1, 1a, 2 and 4, and by adding a subdivision; 116A.12, by adding a subdivision; 116A.16; 116A.17, Subdivision 2; 116A.20, Subdivisions 2 and 6; and 116A.24, Subdivision 3.

Referred to the Committee on Local Government.

Messrs. Stokowski, Chenoweth, Laufenburger, Ogdahl and Renneke introduced—

S. F. No. 1030: A bill for an act relating to public employees; authorizing the deduction of dues for public pension and retirement benefit improvement organizations; amending Minnesota Statutes 1976, Section 181.063.

Referred to the Committee on Governmental Operations.

Messrs. Wegener, Dunn, Chmielewski, Purfeerst and Olson introduced—

S. F. No. 1031: A bill for an act relating to agriculture; expanding the family farm security program to cover farm loans for purposes other than acquiring farm real estate; providing an appropriation; amending Minnesota Statutes 1976, Sections 41.51; 41.52, Subdivisions 5 and 9; 41.55; 41.56, Subdivisions 1, 3 and 4; 41.57, Subdivisions 1 and 2; 41.59, Subdivision 1; and 41.61, Subdivision 1, and by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Luther introduced—

S. F. No. 1032: A bill for an act relating to public health; requiring medical malpractice information from insurers; granting subpoena power to the board of medical examiners; amending Minnesota Statutes 1976, Section 147.072.

Referred to the Committee on Commerce.

Messrs. Davies, Luther, Dieterich and Stumpf introduced—

S. F. No. 1033: A bill for an act relating to landlord and tenant; requiring disclosure of identity of owner and manager of rental property; specifying form of disclosure; adding definitions; specifying to whom notice to quit is given when disclosure has not been made; providing a penalty for violation; amending Minnesota Statutes 1976, Section 504.22, Subdivisions 1, 2, 4, 5 and 6, and by adding subdivisions.

Referred to the Committee on Judiciary.

Messrs. Solon, Moe, Anderson, Ogdahl and Hughes introduced—

S. F. No. 1034: A bill for an act relating to transportation; appropriating money for the operation of Amtrak rail service between the Twin Cities and Duluth.

Referred to the Committee on Transportation.

Mr. Sikorski introduced—

S. F. No. 1035: A bill for an act relating to the powers of county court judges in Washington county; authorizing a county court judge, in lieu of certain other procedures, to order certain convicted defendants to undergo evaluation, diagnosis and rehabilitation treatment at or under the direction of the Washington county alcohol/drug survival project.

Referred to the Committee on Judiciary.

Messrs. Keefe, S. and Milton introduced—

S. F. No. 1036: A bill for an act relating to health care; providing funds for certain medical research at the Hennepin county medical center; appropriating money.

Referred to the Committee on Finance.

Messrs. Benedict and Kirchner introduced—

S. F. No. 1037: A bill for an act relating to the city of Bloomington; housing and redevelopment authority; providing that the housing and redevelopment authority may make loans and grants for home improvement, rental assistance, and financial assistance; amending Laws 1971, Chapter 616, Sections 1 and 2.

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

Mr. Sillers introduced—

S. F. No. 1038: A bill for an act relating to retirement; making judges eligible for combined service annuities; amending Minnesota Statutes 1976, Section 356.30, Subdivision 3.

Referred to the Committee on Governmental Operations.

Mr. Johnson introduced—

S. F. No. 1039: A bill for an act relating to the city of Eveleth; firemen's pensions; amending Laws 1935, Chapter 208, Section 11, as added and amended.

Referred to the Committee on Governmental Operations.

Messrs. McCutcheon, Coleman, Borden and Sillers introduced—

S. F. No. 1040: A bill for an act relating to taxation; increasing certain income tax credits; simplifying certain deductions; changing the definition of gross income; providing for a minimum tax on preference income; amending Minnesota Statutes 1976, Sections 290.01, Subdivision 20; 290.06, Subdivision 3c; 290.09, Subdivisions 4, 5, 10 and 15; 290.21, Subdivision 3; Chapter 290, by adding sections; repealing Minnesota Statutes 1976, Sections 290.08, Subdivision 6; 290.09, Subdivisions 26 and 27; 290.971 and 290.972.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ashbach, Moe, Solon and Ogdahl introduced—

S. F. No. 1041: A bill for an act relating to commerce; employments licensed by the state; providing for licensing and regulation of locksmiths; establishing the board of locksmiths; prescribing its powers and duties; providing penalties; appropriating money; amending Minnesota Statutes 1976, Section 214.01, Subdivision 3.

Referred to the Committee on Commerce.

Messrs. Frederick, Merriam, Sillers and Hughes introduced—

S. F. No. 1042: A bill for an act relating to education; higher education coordinating board; scholarships and grants-in-aid; changing eligibility requirements to include upper class students; amending Minnesota Statutes 1976, Section 136A.121, Subdivision 3, and by adding a subdivision.

Referred to the Committee on Education.

Messrs. Stumpf, Willet, Hughes, Kleinbaum and Sillers introduced—

S. F. No. 1043: A bill for an act relating to education; higher education coordinating board; providing grants for out of state colleges of osteopathy attended by Minnesota students; appropriating money.

Referred to the Committee on Education.

Messrs. Hughes, Frederick, Dieterich, Merriam and Johnson introduced—

S. F. No. 1044: A bill for an act relating to taxation; making amendment of income-adjusted homestead credit which allowed credit for both property taxes payable and rent constituting property taxes in certain cases retroactive to taxable years beginning after December 31, 1974; amending Laws 1976, Chapter 334, Section 21.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ashbach, Johnson, Dunn and Sillers introduced—

S. F. No. 1045: A bill for an act relating to taxation; providing for an income tax deduction for expenses of a taxpayer in providing nursing home care for a parent; amending Minnesota Statutes 1976, Section 290.09, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mr. Hughes introduced—

S. F. No. 1046: A bill for an act relating to retirement; membership of higher education coordinating board employees in the unclassified employees program; amending Minnesota Statutes 1976, Section 352D.02, Subdivision 1.

Referred to the Committee on Governmental Operations.

Mrs. Brataas, Messrs. Laufenburger, Willet, Milton and Ashbach introduced—

S. F. No. 1047: A bill for an act relating to unemployment compensation; requiring the commissioner of employment services to periodically notify all employers of benefits being received by their former employees; amending Minnesota Statutes 1976, Section 268.06, by adding a subdivision.

Referred to the Committee on Employment.

Messrs. Willet, Wegener, Bernhagen and Nelson introduced—

S. F. No. 1048: A bill for an act relating to agriculture; agricultural marketing and bargaining; modifying provisions for collective bargaining; amending Minnesota Statutes 1976, Sections 17.693, Subdivisions 2, 4 and 8; 17.694, Subdivisions 1, 3, 6 and 7; 17.695, Subdivision 2; 17.696, Subdivision 1; 17.697, Subdivisions 1 and 3; 17.698; and Chapter 17, by adding a section; repealing Minnesota Statutes 1976, Sections 17.695, Subdivisions 3 and 4; and 17.699.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Tennessen, Humphrey, Spear, Willet and Sillers introduced—

S. F. No. 1049: A bill for an act relating to legal services; providing for the creation of a state legal services corporation; providing for legal assistance to certain persons; providing financial assistance to qualified programs furnishing legal assistance in civil cases; providing Hennepin and Ramsey counties with an option not to participate with the corporation in the delivery of legal services; appropriating money; amending Minnesota Statutes 1976, Sections 15A.083, Subdivision 3; 43.01, Subdivision 18; 260.155, Subdivision 2; 611.12, Subdivisions 1 and 2; 611.14; 611.22; 611.23; 611.24; 611.26; and 611.27, Subdivisions 1 and 2; Laws

1975, Chapter 258, Section 6, Subdivision 2; and Laws 1973, Chapter 317, Section 1, Subdivisions 2 and 3.

Referred to the Committee on Judiciary.

Messrs. Olhoft, Peterson, Schaaf and Sillers introduced—

S. F. No. 1050: A bill for an act relating to taxation; clarifying definitions of "sale," "retail sale," "gross receipts," and "retailer"; specifying tax on food, meals, drinks, and lodging; restricting exemptions for sales of petroleum products and road building materials and for sales by charitable organizations, auctioneers, or brokers; requiring vendors to repay amounts refunded to purchasers; imposing liens and penalties; amending Minnesota Statutes 1976, Sections 297A.01, Subdivisions 3, 4, 9 and 10; 297A.14; 297A.25, Subdivision 1; 297A.35, Subdivision 1, and by adding a subdivision; 297A.39, Subdivision 3; 297A.40, Subdivision 2; repealing Minnesota Statutes 1976, Section 297A.25, Subdivision 4.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Borden, Schaaf, Sikorski, McCutcheon and Ashbach introduced—

S. F. No. 1051: A bill for an act relating to grand juries; providing for grand juries drawn from more than one county; amending Minnesota Statutes 1976, Section 628.41.

Referred to the Committee on Judiciary.

Messrs. Hughes, Milton and Sieloff introduced—

S. F. No. 1052: A bill for an act relating to retirement; annuities, benefits and contributions under certain public retirement plans.

Referred to the Committee on Governmental Operations.

Messrs. McCutcheon, Schaaf, Borden and Merriam introduced—

S. F. No. 1053: A bill for an act relating to peace officers; establishing the Minnesota peace officers professional standards board; authorizing the board to promulgate standards relating to the conduct of the law enforcement profession; granting the board certain enforcement powers of investigation and action on complaints; appropriating money.

Referred to the Committee on Judiciary.

Messrs. Johnson, Solon, Vega and Borden introduced—

S. F. No. 1054: A bill for an act relating to economic development; changing certain requirements for loan eligibility through the Minnesota area redevelopment administration; amending Minnesota Statutes 1976, Section 472.11, by adding subdivisions.

Referred to the Committee on Commerce.

Messrs. Dunn and Pillsbury introduced—

S. F. No. 1055: A bill for an act relating to retirement, judges' survivors' benefits; option to continue.

Referred to the Committee on Governmental Operations.

Messrs. Sieloff and Renneke introduced—

S. F. No. 1056: A bill for an act relating to taxation; excluding private pension payments from gross income for income tax purposes; amending Minnesota Statutes 1976, Section 290.08, Subdivision 6.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sieloff introduced—

S. F. No. 1057: 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 Taxes and Tax Laws.

Messrs. Olson, Lewis and Knutson introduced—

S. F. No. 1058: A bill for an act relating to human services; providing grants to plan and organize human services programs; requiring notification of affected state agencies; requiring certain membership on advisory councils; promulgating rules; amending Minnesota Statutes 1976, Sections 402.01, by adding a subdivision; 402.02, Subdivisions 1 and 2; 402.03; 402.04, Subdivision 1; 402.05; and 402.06; repealing Minnesota Statutes 1976, Sections 402.08 and 402.09.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Stumpf, McCutcheon, Nelson and Lessard introduced—

S. F. No. 1059: A bill for an act relating to civil actions; providing for a mail form answer for complaints in consumer civil actions.

Referred to the Committee on Judiciary.

Mr. Solon introduced—

S. F. No. 1060: A bill for an act relating to taxation; providing class 3cc property tax classification for disabled persons receiving aid from private pension plans; amending Minnesota Statutes 1976, Section 273.13, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Schaaf and Borden introduced—

S. F. No. 1061: A bill for an act relating to peace officer training; requiring the superintendent of the bureau of criminal apprehension to establish a system of regional police schools for town peace officers; providing that town peace officers shall be allowed to attend school on a noncontinuous basis and to take up to two years to obtain certification; amending Minnesota Statutes 1976, Section 626.848; and Chapter 626, by adding a section.

Referred to the Committee on Judiciary.

Messrs. Laufenburger; Keefe, S.; Kirchner; Solon and Kleinbaum introduced—

S. F. No. 1062: A bill for an act relating to financial institutions; permitting the establishment and operation of electronic funds transfer facilities; prescribing the powers and duties of the commissioner of banks in relation to funds transfer facilities; protecting the privacy and security of customers of financial institutions who use electronic funds transfer facilities; prescribing penalties.

Referred to the Committee on Commerce.

Messrs. Olson, Chmielewski, Olhoft and Nichols introduced—

S. F. No. 1063: A bill for an act relating to health; exempting certain medical records from the requirements of the data on individuals laws.

Referred to the Committee on Judiciary.

Messrs. Stokowski, Coleman, Gearty and Moe introduced—

S. F. No. 1064: A bill for an act relating to the state board of investment; creating an advisory council; requiring annual reports; replacing existing agencies; amending Minnesota Statutes 1976, Chapter 11, by adding sections.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski, Coleman, McCutcheon and Moe introduced—

S. F. No. 1065: A bill for an act relating to the public employees retirement association; authorizing the acquisition of real estate and the construction of a building thereon; authorizing a lease with the state and specifying minimum rents; appropriating money.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski, McCutcheon, Merriam, Sieloff and Frederick introduced—

S. F. No. 1066: A bill for an act relating to taxation; providing for distribution of property taxes levied on certain electric utility facilities among certain governmental units.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Penny, Schmitz and Purfeerst introduced—

S. F. No. 1067: A bill for an act relating to highway traffic regulations; equipment on certain vehicles to meet certain requirements; prohibiting the sale, other than to a dealer, of certain vehicles with unsafe tires; providing penalties; amending Minnesota Statutes 1976, Sections 169.721, by adding subdivisions; 169.723; 169.724; 169.725; 169.726; and 169.727; repealing Minnesota Statutes 1976, Sections 169.721, Subdivision 3; and 169.722.

Referred to the Committee on Transportation.

Messrs. Davies, Ogdahl, Gearty, Mrs. Staples and Mr. McCutcheon introduced—

S. F. No. 1068: A bill for an act relating to children; reporting of maltreatment of minors; providing definitions; delineating reporting requirements; providing for notification of police from welfare agencies; delineating the scope of the privacy attributed to records maintained by welfare agencies; providing for the destruction of certain records; providing for a new crime of assault on a child; providing penalties; amending Minnesota Statutes 1976, Section 626.556, Subdivisions 2, 3, 5, 6, 9, 11, and by adding a subdivision; and 609.225, by adding subdivisions.

Referred to the Committee on Judiciary.

Messrs. Pillsbury; Keefe, S.; Johnson; Schmitz and Ueland, A. introduced—

S. F. No. 1069: A bill for an act relating to taxation; providing for payment of the income tax credit for political contributions to persons who don't have sufficient tax liability to use the credit against income tax; amending Minnesota Statutes 1976, Section 290.06, Subdivision 11.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Davies, Laufenburger, Borden and Mrs. Brataas introduced—

S. F. No. 1070: A bill for an act relating to franchises; concerning franchise fees; amending Minnesota Statutes 1976, Sections 80C.01, Subdivisions 4 and 9; 80C.08, Subdivision 1; and 80C.09, Subdivision 1.

Referred to the Committee on Commerce.

Mrs. Staples, Messrs. Humphrey, Borden, Kirchner and Sikorski introduced—

S. F. No. 1071: A bill for an act relating to appropriations; providing funds for the programs of the Minnesota International Center.

Referred to the Committee on Governmental Operations.

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

S. F. No. 1072: A bill for an act relating to appropriations; appropriating money for the fiscal year ending June 30, 1977.

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

Messrs. Lewis, Milton and Kirchner introduced—

S. F. No. 1073: A bill for an act relating to corrections; establishing a facility for the care and treatment of inmates of correctional institutions who become mentally ill; providing for their commitment and detention for treatment; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Laufenburger, Mrs. Brataas, Messrs. Kleinbaum, Jensen and Solon introduced—

S. F. No. 1074: A bill for an act relating to insurance; providing for competitive bids on group contracts for certain public bodies; amending Minnesota Statutes 1976, Section 471.616, Subdivision 1.

Referred to the Committee on Commerce.

Messrs. McCutcheon, Schaaf, Sikorski, Borden and Ashbach introduced—

S. F. No. 1075: A bill for an act relating to traffic offenses; decriminalizing certain traffic offenses; providing for administrative adjudication of decriminalized traffic offenses; providing civil penalties and court review thereof; creating a division of administrative adjudication within the department of public safety, prescribing the powers and duties of the division and the commissioner of public safety; appropriating money; amending Minnesota Statutes 1976, Sections 169.01, by adding subdivisions, 169.13, Subdivisions 1 and 2; 169.14, Subdivisions 9 and 10; 169.141, Subdivision 2; 169.16, 169.305, Subdivision 3; 169.725, 169.89, Subdivisions 1, 4 and 5; 169.95, 169.965, Subdivisions 2, 3 and 4, and by adding a subdivision; 169.966, Subdivisions 2, 3 and 4, and by adding a subdivision; 169.99, Subdivision 1; 171.01, by adding subdivisions; 171.08; 171.12, Subdivisions 2 and 3; 171.15, 171.16, Subdivisions 1 and 3; 171.18; 171.19; 171.20, Subdivision 2; 171.24; 171.29, Sub-

division 1; 260.193, Subdivision 4; 487.29, Subdivision 1; 488A.08, Subdivision 3; 488A.25, by adding a subdivision; and 611.14.

Referred to the Committee on Judiciary.

Messrs. Borden, Ogdahl, Solon, Laufenburger and Lewis introduced—

S. F. No. 1076: A bill for an act relating to intoxicating liquor; prohibiting discrimination in sales; filing of wholesale prices; amending Minnesota Statutes 1976, Sections 340.114, Subdivision 1; 340.983; and Chapter 340, by adding sections.

Referred to the Committee on Commerce.

Messrs. Borden, Schaaf, Sikorski, McCutcheon and Ashbach introduced—

S. F. No. 1077: A bill for an act relating to the organization and operation of state government; creating a crime control planning board to supersede the governor's commission on crime prevention and control; requiring a statewide comprehensive plan for law enforcement and criminal justice administration; empowering the board to make grants to governmental agencies; designating the board as the state planning agency for purposes of federal legislation; prescribing other powers and duties; requiring annual reports; creating regional crime control advisory councils; requiring the preparation of regional plans; appropriating money.

Referred to the Committee on Governmental Operations.

Mr. Schaaf introduced—

S. F. No. 1078: A bill for an act relating to transportation; restructuring state and local financing of the operations of the Twin Cities metropolitan transit commission; requiring performance funding; changing the taxing authority of the commission; authorizing the sale of bonds for particular purposes; limiting operating deficits on all regular routes; providing for initiation of and reimbursement for certain new routes; establishing reduced fare service for the elderly, students and handicapped and reimbursing the commission for such service; extending the statewide supplemental transit aid program; establishing a statewide paratransit demonstration grant program; defining "transit"; requiring annual permits for overlength articulated buses; granting powers to and imposing duties on the commissioner of transportation; appropriating money; amending Minnesota Statutes 1976, Sections 169.81, by adding a subdivision; 473.121, Subdivision 19, and by adding a subdivision; 473.402; 473.413, Subdivision 8; 473.421; 473.423, Subdivision 1; 473.446, Subdivision 1; Chapters 174, by adding a section; and 473, by adding sections; repealing Minnesota Statutes 1976, Section 473.446, Subdivisions 4 and 5.

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 377.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 30, 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. 201: A bill for an act relating to crimes; prohibiting devices intended to be used to avoid payment of long distance telecommunications services; prescribing penalties; amending Minnesota Statutes 1976, Section 609.785.

Senate File No. 201 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 30, 1977

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 201 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 201 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the

following House Files, herewith transmitted: H. F. Nos. 307 and 418.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 28, 1977

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 661.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 29, 1977

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 82, 247 and 777.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 30, 1977

FIRST READING OF HOUSE BILLS

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

H. F. No. 307: A bill for an act relating to retirement; correcting outdated references in the teachers retirement law; amending Minnesota Statutes 1976, Sections 354.05, Subdivision 25; 354.41, Subdivision 3; 354.49, Subdivision 1; 354.53, Subdivision 1; 354.55, Subdivisions 6, 15, and 18; and 354.58.

Referred to the Committee on Governmental Operations.

H. F. No. 418: A bill for an act relating to public welfare; exempting licensed hospitals from day care licensing requirements; amending Minnesota Statutes 1976, Section 245.791.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 476 now on the Calendar.

H. F. No. 661: A bill for an act relating to highway traffic regulations; exempting trucks engaged in hauling hay from certain weight restrictions during a specified period of time.

Referred to the Committee on Transportation.

H. F. No. 82: A bill for an act relating to crimes; raising the amount of pecuniary gain which must be received by a person incident to a violation of law before the violation is categorized as a felony; increasing the penal fine of misdemeanors; directing a court to require as a condition of a stay of imposition or execution of sentence restitution for property damage or loss or compensation for personal injuries; amending Minnesota Statutes 1976, Sections 412.231; 609.02, Subdivision 3; 609.03; 609.031; 609.032;

609.135, Subdivision 1, 609.27, Subdivision 2; 609.551, Subdivision 1; 609.563, Subdivision 1; 609.576, Subdivision 1; 609.595, Subdivision 1; 609.615; and 609.785.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 189, now on General Orders.

H. F. No. 247: A bill for an act relating to Independent School Districts No. 217, No. 220, No. 440, No. 444, No. 649, No. 650, No. 782, No. 783, No. 893, and No. 896; authorizing the districts to discontinue certain grades and provide instruction by contract with another district; providing for aids, levies and the contractual rights of teachers in participating districts.

Referred to the Committee on Education.

H. F. No. 777: A bill for an act relating to agriculture; the family farm security program; eliminating first mortgage requirements for seller-sponsored loans; authorizing retention of land by sellers in lieu of payment of loan guarantees; authorizing sharing of excess proceeds from default sale; allowing payment adjustments for certain loans with unequal annual payments; amending Minnesota Statutes 1976, Sections 41.52, Subdivisions 5 and 8; 41.54, Subdivision 2; 41.56, Subdivisions 3 and 4; 41.57, Subdivision 2; and 41.58, Subdivision 2.

Referred to the Committee on Agriculture and Natural Resources.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S. F. No. 682 and reports pertaining to appointments. The motion prevailed.

Mr. Olson from the Committee on General Legislation and Veterans Affairs, to which was referred the following appointment as reported in the Journal for January 6, 1977:

CRIME VICTIMS REPARATIONS BOARD

Dr. William Kosiak

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

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

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

S. F. No. 336: A bill for an act relating to Spanish-speaking people; creating a state board on affairs of the Spanish-speaking people; appropriating money.

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

Page 1, line 7, after "1." insert "[BOARD ON AFFAIRS OF SPANISH-SPEAKING PEOPLE.]"

Page 1, line 10, strike everything after the period

Page 1, strike line 11

Page 1, line 12, strike "Central Americans and South Americans."

Page 1, line 13, strike "Spanish-speaking and shall be"

Page 1, line 15, after "state" insert "and shall be persons of Puerto Rican, Cuban, Central American or South American descent"

Page 1, line 15, strike "The procedure, membership," and insert "Membership"

Page 1, after line 19, insert

"Sec. 2. [SPANISH-SPEAKING PEOPLE.] For purposes of sections 3 to 8, the term "Spanish-speaking person" means a person who has a Spanish surname, who uses Spanish as a primary method of communication, who is primarily of Mexican, Puerto Rican, Cuban, Central American, South American or other Spanish descent, or who is a spouse of one of the foregoing."

Page 3, line 1, after "or" insert "initial"

Page 3, line 9, strike "6" and insert "7"

Page 3, line 11, strike "commissioner of administration" and insert "governor"

Page 3, line 15, strike "6" and insert "7"

Page 3, line 17, strike "anytime" and insert "any time"

Page 4, after line 3, insert:

"Sec. 8. [TRANSITION PROVISION.] The board created by this act shall supersede and replace the office of liaison for Spanish-speaking people created by executive order of the governor. Personnel employed by the office on the effective date of this act shall be transferred to the employ of the board."

Renumber sections in sequence.

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

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

S. F. No. 695: A bill for an act authorizing the metropolitan council to issue bonds for repair, construction, reconstruction, improvement, and rehabilitation of the Como Park zoo by the City of Saint Paul; amending Minnesota Statutes 1976, Chapter 473, by adding a section.

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

Page 1, line 16, strike "*may*" and insert "*shall*"

Page 2, strike lines 8 and 9 and insert "*with the metropolitan council regional recreation open space policy plan.*"

Page 2, line 17, strike "*master plan and*"

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

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

S. F. No. 412: A bill for an act relating to municipalities; providing for negotiation of contracts between municipalities and state departments and agencies for provision of fire and police protection services for state institutions, land and other property.

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

Page 1, line 15, strike "this act" and insert "sections 1 and 2"

Page 1, lines 21 to 22, strike "of this act"

Page 2, lines 13 and 16, strike "the effective date of this act" and insert "July 1, 1977"

Page 2, lines 18 to 19, strike "the provisions of this act" and insert "sections 1 and 2"

Page 2, lines 26 to 27, strike "regulations pursuant to the administrative procedure act, Minnesota Statutes, Chapter 15," and insert "rules"

Page 3, line 1, strike "regulation" and insert "rule"

Page 3, lines 6 and 19, strike "regulations" and insert "rules"

Page 3, line 11, strike "council" and insert "committee"

Page 3, line 12, strike "and research"

Page 3, line 13, strike "committee" and insert "commission"

Page 3, line 16, after "agencies" insert a comma

Page 4, line 4, after "by" insert "substantial changes in the services required to be provided, unanticipated difficulties in providing the services or other unforeseen"

Page 4, after line 4, insert:

"Sec. 3. [EFFECTIVE DATE.] This act is effective July 1, 1977; provided that no contract pursuant to this act may be executed before July 1, 1978."

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. 388: A bill for an act relating to insurance; subrogation of claims; requiring subrogated insurers to pay a proportionate share of certain attorney fees and costs; amending Minnesota Statutes 1976, Section 65B.53, Subdivision 5, and by adding a subdivision.

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

Page 1, line 21, after "motorcycle" and before the comma insert *"where the right of subrogation is claimed or may be claimed under this section"*

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. 348: A bill for an act relating to municipalities; planning and regulating development in orderly annexation areas adjacent to cities; amending Minnesota Statutes 1976, Sections 414.034, Subdivision 1; 414.068, Subdivisions 1, 2, and 3; Chapter 115, by adding a section.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 414.068, is amended to read:

414.068 [ZONING AND SUBDIVISION REGULATION WITHIN ORDERLY ANNEXATION AREAS.] Subdivision 1. [AREA AFFECTED.] ~~Whenever an area has been designated as in need of orderly annexation pursuant to sections 414.032 or 414.034 and until such time as it is actually annexed to the municipality, zoning and subdivision regulation shall be governed by this section. Until an area designated in need of annexation is actually annexed to the municipality, the municipality and the town may include in the joint resolution a provision for land use controls as provided in chapter 394 and sections 462.351 to 462.364. The joint resolution may provide for the adoption and enforcement of the state building code or the fire code of the municipality to all or a portion of the area designated for orderly annexation.~~

Subd. 2. [ZONING.] ~~If the county and townships agree to exclude the area from their zoning ordinances, the municipality may extend its zoning regulations to include the entire orderly annexation area as provided in section 462.357, subdivision 1. In the absence of any agreement for such joint exercise of planning and land use controls in the area designated for orderly annexation, the following provision shall apply.~~

~~If the county and township do not agree to such extraterritorial zoning by the municipality, Zoning within the orderly annexation area shall be controlled by a three member committee with one~~

member appointed from each of the municipal, town and county governing bodies. This committee shall serve as the "governing body" and "board of appeals and adjustments" for purposes of section 462.357, within the orderly annexation area.

Subd. 3. [SUBDIVISION REGULATIONS.] Unless otherwise provided by joint resolution of the township and municipality, the municipality may extend its subdivision regulations to the entire orderly annexation area, pursuant to section 462.358, notwithstanding any township subdivision ordinances."

Amend the title as follows:

Page 1, line 5, strike "Sections 414.034, Subdivision 1;" and insert "Section"

Page 1, line 5, strike the comma after "414.068" and insert a period

Page 1, strike lines 6 and 7

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. 813: A bill for an act relating to the county of Carlton; authorization of certain payments to the city of Cloquet.

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

Page 1, after line 8, add:

"Sec. 2. This act takes effect upon approval by a majority of the members of the county board of Carlton county and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

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

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

S. F. No. 812: A bill for an act relating to St. Louis county; revising the composition of the county welfare board; amending Laws 1907, Chapter 222, Section 1, Subdivisions 1, 2 and 3, as amended; and Minnesota Statutes 1976, Section 393.01, Subdivision 5.

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

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

S. F. No. 395: A bill for an act relating to sheriffs; fees and mileage allowance; amending Minnesota Statutes 1976, Section

357.09, Subdivisions 1, 2, and 4; repealing Minnesota Statutes 1976, Sections 357.09, Subdivision 5; and 357.10.

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

Page 3, line 16, strike "\$100" and insert "\$20"

Page 4, line 16, strike "of"

Page 4, line 16, strike "20 cents per mile" and insert *"provided in section 43.327, notwithstanding any other provision to the contrary"*

Page 4, line 16, after the period, reinstate the stricken language

Page 4, reinstate the stricken language in lines 17 and 18

Page 4, line 18, strike the reinstated "the"

Page 4, line 19, reinstate "the most remote."

Page 5, after line 3, insert:

"Sec. 5. Section 357.09 shall not relate to or affect the fees of the sheriff of Ramsey county."

And the title as follows:

Line 2, after "sheriffs;" insert "increasing the"

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. 450: A bill for an act relating to banks and banking; authorizing certain branch banks; permitting consolidation of banks in regions; amending Minnesota Statutes 1976, Sections 48.34 and 49.34.

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 48.34, is amended to read:

48.34 [BRANCH BANKS.] No bank or trust company organized under the laws of this state shall maintain a branch bank or receive deposits or pay checks within this state, except at its own banking house, and the commissioner shall take possession of and liquidate the business and affairs of any state bank or trust company violating the provisions of this section, in the manner prescribed by law for the liquidation of insolvent state banks and trust companies. Subdivision 1. [DEFINITIONS.] The following terms, for the purposes of this section, have the meanings ascribed to them:

(a) "Bank" means any bank, savings bank, or trust company as defined in Minnesota Statutes, Section 47.01.

(b) "Commissioner" means the commissioner of banks.

(c) "Principal office" means the main banking house of any bank at which its principal functions are conducted.

(d) "Branch office" means any building, or place of business of a bank, other than its principal office, at which the usual business of a bank is conducted, but shall not include any place at which only records are made, posted, or kept, or a detached facility as defined by Minnesota Statutes, Sections 47.51 to 47.57.

(e) "Region" means a development region as defined by the regional development act of 1969, Minnesota Statutes, Sections 462.381 to 462.396 and as designated by the governor on the effective date of this act, and shall include as a single region the metropolitan area as defined in section 473.121, subdivision 2.

Subd. 2. [BRANCH OFFICES.] No bank, or officer, director or agent thereof, shall transact any part of its usual business of banking at any place other than its principal office, except as follows:

(a) Any bank may establish and operate one or more branch offices at any location or locations within the region in which its principal office is located upon receiving the approval of the commissioner. The commissioner shall approve an application if it shall appear that establishment of the proposed branch will improve the quality or increase the availability of banking services in the community to be served, and that the capital funds and managerial resources of the applicant are adequate. In determining whether the capital funds of the applicant are adequate, the commissioner shall consider the deposit potential for the proposed branch, the current banking industry standards of capital adequacy, and the management quality, asset condition, and earnings of the applicant. The commissioner may deny an application upon a finding that establishment of the proposed branch will have an undue adverse effect upon existing financial institutions in the community to be served.

(b) No application shall be granted permitting the establishment of a branch office in any city having a population, according to the last previous United States census, of less than 2,000, unless there is no principal office of a bank in that city; provided that nothing in this subdivision prohibits establishment of a branch office by merger or consolidation pursuant to this section and sections 49.34 to 49.41.

Subd. 3. [APPLICATION AND APPROVAL.] (a) Any bank desiring to establish and operate a branch office shall make application in writing upon forms prescribed by the commissioner and shall file the forms with his office, together with a filing fee of \$50, and in the case where an application is contested, an additional fee of \$450, payable to the state treasurer and credited by the treasurer to the general fund. Thereupon the commis-

sioner shall fix a time, within 60 days after the filing of the application, for a hearing for the purpose of considering the application. At the hearing the applicant, and any other interested person who has filed with the commissioner prior to the date of the hearing a written notice of appearance stating his position in favor of or against the approval of the application, shall be afforded an opportunity to present evidence and argument with respect thereto. Notice of the hearing shall be mailed by the commissioner by certified mail to the applicant and to the principal office of each and every bank located within the region in which the proposed branch office is to be located. In addition, notice of the hearing shall be published by the commissioner, at the expense of the applicant, in a legal newspaper in the municipality in which the proposed branch office is to be located, and if there is no newspaper, then in a legal newspaper at the county seat of the county in which the proposed branch office is to be located. The notice shall be mailed and published not less than 30 days prior to the date of the hearing. If more than one application for the establishment of a branch office in the same vicinity is received by the commissioner within any 30 day period, the commissioner may, in his discretion, consolidate the hearings to be held for the purpose of considering such applications in a single hearing. Except as otherwise provided herein, the hearing shall be conducted by the commissioner in accordance with the provisions of the administrative procedure act, Minnesota Statutes, Sections 15.0411 to 15.052, governing contested cases, including the provisions of the act relating to judicial review of agency decisions.

(b) Upon conclusion of the hearing and within 90 days thereafter, the commissioner shall approve or deny the application. If the application is approved, the commissioner shall issue forthwith a certificate of authorization and an order, setting forth a statement of the reasons therefor. If the proposed branch office is not activated within 12 months thereafter, the certificate of authorization shall automatically expire. If the application is denied, the commissioner shall issue an order to that effect setting forth a statement of the reasons therefor and shall forthwith give notice thereof by certified mail to the applicant.

Subd. 4. [MERGER, CONSOLIDATION, PURCHASE.] (a) Branch offices may be established with the approval of the commissioner by merger or consolidation of two or more banks, or by the purchase by a bank of all or a substantial part of the assets of one or more other banks, which have their principal office or offices within the same region, pursuant to this section.

(b) No bank shall merge or consolidate with another bank or acquire all or a substantial part of the stock or assets of another bank and operate the offices of the bank as branch offices of the merged or consolidated bank, if the combined deposits of the consolidated banks would exceed 20 percent of the bank deposits in the region in which the consolidated bank is located, or in the state. The deposits held by each bank shall be determined by the commissioner from the most recent reports made by all banks to any supervisory authority. If the acquiring bank

is a subsidiary of a bank holding company, its percentage of deposits shall include the combined percentage held by all banking subsidiaries of that holding company in that region or state, whichever percentage is greater. For purposes of this section "bank holding company" and "subsidiary" have the meanings provided in the Bank Holding Company Act, 12 U.S.C. Section 1841.

(c) Nothing in this section shall prevent the merger or consolidation of banks which are, on June 1, 1977, subsidiaries of the same bank holding company, and the operation of the offices of such banks as branch offices of the merged or consolidated bank, without the approval of the commissioner.

(d) Nothing in this section shall prevent the merger, consolidation or purchase of a failing bank pursuant to a request of the Federal Reserve Board, Federal Deposit Insurance Corporation, Comptroller of the Currency, Commissioner, or other supervisory authority, and the operation of the offices of such banks as a branch office of the merged or consolidated bank, without the approval of the commissioner.

Subd. 5. [CHANGE OF LOCATION.] Upon approval of the commissioner, a bank may change the location of a branch office from one place to another within the immediate vicinity of its previously authorized location.

Subd. 6. [CLOSING OF OFFICE.] Upon approval of the commissioner, a bank may close or discontinue the operation of any branch office provided public notice thereof is given in the manner prescribed by the commissioner at least 90 days prior to the date of closing or discontinuance.

The commissioner may grant an application to close a branch office if it will not have an undue adverse effect on the public convenience and advantage. In the event any person objects to the application, the commissioner shall hold a hearing in the manner provided by the Minnesota Administrative Procedure Act, Minnesota Statutes, Sections 15.0411 to 15.052.

Subd. 7. [EXISTING BRANCH OFFICES.] Nothing contained in this section denies any bank the right to continue the operation of any branch office or offices established prior to the effective date of this act.

Subd. 8. Nothing contained in this section denies any bank the right to establish and maintain a detached facility as provided in sections 47.51 to 47.57.

Sec. 2. Minnesota Statutes 1976, Section 49.34, is amended to read:

49.34 [CONSOLIDATION OF STATE BANKS OR TRUST COMPANIES, PROCEDURE.] Any two or more state banks, operating in the same city, development region as defined by the regional development act of 1969, Minnesota Statutes, Sections 462.381 to 462.396, or in the metropolitan area as defined in section 473.121, subdivision 2 may be consolidated into

a consolidated state bank, and any two or more trust companies, operating in the same *city development region or in the metropolitan area*, may be consolidated into a consolidated trust company, and any state bank or state banks and any trust company or trust companies, operating in the same *city development region or in the metropolitan area*, may be consolidated into a consolidated state bank or consolidated trust company, as the respective boards of directors thereof may determine. All such consolidation shall be effected in the manner provided in sections 49.35 to 49.41 and when so organized, the consolidated corporation shall be governed and conducted in all other respects as provided by the statutes relating to the respective classes of financial corporations."

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. 774: A bill for an act relating to intoxicating liquor; restrictions upon places of sale; amending Minnesota Statutes 1976, Sections 340.07, Subdivision 13; and 340.353, Subdivision 1.

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

Page 1, line 18, strike "*mechanical*" and insert "*coin-operated*"

Page 2, line 14, strike "*mechanical*" and insert "*coin-operated*"

Amend the title as follows:

Page 1, line 2, strike "restrictions upon" and insert "permitting entertainment and coin-operated amusement devices in privately-owned and municipal liquor stores"

Page 1, line 3, strike "places of sale"

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. 368: A bill for an act relating to health care; providing conversion privileges under certain accident and health insurance policies, health service plan subscriber contracts and health maintenance contracts, for spouses whose marriage is dissolved; amending Minnesota Statutes 1976, Chapters 62A, by adding a section; 62C, by adding a section; and 62D, by adding a section.

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

Page 2, line 5, strike "*whose marriage has been dissolved*"

Page 3, line 5, strike "*whose marriage was*"

Page 3, line 6, strike "*dissolved*"

Page 4, line 3, strike "*whose marriage was*"

Page 4, line 4, strike "*dissolved*"

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. 208: A bill for an act relating to labor; prohibiting certain terms in employment contracts relating to inventions by employees.

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

Page 1, line 8, strike "term" and insert "provision"

Page 1, line 11, after "relate" insert "(1) directly to the business of the employer, or (2)"

Page 1, line 13, before "or" insert a comma

Page 1, line 13, after "or" insert "which"

Page 1, line 17, after "and" insert "any provision which purports to apply to such an invention"

Page 1, line 17, after "is" insert "to that extent"

Page 1, line 18, after "be" insert "void and"

Page 1, line 19, strike "terms" and insert "a provision"

Page 1, line 19, after "made" insert "void and"

Page 1, after line 21, insert:

"Subd. 3. Every new employment agreement containing a provision requiring the employee to assign any of his rights in any invention to his employer must also include a provision notifying the employee that the agreement does not apply to an invention which does not relate (1) directly to the business of the employer, or (2) to the employer's actual or demonstrably anticipated research or development, or which does not result from any work performed by the employee for the employer, and for which no equipment, supplies, facility or trade secret information of the employer was used and which was developed entirely on the employee's own time."

Amend the title as follows:

Page 1, line 3, strike "contracts" and insert "agreements"

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

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

H. F. No. 114: A bill for an act relating to intoxicating liquor; regulation and taxation of liquor sold in commemorative bottles;

amending Minnesota Statutes 1976, Sections 340.11, Subdivision 15; 340.44; and 340.601.

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

Page 2, after line 26, insert:

"Sec. 3. Minnesota Statutes 1976, Section 340.50, is amended to read:

340.50 [EXCEPTIONS.] Sales by a manufacturer, wholesaler, or brewer for shipment outside the state in interstate commerce shall not be subject to the payment of the tax, nor shall sales to any regularly appointed and ordained rabbi, priest, minister, or pastor of any church or established religious organization, of wine for sacramental purposes *or the sale of commemorative bottles between collectors* be subject to the payment of such tax."

Renumber the sections accordingly

Page 3, line 7, after the period insert "*Any collector of commemorative bottles as defined in section 340.44, clauses (6) and (7), excluding persons of minor age and other disqualified persons as provided by sections 340.73 and 340.78, who enters the state of Minnesota from another state may have in his personal possession twelve or fewer commemorative bottles without the required payment of the Minnesota excise tax.*"

Page 3, line 16, strike "*or to a collector of commemorative*"

Page 3, strike lines 17 through 19

Page 3, line 20, strike everything before the period

Amend the title as follows:

Page 1, line 2, strike "regulation" and insert "exempting from licensing"

Page 1, line 3, strike "of"

Page 1, line 5, before "and" insert "340.50"

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. 241: A bill for an act relating to real estate brokers and salespersons; establishing a prelicense educational requirement and a continuing educational requirement; amending Minnesota Statutes 1976, Section 82.22, Subdivision 6, and 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 82.22, Subdivision 6, is amended to read:

Subd. 6. [INSTRUCTION; NEW LICENSES.] (a) Every salesperson, licensed after July 1, 1973 and before July 1, 1976 shall, within two years of the date his license was first granted be required to successfully complete a course of study in the real estate field consisting of not less than 60 hours of instruction, approved by the commissioner. Upon appropriate showing of hardship by the licensee, or for persons licensed pursuant to section 82.20, subdivision 1, clause (b), the commissioner may waive or modify the requirements of this subdivision. Every salesperson licensed after July 1, 1976 and before July 1, 1978 shall, within three years of the date his license was first issued, be required to successfully complete a course of study in the real estate field consisting of not less than 90 hours of instruction, approved by the commissioner;

(b) After July 1, 1978 every applicant for a salesperson's license shall be required to successfully complete a course of study in the real estate field consisting of not less than 60 hours of instruction approved by the commissioner before taking the examination specified in subdivision 1. Every salesperson licensed after July 1, 1978 shall, within one year of the date his license was first issued, be required to successfully complete a course of study in the real estate field consisting of not less than 30 hours of instruction approved by the commissioner.

~~(b)~~ (c) The commissioner may approve courses of study in the real estate field offered in educational institutions of higher learning in this state or courses of study in the real estate field developed by and offered under the auspices of the national association of realtors, its affiliates, or private real estate schools licensed by the state department of education. The commissioner may by rule prescribe the curriculum and qualification of those employed as instructors.

Sec. 2. Minnesota Statutes 1976, Section 82.22, is amended by adding a subdivision to read:

Subd. 13. [CONTINUING EDUCATION.] (a) After July 1, 1978, all real estate salespersons not subject to, or who have completed the educational requirements contained in section 82.22, subdivision 6, and all real estate brokers shall be required to successfully complete 45 hours of real estate education, either as a student or a lecturer, in courses of study approved by the commissioner, within each three year period.

(b) For the purposes of administration, the commissioner shall classify by lot, the real estate brokers and salespersons subject to (a) above, in three classifications of substantially equal size. The first class shall complete 15 hours of approved real estate study between July 1, 1978 and June 30, 1979 inclusive. The second class shall complete 30 hours of approved real estate study between the dates of July 1, 1978 and June 30, 1980 inclusive. The third class shall complete 45 hours of approved real estate study between the dates of July 1, 1978 and June 30, 1981. After the first period, each class shall complete the prescribed educational requirements during successive three year periods.

(c) The commissioner shall adopt rules defining the standards for course and instructor approval, and may adopt rules for the proper administration of this subdivision.

Sec. 3. Minnesota Statutes 1976, Section 82.30, is amended to read:

82.30 [ADVISORY COUNCIL.] ~~Subdivision 1.~~ There shall be a real estate advisory council of seven members to be appointed by the commissioner of securities. Five members shall be real estate brokers with at least five years experience as licensed real estate brokers in Minnesota and two members shall be public members. They shall meet at the call of the commissioner *on a quarterly basis at publicized sessions and at such other times as the commissioner may deem necessary*, and advise and consult with him on all matters relating to education of licensees, pre-licensing requirements, and other major policy matters relating to the licensing of real estate brokers in Minnesota administration of sections 82.17 to 82.34. The council shall expire and the terms, compensation, and removal of members shall be as provided in section 15.059.

Sec. 4. Minnesota Statutes 1976, Section 82.34, is amended by adding a subdivision to read:

Subd. 19. The commissioner shall include in the annual report of the commerce commission pursuant to section 45.033, a report on the activities of the real estate education, research and recovery fund, noting the amount of money received by the fund, the amount of money expended and the purposes therefor."

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

"relating to real estate brokers and salespersons; authorizing the commissioner to increase license terms; establishing a pre-license educational requirement and a continuing educational requirement; requiring an annual report on the real estate education, research and recovery fund; and requiring regular meetings of the real estate advisory council; amending Minnesota Statutes 1976, Sections 82.22, Subdivision 6, and by adding a subdivision; 82.30; and 82.34, by adding a subdivision."

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

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 845: A bill for an act relating to St. Louis county Independent School District No. 710; providing for separate election districts.

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

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 737: A bill for an act relating to local government; providing leaves of absence for certain governmental officers and employees elected to city or county office; amending Minnesota Statutes 1976, Section 3.088, Subdivisions 1, 2 and 5.

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

Page 1, line 13, before "*section*" insert "*this*"

Page 1, line 13, strike " 3.088 "

Page 1, line 16, strike " engages in service " and insert " serves "

Page 1, line 21, before " *section* " insert " *this* "

Page 1, line 21, strike " 3.088 "

Page 2, line 2, before " *section* " insert " *this* "

Page 2, line 2, strike " 3.088 "

Page 2, line 5, strike " *elected office* " and insert " *the term to which he was elected* "

Page 2, line 8, strike " *entry into the elected* " and insert " *taking office as a* "

Page 2, line 8, before the comma, strike " *office* " and insert " *officer* "

Page 2, line 8, strike " *to* " and insert " *shall be placed in* "

Page 2, line 17, after " *or* " insert " *, in the case of an elected city or county official,* "

Page 2, line 18, strike " *of elected city or* "

Page 2, line 19, strike " *county office* " and insert " *to which he was elected* "

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

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

S. F. No. 437: A bill for an act relating to assumed business names; amending Minnesota Statutes 1976, Sections 333.01; 333.04; and 333.06; and Chapter 333, by adding sections; repealing Minnesota Statutes 1976, Sections 333.02; 333.03; and 333.05.

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

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1976, Section 301.09, is amended to read:

301.09 [POWERS COMMON TO CORPORATIONS.] Every corporation shall have power:

(1) To continue as a corporation for the time limited in its

articles of incorporation, or, if no such time limit is specified, then perpetually;

(2) To sue and be sued;

(3) To adopt, use, and, at will, alter a corporate seal, but failure to affix the corporate seal, if any, shall not affect the validity of any instrument;

(4) To acquire, hold, lease, encumber, convey, or otherwise dispose of real and personal property within or without the state, and to take real and personal property by will or gift, subject to any limitation prescribed by law or the articles of incorporation;

(5) To conduct business in this state and elsewhere;

(6) To enter into obligations or contracts and to do any acts incidental to the transaction of its business or expedient for the attainment of the purposes stated in its articles;

(7) To indemnify persons against certain expenses and liabilities as provided in section 301.095; and

(8) Unless otherwise provided in the articles of incorporation, to participate with others in any corporation, partnership, limited partnership, joint venture, trust, or other association of any kind, or in any transaction, undertaking, or arrangement which the participating corporation would have power to conduct by itself whether or not such participation involves sharing or delegation of control with or to others ; and

(9) *To conduct all or part of its business under one or more assumed names as provided by section 3 of this act and sections 333.01 to 333.06 ."*

Page 2, line 4, reinstate the stricken "The"

Page 2, line 5, reinstate the stricken language

Page 2, line 6, reinstate "the county"

Page 2, line 8, after the stricken "newspaper" insert "*in which the person conducts, transacts, or intends to conduct or transact such business, for two successive issues*" and reinstate the stricken period

Page 2, line 11, strike "333.025" and insert "333.001"

Page 2, line 12, before "sections" insert "*this section and*"

Page 2, line 13, after "given" insert "*, unless the context clearly indicates that a different meaning is intended*"

Page 2, line 14, strike "includes" and insert "means"

Page 2, strike lines 15 through 18 and insert "*persons; a partnership, including a limited partnership; a corporation, including a foreign, domestic, or nonprofit corporation; a trust; or any other business organization.*"

Page 2, line 19, strike "includes" and insert "means"

Page 2, line 23, strike "and" and insert "or"

Page 2, line 26, strike "*includes*" and insert "*means*"

Page 2, line 29, strike "*said*" and insert "*the*"

Page 2, line 31, strike "*execution*" and insert "*executed*"

Page 3, line 2, strike "*and*" and insert "*or*"

Page 3, line 10, after "*filed*" insert "*with proof of publication*"

Page 3, line 19, strike "*such*" and insert "*the*"

Page 3, line 20, strike "*receive*" and insert "*charge the applicant*"

Page 3, line 21, strike "*5*" and insert "*6*"

Page 3, line 29, after "*certificate*" insert "*with proof of publication*"

Page 3, line 31, after "*within*" insert "*the*"

Page 3, line 31, strike "*months*" and insert "*month period*"

Page 4, line 1, strike "*to be furnished*" and insert "*prescribed*"

Page 4, line 2, strike "*, provided that*"

Page 4, strike line 3

Page 4, line 4, strike "*application for renewal*"

Page 4, line 10, before "*six*" insert "*at least*"

Page 4, line 16, strike "*furnished*" and insert "*prescribed*" and strike "*aforementioned*"

Page 4, line 17, strike "*therefor*" and insert "*prescribed by subdivision 5*"

Page 4, line 17, after "*within*" insert "*the*"

Page 4, line 17, strike "*months*" and insert "*month period*"

Page 4, line 18, strike "*, provided the assumed name is*" and insert a period

Page 4, strike line 19

Page 4, line 20, strike "*courts*" and insert "*court as directed by the secretary of state*"

Page 4, line 20, strike "*within*" and insert "*no later than*"

Page 4, line 21, strike "*notify all*" and insert "*furnish to the secretary of state the names and last known addresses of all persons who have filed assumed name certificates prior to the effective date of this act. Upon receipt of the names and addresses, but no later than 18 months after the effective date of this act, the secretary of state shall notify all persons whose names and addresses have been furnished by the clerks of district court of the date of expiration of the certificates and provide instructions for renewal thereof*"

Page 4, strike lines 22 and 23

Page 4, line 24, strike "*unless renewed*"

Page 4, line 29, after "*certificate*" insert "*or amended certificate*"

Page 4, line 31, strike "*Registration*" and insert "*Certificate*"

Page 5, line 2, after "*of*" insert "*section 3 of this act and*"

Page 5, line 3, strike "*above*" and insert "*prescribed*"

Page 5, line 6, strike "*such*"

Page 5, line 7, after "*shall*" insert "*, within 20 days after the filing,*"

Page 5, line 9, after "*for*" strike "*such*" and insert "*the*"

Page 5, line 9, after "*name*" insert "*or a similar assumed name,*"

Page 5, line 9, after "*of*" strike "*such*" and insert "*the*"

Page 5, line 10, strike "*and such notice shall specify the name and*" and insert "*including in the notice the name and last known address of the person so filing.*"

Page 5, strike lines 11 and 12

Page 5, line 17, after "*of*" insert "*section 3 of this act and*"

Page 5, lines 18 and 19, reinstate the stricken language

Page 5, line 24, after "*by*" insert "*section 3 of this act and*"

Page 5, line 31, strike "*333.02,*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon insert "*permitting and regulating conduct of business under assumed business name;*"

Page 1, line 3, after "*Sections*" insert "*301.09;*"

Page 1, line 6, strike "*333.02;*"

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

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

S. F. No. 612: A bill for an act relating to the trunk highway system; adding a new route in substitution of an existing route.

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

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

S. F. No. 785: A bill for an act relating to the counties of Hennepin and Scott; directing the counties to design and construct a temporary replacement of the Bloomington ferry bridge.

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

Strike everything after the enacting clause and insert:

"Section 1. [BLOOMINGTON FERRY BRIDGE; LEGISLATIVE FINDINGS.] The legislature finds that the reconstruction and replacement of the existing deficient superstructure of the Bloomington ferry bridge on Hennepin county state-aid highway No. 18 and Scott county state-aid highway No. 18 over the Minnesota river, to provide safe and convenient travel for citizens of the state who must cross the Minnesota river between Shakopee and interstate highway marked No. 35W, is of an emergency nature.

Sec. 2. [HENNEPIN AND SCOTT COUNTIES; DESIGN, RECONSTRUCTION AND REPLACEMENT OF BLOOMINGTON FERRY BRIDGE.] The legislature directs the counties of Hennepin and Scott to reconstruct and replace the deficient superstructure of the Bloomington ferry bridge to meet the minimum width requirements of Minnesota Statutes, Section 165.04, but such bridge shall not be required to conform to any minimum width requirements contained in any rules of the commissioner of transportation promulgated pursuant to Minnesota Statutes 1976, section 162.02.

Sec. 3. [BRIDGE LOADING.] Notwithstanding any minimum loading restrictions contained in any rules of the commissioner of transportation promulgated pursuant to Minnesota Statutes 1976, section 162.02, the bridge shall be designed to accommodate an H-15 loading, as defined in the American Association of State Highway and Transportation Officials' standard specifications for highway bridge design. The counties shall prohibit any vehicle or combination of vehicles exceeding this design loading from using the bridge.

Sec. 4. [STATE AGENCIES TO COOPERATE.] All state agencies shall fully cooperate with the counties in expediting the reconstruction and replacement of the bridge.

Sec. 5. [BRIDGE TO BE TEMPORARY.] It is the intent of the legislature that the bridge directed by this act to be reconstructed and replaced be of a temporary nature to be in service, except in the event of an emergency, for a period of from eight to ten years following its completion.

Sec. 6. [EFFECTIVE DATE.] This act is effective the day following its final enactment."

Further amend the title as follows:

Page 1, line 5, strike the comma and insert a period

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. 12: A bill for an act proposing an amendment repealing Article XIII, Section 5, of the Minnesota Constitution; permitting lotteries.

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

Strike everything after the enacting clause and insert:

"Section 1. An amendment to the Minnesota Constitution, is proposed to the people whereby Article XIII, Section 5, would be amended to read:

Sec. 5. The legislature shall not authorize any lottery or the sale of lottery tickets *except a state-operated lottery*.

Sec. 2. The amendment shall be submitted at the 1978 general election. The question proposed shall be:

"Shall the Minnesota Constitution be amended to permit state-operated lotteries?"

Yes

No " "

Amend the title as follows:

Page 1, line 2, strike "repealing" and insert "amending"

Page 1, line 4, after "permitting" insert "state-operated"

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

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

S. F. No. 158: A bill for an act relating to counties; payments in lieu of taxes on certain tax exempt land; appropriating funds.

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

Strike everything after the enacting clause and insert:

"Section 1. [PAYMENTS IN LIEU OF TAXES ON CERTAIN TAX EXEMPT LANDS.] Subdivision 1. As used in this section "tax exempt land" means land within the state which is:

(a) Tax forfeited land which is owned by the state and administered by the county in which located; or

(b) Lands within the following categories in which the state holds any possessory interest and which are administered by the commissioner of natural resources: any state-owned lands specified in sections 84A.01, 84A.20, and 84A.31; state parks specified in section 85.012; state trails specified in section 85.015; canoe and boating route campsites, rest areas, river accesses, and portages specified in section 85.32; state scientific and natural areas established pursuant to section 86A.05, subdivision 5; state wilderness

areas established pursuant to section 86A.05, subdivision 6; state wildlife management areas established by section 86A.05, subdivision 8; state water access sites established by section 86A.05, subdivision 9; state wild, scenic, recreational rivers established by section 86A.05, subdivision 10; state historic sites established by section 86A.05, subdivision 11; state rest areas established by section 86A.05, subdivision 12; state forests established by section 89.021; state public lands as defined in section 92.01; wildlife lands acquired pursuant to section 97.481; and conservation lands accepted pursuant to section 282.01, subdivision 2.

Subd. 2. There is appropriated from the general fund for payment to the several counties within the state annually an amount equal to 75 cents per acre multiplied by the number of acres of tax exempt land situated in each county as of July 1 of each year. Each county auditor shall certify to the department of finance during July of each year the number of acres of tax exempt land within his county. The department of finance may, in addition to the certification of acreage, require descriptive lists of land so certified.

Subd. 3. Payments to the counties shall be made from the general fund during the month of January of the year next following certification. There shall be deducted from amounts paid any amounts paid to a county or township during the preceding year under any other law, except section 93.283, subdivision 7, authorizing or directing payments in lieu of taxes.

Subd. 4. If the amount paid to any county exceeds \$5,000, 25 per cent of the total amount shall be apportioned among the townships within the county in proportion to the acreage of tax exempt land in each, provided that the amount apportioned to any unorganized township shall be paid to the county general fund; 50 percent shall be apportioned to a public land management fund of the county for use in forest management, game and fish habitat improvement, and recreational development and maintenance. The balance of funds received shall remain in the county general revenue fund to be used for authorized purposes.

Sec. 2. This act is effective July 1, 1977."

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

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

S. F. No. 207: A bill for an act relating to historic sites; providing for the administration and control of additional sites by the Minnesota historical society; appropriating money; amending Minnesota Statutes 1976, Section 138.025, by adding subdivisions; repealing Minnesota Statutes 1976, Section 138.025, Subdivision 9.

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

Page 1, line 14, after "section" insert "and as hereinafter provided"

Page 1, line 22, delete "county state-aid highway No. 12," and insert "the town road"

Page 2, line 1, delete "540" and insert "1,690"

Page 2, delete lines 2 to 7, and insert: "thence south 79 degrees 30 minutes east 500 feet; thence south 10 degrees 30 minutes 1,600 feet to the north bank of the south branch of the Root River; thence westerly (upstream) along the north bank 150 feet, more or less to the point of beginning; containing 18.9 acres more or less."

The commissioner of natural resources and the Minnesota historical society shall jointly prepare and enter into an agreement which delineates the responsibilities of each party in the management of the Forestville state historic site. The agreement shall be consistent with the management plan for Forestville state park prepared in compliance with the outdoor recreation act of 1975."

Page 2, line 12, delete "and control the historic"

Page 2, delete lines 13 to 22, and insert: "an interpretive program and develop an interpretive center relating to the discovery of the source of the Mississippi river, the Mississippi headwaters region and the establishment of Itasca State Park."

Page 2, delete lines 27 and 28.

Further amend the title as follows:

Line 6, delete "; repealing" and insert "."

Delete lines 7 and 8.

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

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

S. F. No. 681: A bill for an act relating to public lands; authorizing sale of certain state owned and tax forfeited lands for use in a taconite tailings disposal facility.

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

Page 1, line 8, strike "January" and insert "February"

Page 1, line 21, strike "January" and insert "February"

Page 2, line 15, strike "January" and insert "February"

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

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

S. F. No. 562: A bill for an act relating to the practice of chiropractic; prescribing academic requirements for licensure, grounds for disciplinary action, and penalties; amending Minnesota Statutes 1976, Sections 148.06, Subdivision 1; and 148.10, Subdivision 1, and by adding a subdivision.

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

Page 4, line 8, strike "ardent spirits," and insert "*alcohol or drugs*"

Page 4, line 9, strike "narcotics, or stimulants"

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

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

S. F. No. 144: A bill for an act relating to appropriations; establishing the Father Miller memorial chapel fund.

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

Page 1, line 7, strike "\$156,624.41" and insert "The sum of \$209,995.57"

Page 1, line 10, after "prison" insert "or at a new state maximum security prison if one is authorized by the 1977 legislature"

Page 1, line 10, strike "\$156,624.41" and insert "\$209,995.57"

Page 1, line 12, strike "April 4, 1972" and insert "January 1, 1977"

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. 682: A bill for an act relating to Anoka county; creating a housing and redevelopment authority; applying the provisions of the municipal housing and redevelopment act to Anoka county; providing for local approval of projects.

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

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

S. F. No. 684: A bill for an act relating to Anoka county; creating an accrual accounting system; providing for purchase and payments for goods and services.

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

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

S. F. No. 683: A bill for an act relating to the establishment of parks, playgrounds and scenic areas by the county of Anoka; amending Laws 1961, Chapter 209, Sections 1 and 2.

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

Page 1, line 16, after the period, insert "*For the purposes of this section "scenic areas" shall be defined as those areas the county board deems suitable for aesthetic, environmental, recreational or open space purposes.*"

Page 2, line 2, after the period, insert "*All condemnation proceedings shall be instituted in the name of the county and conducted in the manner provided by Minnesota Statutes, Chapter 117.*"

Page 2, line 4, strike "30" and insert "60"

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

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

S. F. No. 160: A bill for an act relating to the tax court; establishing the tax court as a full time court; creating a small claims division; providing penalties; appropriating money; amending Minnesota Statutes 1976, Sections 15A.083, Subdivision 4; 124.212, Subdivision 11; 271.01, Subdivisions 1 and 4a, and by adding a subdivision; 271.02; 271.04; 271.06, Subdivisions 1, 2, 3, 4, 6, and by adding a subdivision; 271.07; 271.08; 271.09, Subdivisions 1, 2, and 3; 271.10, Subdivisions 1 and 2; 271.12; 271.13; 271.15; 271.17; 271.18; 271.20; and 490.121, Subdivision 2; and Chapter 271, by adding sections; repealing Minnesota Statutes 1976, Sections 271.001; 271.01, Subdivisions 2, and 2a; 271.06, Subdivision 5; 271.11; 271.14; and 271.16.

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

Page 2, line 8, after "years" insert "*commencing at the expiration of the preceding term*"

Page 2, line 8, after the period insert "*Any vacancy shall be filled by the governor for the unexpired term, subject to confirmation by the senate. The terms of the judges shall end on the first Monday in January. The terms of the judges shall continue to be staggered. Judges may serve until their successors are appointed and qualify.*"

Page 2, line 11, strike "So far as practicable, they shall be non-partisan"

Page 2, strike lines 12 and 13

Page 2, line 14, strike "political party or organization."

Page 3, line 19, strike "*Subject to appeal to the Supreme court*" and insert "*Except for an appeal to the supreme court or any other appeal allowed under this subdivision*"

Page 3, line 22, after "state" insert ", as defined in this subdivision,"

Page 3, strike line 23

Page 3, line 24, strike "*rule, subject to approval by the supreme court*" and insert "*cases that have been appealed to the tax court and in any case that has been transferred by the district court to the tax court*"

Page 3, line 29, after "The" and before "tax" insert "*small claims division of the*"

Page 4, line 1, before the period insert ", except for those taxpayers whose original assessments are determined by the commissioner of revenue"

Page 4, line 9, after "laws" insert "*of this state*"

Page 4, line 10, after "This" insert "*subdivision*"

Page 5, line 16, strike "*chambers*" and insert "*courtrooms*"

Page 5, line 19, strike "*court chambers*" and insert "*courtrooms*"

Page 5, line 21, strike "*the taxpayer*" and insert "*a party to a case*"

Page 5, line 25, after "be" insert ", at the election of the taxpayer,"

Page 6, line 14, after the period insert "*Notwithstanding subdivision 2 of this section, when an appeal is taken to the tax court in any case dealing with property valuation, assessment, or taxation for property tax purposes, the provisions of section 274.19, subdivisions 4 and 5, section 277.011, and chapter 278 shall apply as if the appeal had been taken to the district court.*"

Page 6, line 21, strike "*or of the county board of equalization,*"

Page 9, line 7, strike "upon the issues made by"

Page 9, line 8, strike "the notice and the return"

Page 9, line 29, after "court" and before the period insert ", where practicable"

Page 9, line 29, after the period insert "*The rules of the tax court in effect on the effective date of this act shall govern until superseded.*"

Page 9, line 30, after "require" insert ", provided that before any additional rule is adopted, the tax court first holds a public hearing thereon, affording all affected interests an opportunity to participate, and gives notice of its intention to hold such a

hearing at least 30 days prior to the date set for the hearing by United States mail, to representatives of associations or other interested groups or persons who have registered their names with the secretary of state for that purpose and in the state register. The notice in the state register shall include the full text of the rule proposed for adoption. The tax court shall make available at least one free copy of the proposed rule to any person requesting it. At the public hearing the tax court shall make an affirmative presentation of facts establishing the need for and reasonableness of the rule proposed for adoption and fulfilling any relevant substantive or procedural requirements imposed on the tax court by law. After the hearing ends, 20 days shall be allowed for written material to be submitted and recorded in the hearing record. If the tax court approves the rule, the tax court shall promptly file it in the office of the secretary of state. A rule shall become effective 20 days after its publication in the state register unless a later date is specified in the rule. Any rule adopted after July 1, 1977, which is not published in the state register, shall be of no effect²⁵

Page 11, line 17, after "act" insert ", unless an appeal is taken to the district court"

Page 13, line 10, strike "complaint" and insert "taxpayer"

Page 13, line 10, after "becomes due" delete the comma

Page 13, line 11, strike old language and delete new language

Page 13, strike lines 12 to 16

Page 13, line 17, strike "therein;"

Page 13, line 21, strike the comma

Page 13, line 22 after the period insert "*The provisions of section 274.19, subdivision 5, section 277.011, subdivision 3, and section 278.03 shall govern the filing with the tax court of an appeal dealing with property valuation, assessment, or taxation for property tax purposes, as if the appeal had been taken to the district court.*"

Page 14, strike all of section 18

Page 14, lines 22 and 23, restore the stricken language

Page 14, line 22 strike the restored "20" and insert "60"

Page 14, line 24 restore the stricken "court of appeals," and after the restored comma insert "*or the making and filing of an order on a petition for rehearing,*"

Page 14, lines 26 to 32, restore the stricken language and delete the new language.

Page 15, lines 1 to 12, restore the stricken language

Page 15, lines 12 to 15, strike the new language

Page 20, line 10, after "valuation" insert ", assessment,"

Page 21, line 3, after "the" insert "small claims division of the"

Page 21, line 3, after "court" insert "*except for those taxpayers whose original assessments are determined by the commissioner of revenue*"

Page 22, line 7, after the period insert "*No judgment shall be rendered in a case dealing with property valuation or assessment for property tax purposes until after the state board of equalization has issued its order, if any, for that area or property.*"

Page 22, strike lines 10 to 13

Page 23, line 2, strike "members" and insert "judges"

Page 23, line 5, strike "members" and insert "judges"

Page 23, line 8, after "act" insert "*by the judges of the tax court who heard the case, and they shall be paid a per diem of \$175 per day for each day spent for the completion of his tax court work, unless they are appointed to the tax court created by this act*"

Page 24, line 1, after "except" insert "*that the sales ratio studies shall be admissible as a public record without the laying of a foundation in*"

Page 24, line 4, strike "*, as a public record without the laying of a*"

Page 24, line 5, strike "foundation"

Page 24, line 32, strike "271.06, Subdivision"

Page 25, line 1, strike "5;"

Renumber the sections in sequence

Amend the title as follows:

Line 11, strike "Subdivisions 1 and" and insert "Subdivision"

Line 16, strike "271.06, Subdivision 5;"

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

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

S. F. No. 652: A bill for an act relating to health care; establishing a program for the care and treatment of hemophiliacs; providing certain financial assistance to hemophiliacs; appropriating money; amending Minnesota Statutes 1976, Chapter 144, by adding a section.

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

Page 1, strike lines 17 to 23

Page 2, strike line 1

Renumber subsequent subdivisions in sequence

Page 2, line 2, strike "COUNCIL" and insert "TASK FORCE"

Page 2, line 3, strike "council" and insert "task force"

Page 2, line 4, after "program" insert "provided for in subdivision 3"

Page 2, line 5, strike "committee" and insert "task force"

Page 2, line 10, after "15.059" insert ", subdivision 6"

Page 2, line 10, strike "council" and insert "task force"

Page 2, line 12, strike "year" and insert "quarter"

Page 2, line 12, strike "The"

Page 2, strike lines 13 to 16

Page 2, line 30, after "hemophilia" insert "who are unable to pay for or obtain third party reimbursement from any private or public source, including chapters 62E and 256B, for the entire cost of care and treatment. The financial assistance may be used"

Page 3, line 4, strike "patient"

Page 3, line 6, after "assistance" insert "on the basis of financial need"

Page 3, line 13, after "rules" insert ", including emergency rules,"

Page 3, line 17, after "\$500,000" insert "for the biennium ending June 30, 1979"

Page 3, line 17, after the period insert, "No more than \$5,000 of the appropriation shall be used for administration and the expenses of the advisory task force."

Page 3, line 17, strike "Notwithstanding"

Page 3, strike lines 18 to 23

Further amend the title as follows:

Page 1, line 2, strike "a program" and insert "an advisory task force"

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

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

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

273.04; 273.05, Subdivisions 1 and 2; 273.06; 274.01, Subdivision 1; 274.13, Subdivision 1; 276.12; and 281.17; and Chapter 270, by adding a section.

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

Page 2, line 16, strike "*section*" and insert "*sections*"

Page 2, line 16, after "*270.493*" insert "*and 270.50*"

Page 2, line 19, strike "*counties enumerated in Minnesota Statutes*" and insert "*Ramsey county*"

Page 2, line 20, strike "*1971, Section 391.02*"

Page 3, line 20, strike "*townships*" and insert "*towns*"

Page 3, line 22, strike "*counties enumerated*" and insert "*Ramsey county*"

Page 3, line 23, strike "*in Minnesota Statutes 1971, Section 391.01*"

Page 3, line 26, after "*days*" insert "*from the latter of the effective date of this act or the date of incorporation or organization*"

Page 4, line 11, after "*homesteaded,*" insert "*and in the case of a newly constructed residence as if the construction were completed,*"

Page 4, line 11, strike "*, with respect to the*"

Page 4, line 12, strike "*purchased property*"

Page 4, line 13, strike "*, and in the case of property*"

Page 4, strike lines 14 and 15

Page 4, line 16, strike "*homesteaded*"

Page 6, lines 17, 18, and 19, strike the new language

Page 7, after line 26, insert:

"Sec. 10. Minnesota Statutes 1976, Section 273.061, Subdivision 3, is amended to read:

Subd. 3. [OATH.] Every county assessor, before entering upon his duties, shall take and subscribe the oath required of public officials ; and shall give bond to the state in the form required by statute, in such sum as the board of county commissioners may determine."

Renumber the sections accordingly

Further amend the title as follows:

Page 1, line 7, strike "*and auditors*"

Page 1, line 7, after "*bonds,*" insert "*eliminating certification of local treasurers' bonds,*"

Page 1, line 14, after "*273.06,*" insert "*273.061, Subdivision 3,*"

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. 116: A bill for an act relating to trade regulations; providing for unit pricing of certain packaged commodities; providing for exemptions; providing for penalties.

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

Page 7, after line 2, insert:

"Sec. 6. [APPROPRIATION.] The sum of \$5,000 is appropriated from the general fund to the director of consumer services for the promulgation of regulations pursuant to section 4 of this act, to be available until June 30, 1978."

Page 7, strike lines 3 to 8 and insert:

"Sec. 7. [EFFECTIVE DATE.] This act is effective July 1, 1977, except that commodities required to be unit priced pursuant to section 1 need not be unit priced until January 1, 1978."

Amend the title as follows:

Page 1, line 4, after "penalties" insert "; appropriating money"

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

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

S. F. Nos. 32, 105, 13, 345, 265, 651, 376, 757, and H. F. No. 283, makes the following report:

That S. F. Nos. 32, 105, 13, 345, 265, 651, 376, 757, and H. F. No. 283 be placed on the General Orders Calendar in the order indicated.

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

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

H. F. Nos. 57, 262, 301 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
57	146				
262	383				
301	219				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 57 be amended as follows:

Page 2, line 29, delete "*while*" and insert "*which is*"

Page 7, line 7, delete "*as*"

And when so amended, H. F. No. 57 will be identical to S. F. No. 146 and further recommends that H. F. No. 57 be given its second reading and substituted for S. F. No. 146 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 262 be amended as follows:

Page 2, lines 10 and 11, reinstate the stricken language

Further amend the title in line 4 after "commissioner" by inserting a comma and deleting the first "and"

Line 5, after "affairs" insert ", and veterans service officers"

And when so amended, H. F. No. 262 will be identical to S. F. No. 383 and further recommends that H. F. No. 262 be given its second reading and substituted for S. F. No. 383 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 301 be amended as follows:

Page 1, delete lines 10 to 23

Delete page 2

Delete page 3

Page 4, delete lines 1 to 18

Renumber the remaining section

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

"A bill for an act relating to veterans; redefining the word "veteran" for certain purposes; amending Minnesota Statutes 1976, Section 197.447."

And when so amended, H. F. No. 301 be identical to S. F. No. 219 and further recommends that H. F. No. 301 be given its second reading and substituted for S. F. No. 219 and that the Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 813, 812 and 684 were read the second time.

S. F. Nos. 695, 388, 348, 395, 450, 774, 368, 208, 241, 845, 737, 612, 785, 681, 562, 649 and 116 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. Nos. 301, 262 and 57 were read the second time.

H. F. No. 114 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Chmielewski moved that the names of Messrs. Peterson, Schmitz and Penny be added as co-authors to S. F. No. 44. The motion prevailed.

Mr. Renneke moved that his name be stricken as co-author to S. F. No. 176. The motion prevailed.

Mr. Ulland, J. moved that the name of Mr. Sieloff be added as co-author to S. F. No. 477. The motion prevailed.

Mr. Willet moved that the name of Mr. Ashbach be added as co-author to S. F. No. 534. The motion prevailed.

Mr. Nelson moved that the name of Mr. Merriam be added as co-author to S. F. No. 645. The motion prevailed.

Mr. Penny moved that his name be stricken as co-author to S. F. No. 795. The motion prevailed.

Mr. Merriam moved that the name of Mr. Luther be added as co-author to S. F. No. 896. The motion prevailed.

Mr. Ulland, J. moved that his name be stricken as co-author to S. F. No. 939. The motion prevailed.

Mr. Humphrey moved that the name of Mr. Nelson be added as co-author to S. F. No. 966. The motion prevailed.

Mr. Menning moved that the name of Mr. Kleinbaum be added as co-author to S. F. No. 990. The motion prevailed.

Mr. Menning moved that the name of Mr. Solon be added as co-author to S. F. No. 1008. The motion prevailed.

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

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

Rev. Roy M. Lindquist, Chaplain, effective April 4, 1977

Rev. David Rebeck, Chaplain, effective April 18, 1977

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

Mr. Coleman moved that Senate Concurrent Resolution No. 7, pertaining to Joint Rules be taken from the table. The motion prevailed.

Mr. Coleman moved that the Senate concur in the amendments

by the House to Senate Concurrent Resolution No. 7. The motion prevailed.

Mr. Coleman moved that Senate Concurrent Resolution No. 7 be now adopted, as amended.

The question was taken on the adoption of the resolution, as amended.

The roll was called, and there were yeas 46 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Luther	Penny	Staples
Benedict	Hughes	McCutcheon	Perpich	Stokowski
Borden	Humphrey	Menning	Purfeerst	Strand
Chenoweth	Johnson	Merriam	Schaaf	Vega
Chmielewski	Keefe, S.	Milton	Schmitz	Wegener
Coleman	Kleinbaum	Moe	Schrom	Willet
Davies	Knoll	Nelson	Setzepfandt	
Dieterich	Laufenburger	Nichols	Sikorski	
Gearty	Lessard	Olhoft	Solon	
Gunderson	Lewis	Olson	Spear	

Those who voted in the negative were:

Ashbach	Dunn	Kirchner	Pillsbury	Sillers
Bernhagen	Frederick	Knutson	Renneke	Ueland, A.
Brataas	Jensen	Ogdahl	Sieloff	Ulland, J.

The motion prevailed. So the resolution pertaining to Joint Rules, as amended, was adopted.

Mr. Johnson moved that his name be stricken as chief author, added as co-author and the name of Mr. Perpich be added as chief author to S. F. No. 459. The motion prevailed.

Mr. Ashbach moved that the name of Mr. Jensen be added as co-author to S. F. No. 401. The motion prevailed.

Mr. Chenoweth moved that S. F. No. 1078 be withdrawn from the Committee on Rules and Administration and re-referred to the Committee on Transportation. The motion prevailed.

Mr. Ulland, J. moved that the name of Mr. Sieloff be stricken and the name of Mr. Chmielewski be added as co-author to S. F. No. 477.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the Senate Calendar. The motion prevailed.

THIRD READING OF SENATE BILLS

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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 34 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Dieterich	Kleinbaum	Milton	Sikorski
Benedict	Gearty	Knoll	Moe	Spear
Borden	Hanson	Lewis	Nelson	Staples
Chenoweth	Hughes	Luther	Penny	Stokowski
Chmielewski	Humphrey	McCutcheon	Perpich	Strand
Coleman	Johnson	Menning	Peterson	Stumpf
Davies	Keefe, S.	Merriam	Schaaf	

Those who voted in the negative were:

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

So the bill passed and its title was agreed to.

S. F. No. 226: A bill for an act relating to minimum wage; providing a higher minimum wage; amending Minnesota Statutes 1976, Section 177.24.

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 57 and nays 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Bernhagen, Pillsbury, Renneke and Schrom voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 319: A bill for an act relating to crimes; regulating public dances; amending Minnesota Statutes 1976, Sections 624.42, and 624.46.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 194: A bill for an act relating to cemeteries; prohibiting trespassing on public or private cemeteries; providing penalties; amending Minnesota Statutes 1976, Section 609.605.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Davies and Knoll voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 401: A bill for an act relating to motor vehicles, modifying certain motor vehicle dealer licensing requirements, amending Minnesota Statutes 1976, Section 168.27, Subdivisions 2 and 10.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Chenoweth	Davies	Frederick
Ashbach	Borden	Chmielewski	Dieterich	Gearty
Benedict	Brataas	Coleman	Dunn	Hanson

Hughes	Lessard	Ogdahl	Schrom	Stumpf
Humphrey	Lewis	Olhoft	Setzepfandt	Ueland, A.
Jensen	Luther	Olson	Sieloff	Ulland, J.
Johnson	McCutcheon	Penny	Sikorski	Vega
Keefe, S.	Menning	Perpich	Sillers	Wegener
Kirchner	Merriam	Peterson	Solon	Willet
Kleinbaum	Milton	Pillsbury	Spear	
Knoll	Moe	Purfeerst	Staples	
Knutson	Nelson	Renneke	Stokowski	
Laufenburger	Nichols	Schmitz	Strand	

Mr. Gunderson voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 193: A bill for an act relating to courts; providing terms for district judges designated as juvenile judges in Hennepin and Ramsey counties; providing terms for district judges designated as family court judges in Hennepin county; amending Minnesota Statutes 1976, Sections 260.021, Subdivisions 2 and 3; and 484.65, Subdivisions 1 and 6.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 39 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Lewis	Perpich	Spear
Benedict	Hanson	Luther	Peterson	Staples
Borden	Humphrey	McCutcheon	Purfeerst	Stokowski
Chenoweth	Jensen	Menning	Schmitz	Stumpf
Chmielewski	Johnson	Merriam	Schrom	Vega
Coleman	Keefe, S.	Moe	Setzepfandt	Wegener
Davies	Kleinbaum	Nelson	Sikorski	Willet
Dieterich	Laufenburger	Olhoft	Solon	

Those who voted in the negative were:

Ashbach	Kirchner	Nichols	Renneke	Ulland, J.
Bernhagen	Knoll	Ogdahl	Sieloff	
Brataas	Knutson	Olson	Sillers	
Dunn	Lessard	Penny	Strand	
Gearty	Milton	Pillsbury	Ueland, A.	

So the bill passed and its title was agreed to.

S. F. No. 49: A bill for an act relating to business or agricultural loans; rate of interest therein; amending Minnesota Statutes 1976, Section 334.011, Subdivisions 1 and 4.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Coleman	Gearty	Humphrey
Ashbach	Brataas	Davies	Gunderson	Jensen
Benedict	Chenoweth	Dunn	Hanson	Keefe, S.
Bernhagen	Chmielewski	Frederick	Hughes	Kirchner

Kleinbaum	Menning	Olson	Setzepfandt	Stumpf
Knoll	Merriam	Penny	Sieloff	Ueland, A.
Knutson	Milton	Perpich	Sikorski	Ulland, J.
Laufenburger	Moe	Peterson	Sillers	Vega
Lessard	Nelson	Purfeerst	Solon	Wegener
Lewis	Nichols	Renneke	Staples	Willet
Luther	Ogdahl	Schmitz	Stokowski	
McCutcheon	Olhoft	Schrom	Strand	

Messrs. Dieterich, Johnson and Pillsbury voted in the negative.

So the bill passed and its title was agreed to.

THIRD READING OF HOUSE BILLS

H. F. No. 464: A bill for an act relating to licensed occupations; providing for reciprocity in licensing for plumbers licensed in other states; amending Minnesota Statutes 1976, Chapter 326, 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 382: A bill for an act relating to highway traffic regulations; motorcycle equipment for operators and passengers; noise regulations; amending Minnesota Statutes 1976, Section 169.974, Subdivisions 2 and 4 and by adding a subdivision; and Chapter 169, by adding a section.

Mr. Chenoweth moved that H. F. No. 382, No. 10 on the Calendar, be stricken and re-referred to the Committee on Health, Welfare and Corrections. The motion did not prevail.

H. F. No. 382 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 39 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Luther	Purfeerst	Solon
Ashbach	Humphrey	Milton	Renneke	Spear
Benedict	Jensen	Moe	Schaaf	Staples
Bernhagen	Keefe, S.	Nelson	Schmitz	Stokowski
Borden	Kirchner	Olhoff	Setzepfandt	Stumpf
Dieterich	Kleinbaum	Olson	Sieloff	Ueland, A.
Dunn	Knoll	Peterson	Sikorski	Vega
Frederick	Lewis	Pillsbury	Sillers	

Those who voted in the negative were:

Brataas	Hanson	Laufenburger	Nichols	Strand
Chmielewski	Hughes	Lessard	Penny	Ulland, J.
Davies	Johnson	Menning	Perpich	Wegener
Gunderson	Knutson	Merriam	Schrom	Willet

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Keefe, S. moved that S. F. No. 76 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

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.

Mr. Keefe, S. moved that the Senate concur in the amendments by the House to S. F. No. 76 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 76 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 60 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Johnson and Sikorski voted in the negative.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:30 o'clock a.m., Monday, April 4, 1977. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate