

# FORTIETH DAY

St. Paul, Minnesota, Monday, April 25, 1977

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

## CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Frederick	Lewis	Perpich	Stokowski
Ashbach	Gearty	Luther	Peterson	Stumpf
Bang	Gunderson	Milton	Pillsbury	Ueland, A.
Brataas	Humphrey	Moe	Purfeerst	Ulland, J.
Chmielewski	Jensen	Ogdahl	Schmitz	Vega
Coleman	Johnson	Olhoft	Schrom	Wegener
Dunn	Keefe, S.	Olson	Setzepfandt	Willet
Engler	Laufenburger	Penny	Staples	

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

Prayer was offered by the Chaplain, Rev. David P. Rebeck.

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

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

The President declared a quorum present.

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

## MEMBERS EXCUSED

Messrs. Benedict, Borden, Menning, and Nichols were excused

from the Session of today. Messrs. Kleinbaum and Knoll were excused from the early part of today's Session.

### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Mr. Laufenburger introduced—

S. F. No. 1458: A bill for an act relating to highway traffic regulations; providing a penalty for inattentive operation of a motor vehicle; amending Minnesota Statutes 1976, Section 169.13, by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Keefe, S. introduced—

S. F. No. 1459: A bill for an act relating to taxation; sales tax; simplifying returns for certain taxpayers; amending Minnesota Statutes 1976, Section 297A.27, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Keefe, S. introduced—

S. F. No. 1460: A bill for an act relating to employment services; authorizing the release of information to certain state agencies; amending Minnesota Statutes 1976, Section 268.12, Subdivision 12.

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

Messrs. Milton, Hughes and Vega introduced—

S. F. No. 1461: A bill for an act relating to health care; requiring certain insurance policies, health care plans and group subscriber contracts to provide certain benefits for residential non-hospital treatment of adults with mental illness problems; amending Minnesota Statutes 1976, Section 62A.149.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Chmielewski introduced—

S. F. No. 1462: A bill for an act relating to education; Indian scholarships; directing the higher education coordinating board to

establish the Minnesota Indian scholarship council; appropriating money.

Referred to the Committee on Education.

Messrs. Benedict, Schaaf and Luther introduced—

S. F. No. 1463: A bill for an act relating to pollution control; authorizing the pollution control agency to provide emergency removal of certain pollutant discharges; allowing recovery of costs; establishing an emergency clean-up account in the general fund; appropriating money; amending Minnesota Statutes 1976, Section 116.11.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Vega, Solon, Chenoweth and Dieterich introduced—

S. F. No. 1464: A bill for an act relating to charitable trusts; regulating the solicitation of charitable funds; clarifying and revising registration, filing and reporting requirements; coordinating charitable solicitations with general trust provisions; defining terms; amending Minnesota Statutes 1976, Sections 309.50, Subdivisions 3, 4 and 10; 309.515, Subdivision 1; 309.52, Subdivision 4; 309.53, Subdivisions 1a, 3 and 4; 309.532, Subdivisions 1 and 2; 309.555, Subdivisions 1, 2 and 3, and by adding a subdivision; 501.72; 501.74; 501.75; 501.76; 501.77; 501.78, Subdivisions 1, 2 and 4; 501.79, Subdivision 5; 501.81; and Chapter 525, by adding a section; repealing Minnesota Statutes 1976, Section 501.79, Subdivision 3.

Referred to the Committee on Judiciary.

Messrs. Vega, Nelson, Chmielewski, Milton and Perpich introduced—

S. F. No. 1465: A bill for an act relating to public welfare; mandating the working of certain general assistance recipients; allowing the use of general assistance funds for the work equity program; empowering the commissioner of public welfare to contract for recipient services and grant distribution; amending Minnesota Statutes 1976, Sections 256D.02, by adding subdivisions; 256D.04; 256D.06, by adding a subdivision; and 256D.11, Subdivisions 1 and 4, and by adding subdivisions.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Menning, Gearty, Kleinbaum, Sieloff and Keefe, J. introduced—

S. F. No. 1466: A bill for an act relating to education; permitting

six school districts to implement and experiment with an educational grant system; permitting both public and nonpublic schools to participate; permitting participating school districts to contract for other funds; establishing guidelines for school participation; providing demonstration boards to administer, regulate, test and report the operation of the program; appropriating money.

Referred to the Committee on Education.

#### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk with the exception of the reports on S. F. Nos. 1174, 1037, 677, 1085 and 1418 be now adopted. The motion prevailed.

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

S. F. No. 1165: A bill for an act relating to natural resources; state parks; requiring compatible uses of private lands within state parks; providing the commissioner of natural resources with authority to enforce compatible use standards; providing for the acquisition of private land within parks; amending Minnesota Statutes 1976, Chapter 85, by adding a section.

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

Page 1, line 13, before "LANDS" insert "COMPATIBLE USES OF"

Page 1, strike lines 14 to 21

Page 1, line 22, strike "Subd. 2. [COMPATIBLE USES.]"

Renumber the remaining subdivisions.

Page 2, line 7, strike everything after "land" and insert "; provided that construction, repair or replacement of"

Page 2, line 9, after "or" insert "a"

Page 2, line 9, strike "homes, constituting an existing compatible" and insert "house or appurtenant structures"

Page 2, line 10, strike "use, their repair or replacement"

Page 2, line 13, strike "or" and after "condition" insert ", or pursuant to a logging plan approved by the commissioner"

Page 3, line 19, after the period insert "Upon notification by any landowner or landowner's estate that a parcel of land within a state park boundary is subject to acquisition by the commissioner under this section, the commissioner shall notify the owner or estate within 60 days in writing of the intention to acquire the parcel, or this subdivision shall not apply to the sale or other transfer of that parcel."

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

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

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

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

Page 1, line 9, strike "In the process of acquiring real property for the"

Page 1, strike lines 10 to 15

Page 1, line 16, strike "for. In order to correct this error,"

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. 1137: A bill for an act relating to chiropractic; further defining the practice of chiropractic; amending Minnesota Statutes 1976, Sections 148.01, Subdivision 3; and 148.08, Subdivision 2.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 148.01, Subdivision 3, is amended to read:

Subd. 3. Chiropractic practice includes *blood withdrawal and analysis, physical examination as it relates to chiropractic conditions, and those non-invasive means of clinical, physical, and laboratory measures and analytical x-ray of the bones of the skeleton which are necessary to make a determination of the presence or absence of a chiropractic condition.* The practice of chiropractic may include procedures which are used to prepare the patient for chiropractic adjustment or to complement the chiropractic adjustment. The procedures may not be used as independent therapies or separately from chiropractic adjustment. No device which utilizes heat or sound shall be used in the treatment of a chiropractic condition unless it has been approved by the Federal Communications Commission.

No device shall be used above the neck of the patient. Any chiropractor who utilizes procedures in violation of this subdivision shall be guilty of professional misconduct and subject to disciplinary procedures pursuant to section 148.10."

Amend the title as follows:

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

Page 1, line 4, strike "; and " and insert a period

Page 1, strike line 5

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

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

S. F. No. 1334: A bill for an act relating to public welfare; providing for payment of the costs of certain care and treatment for mentally retarded, epileptic and emotionally handicapped children; requiring the parents and child to provide reimbursement for certain care and treatment; amending Minnesota Statutes 1976, Section 252.27, Subdivisions 1 and 2.

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

Page 1, after line 10 insert:

"Section 1. Minnesota Statutes 1976, Section 246.51, is amended to read:

246.51 [PAYMENT FOR CARE AND TREATMENT; DETERMINATION.] The commissioner shall make such investigation as he deems necessary and determine, and as circumstances require redetermine, what part of the cost of care, if any, the patient is able to pay. If the commissioner finds that the patient is unable to pay the full cost of care he shall make a determination as to the ability of the relatives to pay provided, however, that in no case shall the relatives, unless they reside outside the state, be ordered to pay more for each patient than ten percent of the cost of care but not to exceed ~~50~~ \$125 per month but voluntary payments in excess thereof may be accepted by the commissioner. In the case of nonresident parents of children receiving care in state hospitals in Minnesota, the commissioner may require payment of the full per capita cost of caring for such patients. No parent shall be liable for the cost of care given a patient at a state hospital after such patient has reached the age of 18 years. Such determination shall be conclusive in any action to enforce payment of the cost of care unless appealed from as hereinafter provided. All money received shall be paid to the state treasurer and placed in the general fund and a separate account kept thereof. Responsibility under this section shall not apply to those relatives *earning having gross earnings of less than \$4,000 \$11,000 per year.*"

Page 1, line 15, after "handicapped" insert "*or who has cerebral palsy*"

Page 2, line 10, strike "or other"

Page 2, line 12, strike "or" and insert "*and*"

Page 2, line 18, after the period insert: "*Responsibility of the parents and the child for the cost of care shall be ten percent of the cost of care up to a maximum of \$125 per month.*"

Page 2, line 26, after the period insert: "*In the case of nonresident parents of children receiving care under the provisions of this section, the commissioner may require payment of the full cost*

*of caring for such children. Such determination shall be conclusive in any action to enforce payment of the cost of care. Appeal from the commissioner's determination shall be made pursuant to section 246.55."*

Page 2, after line 26, insert:

*"Sec. 4. The commissioner is authorized to promulgate an emergency rule to implement sections 1 to 3."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, strike "Section" and insert "Sections 246.51; and"

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. 1350: A bill for an act relating to nursing assistant training; providing for a report to the legislature by the state board of health; delaying implementation of certain training requirements; amending Minnesota Statutes 1976, Section 144A.61, Subdivision 6.

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

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

S. F. No. 1390: A bill for an act relating to public welfare; local mental health programs; authorizing counties bordering on economic development regions to obtain mental health services from adjacent regions; amending Minnesota Statutes 1976, Chapter 245, by adding a section.

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

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

S. F. No. 959: A bill for an act relating to health care plans; requiring minimum anticipated loss ratios for certain insurance plans; eliminating certain open enrollment requirements for non-profit health service plans; revising the Minnesota comprehensive health insurance act of 1976; making necessary improvements and corrections; further prescribing the powers and duties of the commissioner of insurance; amending Minnesota Statutes 1976, Sections 62A.02, Subdivision 3; 62D.10, Subdivision 1; 62E.02, Subdivisions 2, 8, 11 and 21; 62E.03, Subdivision 2; 62E.04, Subdivision 4; 62E.06; 62E.09; 62E.10, Subdivisions 1 and 3; 62E.11, Subdivision 5; 62E.13, Subdivisions 2 and 4; and 62E.14, Subdivision 1.

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

Page 2, strike line 11 and insert "*applicants for a policy shall be informed in writing at the time of application of the anticipated loss ratio*"

Page 3, after line 7, insert:

"Sec. 2. Minnesota Statutes 1976, Section 62A.17, Subdivision 6, is amended to read:

Subd. 6. [CONVERSION TO INDIVIDUAL POLICY.] A group insurance policy that provides post termination coverage as required by this section shall also include a provision allowing a covered employee or surviving spouse or dependent at the expiration of the post termination coverage provided by subdivision 2 to obtain from the insurer offering the group policy or group subscriber contract, at the employee's, spouse's or dependent's option and expense, without further evidence of insurability and without interruption of coverage, an individual policy of insurance or an individual subscriber contract providing coverage which is similar to or greater than the hospital or medical expense protection afforded to the employee, the spouse and his dependents by the group policy or contract at least the minimum benefits of a qualified plan as prescribed by section 62E.06 and the option of a number three qualified plan, a number two qualified plan, and a number one qualified plan as provided by section 62E.06, subdivisions 1 to 3. A policy providing reduced benefits at a reduced premium rate may be accepted by the employee, the spouse or a dependent in lieu of the optional coverage otherwise required by this subdivision.

The individual policy shall be guaranteed renewable at the option of the individual as long as the individual is not covered under another qualified plan as defined in section 62E.02, subdivision 4, up to age 65 or to the day before the date of eligibility for coverage under Title XVIII of the Social Security Act, as amended. Any revisions in the table of rate for the individual policy shall apply to the covered person's original age at entry, and shall apply equally to all similar policies issued by the insurer."

Page 4, line 10, after "(4)" strike "sold by fraternal and provides" and insert "*designed solely to provide*"

Page 4, line 14, strike "or"

Page 4, line 15, after "62A.11" insert " , or (8) *accident only coverage issued by licensed and tested insurance agents or solicitors which provides reasonable benefits in relation to the cost of covered services*"

Page 4, line 16, strike everything except the period and insert "*provisions of clause (4) shall not apply to hospital indemnity coverage which is sold by an insurer to an applicant who is not then currently covered by a qualified plan*"



Page 5, line 16, after the stricken "include" insert "affirmatively"

Page 5, line 17, strike "or renewal" and insert "unqualified policy at the time of application and annually to every holder of an"

Page 5, after line 25, insert:

"Sec. 10. Minnesota Statutes 1976, Section 62E.04, is amended by adding a subdivision to read:

*Subd. 8. No policy of accident and health insurance issued or renewed after August 1, 1977, shall contain any provision denying or reducing benefits because services are rendered to an insured or dependent who is eligible for or receiving benefits pursuant to chapter 256B, chapter 256D, or sections 63E.51 to 62E.55."*

Page 6, after line 11, insert "*The \$3,000 limitation on total annual out-of-pocket expenses and the \$250,000 maximum lifetime benefit shall not be subject to change or substitution by use of an actuarially equivalent benefit.*"

Page 10, line 21, strike "exercise emergency" and insert "adopt emergency rules"

Page 10, strike the new language on lines 22 to 28

Page 10, line 32, strike "PROPERTY"

Page 11, line 13, after "insurance" insert ", self-insurance, or health maintenance organization"

Page 11, after line 15, insert:

"Sec. 15. Minnesota Statutes 1976, Section 62E.10, Subdivision 7, is amended to read:

Subd. 7. [GENERAL POWERS.] The association may:

(a) Exercise the powers granted to insurers under the laws of this state;

(b) Sue or be sued;

(c) Enter into contracts with insurers, similar associations in other states or with other persons for the performance of administrative functions including the functions provided for in clauses (e) and (f);

(d) Establish administrative and accounting procedures for the operation of the association;

(e) Provide for the reinsuring of risks incurred as a result of issuing the coverages required by sections 62E.04 and 62E.16 by members of the association. Each member which elects to reinsure its required risks shall determine the categories of coverage it elects to reinsure in the association. The categories of coverage are:

(1) Individual qualified plans, excluding group conversions;

(2) Group conversions;

(3) Group qualified plans with fewer than 50 employees or members; and

(4) Major medical coverage.

A separate election may be made for each category of coverage. If a member elects to reinsure the risks of a category of coverage, it must reinsure the risk of the coverage of every life covered under every policy issued in that category. *A member electing to reinsure risks of a category of coverage shall enter into a contract with the association establishing a reinsurance plan for the risks. This contract may include provision for the pooling of members' risks reinsured through the association and it may provide for assessment of each member reinsuring risks for losses and operating and administrative expenses incurred, or estimated to be incurred in the operation of the reinsurance plan. This reinsurance plan shall be approved by the commissioner before it is effective.* Members electing to administer the risks which are reinsured in the association shall comply with the benefit determination guidelines and accounting procedures established by the association. The fee charged by the association for the reinsurance of risks shall not be less than 110 percent of the total anticipated expenses incurred by the association for the reinsurance; and

(f) Provide for the administration by the association of policies which are reinsured pursuant to clause (e). Each member electing to reinsure one or more categories of coverage in the association may elect to have the association administer the categories of coverage on the member's behalf. If a member elects to have the association administer the categories of coverage, it must do so for every life covered under every policy issued in that category. The fee for the administration shall not be less than 110 percent of the total anticipated expenses incurred by the association for the administration."

Page 13, line 1, strike "shall" and insert "may"

Page 14, after line 9, insert:

"Sec. 20. Minnesota Statutes 1976, Section 62E.52, Subdivision 3, is amended to read:

Subd. 3. "Qualified expense" means any charge incurred subsequent to July 1, 1977 for a health service which is (1) included in the list of covered services described in section 62E.06, subdivision 1, or (2) for the treatment of hemophilia, including blood and blood derivatives, and for which no third party is liable.

Sec. 21. Minnesota Statutes 1976, Section 62E.53, is amended to read:

62E.53 [APPLICATION FOR ASSISTANCE.] Subdivision 1. Any person who believes that ~~they are~~ *he is* or will become an eligible person may submit an application for state assistance to the commissioner. The application shall include a listing of expenses incurred prior to the date of the application and shall designate the date on which the 12 month period for computing expenses began.

Subd. 2. If the commissioner determines that an applicant is an eligible person, he shall pay 90 percent of all qualified expenses of the eligible person and his dependents in excess of:

(a) 40 percent of his household income under \$15,000, plus 50 percent of his household income between \$15,000 and \$25,000, plus 60 percent of his household income in excess of \$25,000; or

(b) \$2,500;

whichever is greater for the 12 month period in which the applicant becomes an eligible person.

*Subd. 3. The commissioner shall by rule establish procedures for determining whether and to what extent qualified expenses are reasonable charges. Unless otherwise provided for by rule charges shall be reviewed for reasonableness by the same procedures used to review and limit reimbursement under the provisions of chapter 256B. If the commissioner determines that the charge for a health service is excessive, he may limit his payment to the usual and customary reasonable charge for that service. If the commissioner determines that a health service provided to an eligible person was not medically necessary, he may refuse to pay for the service. To the extent feasible, The commissioner shall may contract with a review organization as defined in section 145.61, in making any determinations as to whether or not a charge is excessive. To the extent feasible, the commissioner shall contract with a review organization as defined in section 145.61, and in making any determination as to whether or not a service was medically necessary. If the commissioner in accordance with this section refuses to pay all or a part of the charge for a health service, the unpaid portion of the charge shall be deemed to be an unconscionable fee, against the public policy of this state, and unenforceable in any action brought for the recovery of moneys owed.*

Sec. 22. Minnesota Statutes 1976, Chapter 62E, is amended by adding a section to read:

[62E.531] [THIRD PARTY LIABILITY.] *Subdivision 1. When the commissioner pays for or becomes liable for payments for health services under the provisions of sections 62E.51 to 62E.55, the department of public welfare shall have a lien for payments and liabilities for the services upon any and all causes of action which accrue to the person to whom the services were furnished, or to his legal representatives, as a result of injuries which directly or indirectly led to the incurring of qualified expenses.*

*The department may perfect and enforce its lien by following the procedures set forth in sections 514.69, 514.70, and 514.71, except that it shall have one year from the date when the last item of health service was furnished in which to file its verified lien statement. The statement shall be filed with the appropriate clerk of court in the county in which the recipient of the services resides or in the county in which the action was filed.*

*Subd. 2. Where a third party may be liable in whole or in part for payment for health services, the commissioner may consider the charges for the health services to be qualified expenses if the eligible person assigns any rights accruing by virtue*

*of any third party liability to the commissioner to the extent necessary to reimburse the state for any payments made under the provisions of this section.*

*Subd. 3. Upon furnishing assistance under the provisions of sections 62E.51 to 62E.55, the department of public welfare shall be subrogated, to the extent of its payments for health services, to any rights the eligible person or his dependent may have under the terms of any plan of health coverage as defined in section 62E.02, subdivision 9. The right of subrogation shall not attach prior to written notice of the exercise of subrogation rights to the issuer of the plan of health coverage.*

*The attorney general, or the appropriate county attorney, acting upon direction from the attorney general, may institute or join a civil action against the issuer of the plan of health coverage to recover under this subdivision.*

Sec. 23. Minnesota Statutes 1976, Section 62E.54, Subdivision 1, is amended to read:

62E.54 [DUTIES OF COMMISSIONER.] Subdivision 1. The commissioner shall:

(a) Promulgate reasonable rules, including emergency rules, to implement sections 62E.51 to 62E.55.

(b) Establish application forms and procedures for the use of persons seeking to be declared an eligible person; and

(c) Investigate applications to determine whether or not the applicant is a qualified person and investigate claims from providers of health services to determine whether or not to pay them.

Sec. 24. Minnesota Statutes 1976, Section 256B.02, Subdivision 8, is amended to read:

Subd. 8. "Medical assistance" or "medical care" means payment of part or all of the cost of the following care and services for eligible individuals whose income and resources are insufficient to meet all of such cost:

- (1) Inpatient hospital services.
- (2) Skilled nursing home services.
- (3) Physicians' services.
- (4) Outpatient hospital or clinic services.
- (5) Home health care services.
- (6) Private duty nursing services.
- (7) Physical therapy and related services.
- (8) Dental services.
- (9) Laboratory and x-ray services.

(10) The following if prescribed by a licensed practitioner: drugs, eyeglasses, dentures, and prosthetic devices.

(11) Diagnostic, screening, and preventive services.

(12) Health care pre-payment plan premiums and insurance premiums if paid directly to a vendor and supplementary medical insurance benefits under Title XVIII of the Social Security Act.

(13) Transportation costs incurred solely for obtaining medical care when paid directly to an ambulance company, common carrier, or other recognized providers of transportation services.

(14) Any other medical or remedial care licensed and recognized under state law.

*Provided, however, that "medical assistance" or "medical care" excludes costs which are incurred in obtaining and providing experimental surgery and elective or cosmetic surgery which is primarily intended to correct a psychological condition."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after "1976;" insert "revising the Minnesota catastrophic health expense protection act of 1976;"

Page 1, line 10, after "insurance;" insert "further prescribing the powers and duties of the commissioner of public welfare; providing a limitation on medical assistance;"

Page 1, line 11, after "3;" insert "62A.17, Subdivision 6;"

Page 1, line 13, after "Subdivision 4" insert ", and by adding a subdivision"

Page 1, line 14, strike "and 3" and insert "3, and 7"

Page 1, line 16, strike "and"

Page 1, line 16, before the period, insert "; 62E.52, Subdivision 3; 62E.53; 62E.54, Subdivision 1; 256B.02, Subdivision 8; and Chapter 62E, by adding a section"

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. 1120: A bill for an act relating to public waters; their classification and drainage; providing for venue of certain actions involving the commissioner of natural resources; amending Minnesota Statutes 1976, Chapter 105, by adding a section.

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

Page 1, line 18, strike "water basins" and insert "waterbasins"

Page 1, line 20, strike "water basin" and insert "waterbasin"

Page 1, line 21, strike "water basin" and insert "waterbasin"

Page 1, line 23, strike "*water basin*" and insert "*waterbasin*"

Page 1, line 23, at the end of the line, after "*water*" insert a hyphen

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. 1022: A bill for an act relating to the county of Dakota; providing for sheriff's civil service commissioners.

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 re-referred

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

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

Page 2, line 32, after "*levied*" insert "*if the interest rate on the bonds is over seven percent*"

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. 1174: A bill for an act relating to the city of Mankato; authorizing residential property rehabilitation loans and grants and authorizing the issuance of bonds for acquisition and betterment of a municipal fire hall and city hall.

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

Page 1, strike lines 17 to 23

Page 2, strike lines 1 to 14

Renumber the remaining section

Amend the title as follows:

Page 1, line 4, insert a period after "*grants*" and strike "*and authorizing the issuance of bonds for*"

Strike lines 5 and 6

And when so amended the bill do pass and be placed on the Consent Calendar. Mr. Anderson 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 re-referred

S. F. No. 677: A bill for an act relating to counties; prohibiting counties from publishing the names and salaries of county employees; amending Minnesota Statutes 1976, Section 375.17.

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

Page 2, line 13, strike "*shall not*" and insert "*may*"

Page 2, line 13, after "*of*" insert "*non-elected*"

Page 2, line 15, after "*salaries*" insert "*by department and elected officials*"

Amend the title as follows:

Page 1, line 2, strike "*prohibiting*" and insert "*permitting*"

Page 1, line 2, strike "*from*" and insert "*to*"

Page 1, line 3, strike "*publishing*" and insert "*publish*"

And when so amended the bill do pass. Mr. Tennesen 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. 734: A bill for an act relating to counties; providing for business days and hours for county offices and emergency closings; amending Minnesota Statutes 1976, Section 373.052.

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

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

S. F. 1085: A bill for an act relating to the city of Marshall; authorizing the issuance of general obligation airport bonds.

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

Page 1, line 14, strike "*no election shall be required*" and insert "*in authorizing the bonds, the city council shall adopt an initial resolution stating the amount, purpose and, in general, the security to be provided for the bonds; and shall publish the resolution once each week for two consecutive weeks in the official newspaper. The bonds so authorized may be issued without the submission of the question of their issuance to the electors unless within 30 days after the second publication of the resolution a petition requesting an election signed by more than five percent*"

of the qualified electors voting in the city at the last general election is filed with the city clerk. In the event a petition is filed, no bonds shall be issued under this subdivision unless authorized by a majority of the voters of the city voting on the question."

And when so amended the bill do pass and be placed on the Consent Calendar. Mr. Merriam 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. 1418: A bill for an act relating to bodies of water; allowing counties to exercise certain functions with approval of district; amending Minnesota Statutes 1976, Section 378.32, Subdivision 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Mr. Merriam 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. 952: A bill for an act changing the boundary line between Lac qui Parle county and Big Stone county; amending Laws 1937, Chapter 423, Section 1.

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

Page 1, line 10, strike "hereby is" and insert "*shall be*"

Page 1, line 12, before the period insert "*upon a favorable vote of a majority of the voters of Big Stone county and Lac qui Parle county voting on the question at the next general election pursuant to Article XII, Section 3, of the Minnesota Constitution*"

Amend the title as follows:

Page 1, strike line 2

Page 1, line 3, strike "county and Big Stone county" and insert "relating to Lac qui Parle and Big Stone counties; changing the boundary lines between the counties"

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

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

S. F. No. 1360: A bill for an act relating to outdoor recreation; appropriating money for acquisition of parks, trails, wildlife lands and for other purposes; authorizing sale of bonds; amending Minnesota Statutes 1976, Section 473.315, Subdivision 1.



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

Strike everything after the enacting clause and insert:

**"Section 1. [NATURAL RESOURCES; OUTDOOR RECREATION; APPROPRIATION FOR LAND ACQUISITION AND BETTERMENT.]** *Subdivision 1. There are appropriated from the Minnesota state building fund to the commissioner of natural resources the sums of money set forth in this section, for the acquisition and betterment of public outdoor recreation lands and capital improvements as more specifically described in subdivisions 2 to 9.*

*All acquisition shall be in accordance with the policies established in sections 86A.01 to 86A.09. Lands acquired for a unit of the outdoor recreation system shall be suited to accomplish the purposes for which the unit is established and suited to be managed in accordance with the management principles applicable to the unit. Lands shall be acquired by the commissioner of administration for the commissioner of natural resources where provided by law.*

**TOTAL APPROPRIATED: .....\$24,000,000**

*Subd. 2. For acquisition of state parks and recreation areas, as listed and described in sections 85.012 and 85.013. ....\$7,783,000*

*First priority for acquisitions shall be given to land within existing statutory boundaries where the property is needed for immediate development in order to accomplish the purposes for which the unit is authorized, or where the anticipated use of the property is incompatible with the purposes for which the unit is authorized, or where the market value of comparable property in vicinity of the property to be acquired has risen more than ten percent in each of the previous two years.*

*Subd. 3. For acquisition of state trails, as listed and described in section 85.015, and pursuant to section 84.029, subdivision 2. ....\$1,805,000. For betterment of such trails. ....\$2,000,000*

*No further expenditure of funds for development of the Luce Line Trail shall be made until the commissioner of natural resources has prepared a comprehensive fiscal management plan covering all costs associated with development of the trail, submitted the plan to the full house environment and natural resources committee, the full house appropriations committee, the full senate agriculture and natural resources committee and the full senate finance committee for the purpose of consultation, and received their recommendations thereon. The recommendations shall be advisory only.*

*Subd. 4. For acquisition of state forests, as listed and described in section 89.021. ....\$2,760,000*

*Priority shall first be given to acquiring the remaining lands*

*in the Sand Dunes and Memorial Hardwood state forests and then to lands particularly suited for use as state forest campgrounds or day use areas and to lands within state forests that possess outstanding natural or scenic values, forest growth, lake or river shoreland, or rare and distinctive species of flora and fauna native to the area, that should be preserved for the benefit of the public.*

*Subd. 5. For acquisition of fishing management lands, comprising lands and riparian rights and other interests therein needed for management of waters for primary wildlife use and benefit and for access to fishing waters pursuant to section 97.48, subdivisions 8, 11 and 15. ....\$1,008,000*

*Subd. 6. For acquisition of state wildlife management areas, acquired pursuant to section 97.48, subdivision 13 or section 97.481. ....\$1,500,000. For betterment and management of such areas ..... \$1,500,000*

*Acquisition shall be limited to wildlife lands and waters that are of high priority because they are critical to the functioning of a unit already in public ownership, or are threatened with development that is incompatible with preservation of the area for wildlife management, or are situated in an area where the market value of comparable property has risen more than ten percent in each of the previous two years, and that can be acquired from a willing seller.*

*Subd. 7. For acquisition of wild, scenic and recreational rivers, designated pursuant to sections 104.25 to 104.40, and canoe and boating routes, portages, and camp sites, as listed and described in section 85.32. ....\$1,706,000*

*Subd. 8. For acquisition of scientific and natural areas designated pursuant to section 84.033. .... \$338,000*

*Subd. 9. For costs of staff and independent professional services necessary to the acquisition and betterment of such lands and improvements. ....\$3,600,000*

**Sec. 2. [APPROPRIATION FOR METROPOLITAN PARKS AND TRAILS.]** *\$11,684,667 is appropriated from the Minnesota state building fund to the director of the state planning agency for transfer and reappropriation to the metropolitan council established under section 473.123. The funds shall be transferred to the metropolitan council upon receipt by the agency of a resolution of the council requesting transfer. The funds shall be used to pay the cost of the acquisition by the metropolitan council and local government units of regional recreation open space in accordance with the council's policy plan, as provided in sections 473.301 to 473.341. The funds shall be available for payment of relocation costs and tax equivalents required in sections 473.315 and 473.341. Of the amount appropriated by this section, the metropolitan council may expend no more than \$200,000 for staff and independent professional services necessary for the acquisition of such open space and for the performance of duties of the metropolitan council under this section and sections 6, 7 and 9.*

Sec. 3. [160.265] [BICYCLE TRAIL PROGRAM.] *The commissioner of transportation shall establish a program for the development of bicycle trails primarily on existing road rights of way. The program shall include a system of bicycle trails to be established, developed, maintained, and operated by the department of transportation and a system of state grants for the development of local bicycle trails primarily on existing road rights of way. The program shall be coordinated with the development of the statewide transportation plan pursuant to section 174.03, with the bicycle trail program established by the department of natural resources pursuant to section 85.016, with the local park trail grant program established by the state planning agency pursuant to section 7 of this act, and with existing and proposed local bicycle trails. In the metropolitan area as defined in section 473.121, the program shall be developed in accordance with plans and priorities established by the metropolitan council. The program shall be developed after consultation with the state trail council, local units of government, and bicyclist organizations. The commissioner shall provide technical assistance to local units of government in planning and developing bicycle trails. The program shall be administered in accordance with the provisions of sections 160.262 to 160.264 and standards promulgated pursuant thereto. The commissioner shall compile and maintain a current registry of bicycle trails in the state and shall publish and distribute the information contained in the registry in a form and manner suitable to assist persons wishing to use the trails. The metropolitan council, the commissioner of natural resources, the state planning agency, the Minnesota historical society, and local units of government shall cooperate with and assist the commissioner of transportation in preparing the registry. The commissioner shall have all powers necessary and convenient to establish the program pursuant to this section including but not limited to the authority to adopt rules and regulations, pursuant to chapter 15, and emergency rules and regulations to commence immediately the grant program, pursuant to section 15.0412. "Bicycle trails", as used in this section, includes bicycle lanes and bicycle ways as those terms are used in sections 160.263 and 160.264.*

Sec. 4. Minnesota Statutes 1976, Section 85.016, is amended to read:

85.016 [BICYCLE TRAIL PROGRAM.] *The commissioner of natural resources shall develop establish a program for an interconnecting statewide system the development of bicycle trails utilizing both the state trails authorized by section 85.015, other state parks and recreation land, and state forests and existing and proposed local bicycle trails. The program shall be coordinated with the bicycle trail program established by the department of transportation pursuant to section 3 of this act, with the local park trail grant program established by the state planning agency pursuant to section 7 of this act, and with existing and proposed local bicycle trails. In the metropolitan area as defined in section 473.121, the program shall be developed in accordance with plans and priorities established by the metropolitan council. In addition The commissioner shall provide technical assistance to*

local units of government in planning and developing bicycle trail systems trails in local parks . The state bicycle trail program shall, as a minimum, describe the location, design, construction, maintenance and land acquisition needs of each component trail and shall give due consideration to the model standards for the establishment of recreational vehicle lanes promulgated by the commissioner of transportation pursuant to section 160.262. The program shall include a proposal for a system of state aid to localities. The proposal for a system of state aid to localities shall include a provision that the amount of aid apportioned to a locality will depend, in part, upon the numbers of bicycles registered in the locality. The program shall be developed after consultation with the state trail council and regional and local units of government and bicyclists organizations. "Bicycle trails", as used in this section, includes bicycle lanes and bicycle ways as those terms are used in sections 160.263 and 160.264.

Sec. 5. Minnesota Statutes 1976, Chapter 85, is amended by adding a section to read:

[85.017] [TRAIL REGISTRY.] *The commissioner of natural resources shall compile and maintain a current registry of cross-country skiing, hiking, horseback riding and snowmobiling trails in the state and shall publish and distribute the information in the manner prescribed in section 86A.11. The metropolitan council, the state planning agency, the Minnesota historical society, and local units of government shall cooperate with and assist the commissioner in preparing the registry.*

Sec. 6. [APPROPRIATION FOR TRAIL ACQUISITION AND BETTERMENT.] *Subdivision 1. There is appropriated from the Minnesota state building fund \$7,300,000 for trail acquisition and betterment programs as more specifically provided in subdivisions 2 to 5.*

*Subd. 2. [DEPARTMENT OF NATURAL RESOURCES.] \$1,300,000 is appropriated from the Minnesota state building fund to the commissioner of natural resources for the betterment of public land and improvements needed for trails for skiing, hiking, and bicycling within state parks and recreation areas as listed and described in sections 85.012 and 85.013 and state forests, as listed and described in section 89.021. Of this amount, not more than 15 percent may be expended by the commissioner for costs of staff and independent professional services necessary for the betterment of such land and improvements.*

*Subd. 3. [METROPOLITAN COUNCIL; TRAIL CORRIDORS.] \$1,100,000 is appropriated from the Minnesota state building fund to the director of the state planning agency for transfer and reappropriation to the metropolitan council established under section 473.123. The funds shall be transferred to the metropolitan council upon receipt by the agency of a resolution of the council requesting transfer. The funds shall be used to pay the cost of acquisition and betterment by the metropolitan council and local government units of public land and improvements needed for*

regional trails and trail corridors situated outside of regional parks and park reserves, in accordance with the council's policy plan, as provided in sections 473.301 to 473.341. The funds shall be available for payment of relocation costs and tax equivalents required in sections 473.315 and 473.341.

Subd. 4. [METROPOLITAN COUNCIL; PARK TRAILS.] \$2,200,000 is appropriated from the Minnesota state building fund to the director of the state planning agency for transfer and reappropriation to the metropolitan council established under section 473.123. The funds shall be transferred to the metropolitan council upon receipt by the agency of a resolution of the council requesting transfer. The funds shall be used to pay the cost of betterment by the metropolitan council and local government units of public land and improvements needed for trails situated within regional parks and park reserves in accordance with the council's policy plan, as provided in sections 473.301 to 473.341, provided however that none of the funds may be used for acquisition of land, for relocation payments under section 473.315, or for tax equivalents under section 473.341.

Subd. 5. [DEPARTMENT OF TRANSPORTATION.] There is appropriated from the Minnesota state building fund to the commissioner of the department of transportation \$2,700,000 for betterment of public land and improvements needed for bicycle trails primarily on existing road rights of way pursuant to section 3 of this act. Of this amount, not more than 15 percent may be expended by the commissioner for costs of staff and independent professional services necessary to the betterment of such lands and improvements.

Sec. 7. [APPROPRIATION FOR GRANT-IN-AID RECREATIONAL BETTERMENT.] Subdivision 1. There is appropriated from the Minnesota state building fund \$7,200,000 for recreational betterment grants-in-aid programs as more specifically provided in subdivisions 2 to 7.

Subd. 2. [DEFINITIONS.] For purposes of this section, the following terms have the meanings set forth; except as otherwise expressly provided or indicated by the context.

(a) "Athletic courts" means special surface areas and supporting equipment or structures such as nets, hoops, and walls which can be used for active games that have definite boundaries and are played on a marked surface, including, but not limited to, basketball, volleyball, handball and tennis.

(b) "Metropolitan council" and "metropolitan area" have the meanings given them in section 473.121.

(c) "Units of government" means any county, city and home rule charter city, town, school district, public post-secondary educational institution, special park district, or any elected park and recreation board having control over parks, parkways, playgrounds, and trees in a city of the first class.

Subd. 3. [LOCAL BICYCLE TRAIL GRANTS.] There is appropriated from the Minnesota state building fund \$2,100,000 to

*the commissioner of transportation for the purposes of providing grants to units of government for the betterment of public land and improvements needed for local bicycle trails pursuant to section 3 of this act. In making grants the department shall consider, among other factors, the number of registered bicycles in the localities. \$700,000 of these funds shall be used for grants to units of government in the metropolitan area, in accordance with the priorities established by the metropolitan council. \$1,400,000 of these funds shall be used for grants to units of government outside the metropolitan area. A grant shall not exceed 75 percent of the costs of the betterment of the bicycle trail. To be eligible for a grant, a unit of government must provide at least 25 percent of the costs of the betterment of the trail.*

*Subd. 4. [LOCAL PARK TRAIL GRANTS.] The state planning agency shall administer a program to provide grants to units of government for the betterment of public land and improvements needed for recreational trails in parks owned and operated by units of government. There is appropriated from the Minnesota state building fund \$1,300,000 to the director of the state planning agency for the purposes of carrying out the provisions of this subdivision. \$650,000 of these funds shall be used for grants to units of government in the metropolitan area in accordance with priorities established by the metropolitan council and the agency and \$650,000 of these funds shall be used for grants to units of government outside the metropolitan area. A grant shall not exceed 40 percent of the costs of the betterment of the trail. To be eligible for a grant, a unit of government must provide at least ten percent of the costs of the betterment of the trail.*

*Subd. 5. [PARK AND TRAIL GRANTS.] The state planning agency shall administer a program to provide grants to units of government located within standard metropolitan statistical areas, as designated by the United States office of management and budget, but outside of the metropolitan area defined in section 473.121. The grants shall be for acquisition and betterment by units of government of public land and improvements needed for parks, trails, conservatories, zoos and other special use facilities having recreational significance for the entire population of the particular standard metropolitan statistical area. There is appropriated from the Minnesota state building fund \$2,500,000 to the state planning agency for the purposes of carrying out the provisions of this subdivision. \$1,750,000 of these funds shall be used for grants for acquisition of parks and trails. \$750,000 of these funds shall be used for grants for betterment of parks, trails, conservatories, zoos and other special use facilities. The appropriation made in this subdivision shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding such expenditures. The local contribution required shall be identical to that required by the legislative commission on Minnesota resources for grants-in-aid for recreation open space of regional significance. The program shall be administered so as to ensure the maximum possible use of available federal funds.*

**Subd. 6. [LOCAL OUTDOOR ATHLETIC COURT GRANTS.]** *The state planning agency shall administer a program to provide grants to units of government for the betterment of public land and improvements needed for local athletic courts. There is appropriated from the Minnesota state building fund \$1,300,000 to the director of the state planning agency for the purposes of carrying out the provisions of this subdivision. \$650,000 of these funds shall be used for grants to units of government in the metropolitan area in accordance with priorities established by the metropolitan council and the agency and \$650,000 of these funds shall be used for grants to units of government outside the metropolitan area. A grant shall not exceed 50 percent of the costs of the betterment of the athletic court. To be eligible for a grant, a unit of government must provide at least 50 percent of the costs of the betterment of the athletic court. In making grants the agency shall consider, among other factors, evidence of cooperation between units of government, local need and available financial resources, and court locations that encourage maximum use, patronage, and availability.*

**Subd. 7. [GRANT PROGRAM ADMINISTRATION.]** *The director of the state planning agency shall have all powers necessary and convenient in order to establish the grant programs pursuant to this section including, but not limited to, the authority to adopt rules and regulations for the programs, pursuant to chapter 15, and emergency rules and regulations to commence immediately the programs, pursuant to section 15.0412. Of the sum appropriated by subdivision 3 of this section, not more than five percent may be expended by the commissioner for staff and independent professional services needed for the grant program. Of the sums appropriated by subdivisions 4, 5 and 6 of this section, not more than five percent may be expended by the director for staff and independent professional services needed for the grant programs.*

**Sec. 8.** *The amounts appropriated in sections 1, 2, 6 and 7 shall not cancel but shall be available until expended.*

**Sec. 9.** *Minnesota Statutes 1976, Chapter 4, is amended by adding a section to read:*

**[4.35] [TRAIL PLANNING.]** *The state planning agency, in cooperation with the department of natural resources, metropolitan council and department of transportation, shall review and coordinate plans for trails acquisition and development and trail development grants pursuant to this act and Minnesota Statutes 1976, Sections 85.015, 85.016, 473.147, and 473.301 to 473.341.*

**Sec. 10. [BOND SALE.]** *Subdivision 1. To provide the amounts appropriated in sections 1, 2, 6 and 7, the commissioner of finance, upon request of the governor, shall sell and issue bonds of the state in the amount of \$50,184,667 in the manner and upon the terms prescribed by sections 16A.63 to 16A.66 and by the Minnesota Constitution, Article XI, Sections 4 to 7. The proceeds of the bonds are appropriated to the Minnesota state building fund except as otherwise provided in section 16A.64.*

**Subd. 2. [DEBT SERVICE.]** *There is annually appropriated*

*from the general fund in the state treasury to the Minnesota state building fund bond account in the state bond fund an amount sufficient to pay principal and interest coming due on bonds authorized by subdivision 1, in the amount and manner specified in section 16A.64; subdivision 5.*

Sec. 11. Minnesota Statutes 1976, Section 473.121, Subdivision 14, is amended to read:

Subd. 14. "Regional recreation open space" means the land and water areas, or interests therein, and facilities determined by the metropolitan council to be of regional significance importance in providing for a balanced system of public outdoor recreation for the metropolitan area, including but not limited to park reserves, major linear parks and trails, and large recreation parks, and conservatories, zoos, and other special use facilities.

Sec. 12. Minnesota Statutes 1976, Section 473.302, is amended to read:

473.302 [REGIONAL RECREATION OPEN SPACE SYSTEM; PURPOSE.] The legislature finds that the pressure of urbanization and development threatens the most valuable remaining large recreational open space areas in the metropolitan area at the same time as the need for such areas is increased. Immediate action is therefore necessary to provide funds to acquire, preserve, protect and develop regional recreational open space for public use.

Sec. 13. Minnesota Statutes 1976, Section 473.303, is amended by adding a subdivision to read:

*Subd. 6. [COMPENSATION.] Members and the chairman shall be compensated as provided for members of metropolitan commissions.*

Sec. 14. Minnesota Statutes 1976, Section 473.315, Subdivision 1, is amended to read:

473.315 [GRANTS.] Subdivision 1. The metropolitan council with the advice of the commission may make grants, from any funds available to it for recreation open space purposes, to any municipality, park district or county located wholly or partially within the metropolitan area to cover the cost, or any portion of the cost, of acquiring or developing regional recreation open space in accordance with the policy plan; and all such agencies may enter into contracts for this purpose or rights or interests therein. The cost of acquisition shall include any payments required for relocation pursuant to sections 117.50 to 117.56. No more than 80 percent of the funds available under sections 473.301 to 473.341 shall be used for acquisition of regional recreation open space and no more than 30 percent shall be used for development of regional recreation open space.

Sec. 15. *This act is effective July 1, 1977."*

Further strike the title and insert:



"A bill for an act relating to outdoor recreation; appropriating money for acquisition and betterment of parks, trails, wildlife lands, outdoor athletic courts, and for other purposes; authorizing sale of bonds; amending Minnesota Statutes 1976, Sections 85.016; 473.121, Subdivision 14; 473.302; 473.303, by adding a subdivision; 473.315, Subdivision 1; Chapter 4, by adding a section; and Chapter 85, by adding a section."

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. 1297: A bill for an act relating to agriculture; dairy products; grade A pasteurized milk; increasing certification fees; amending Minnesota Statutes 1976, Section 32.394, Subdivisions 8 and 8a.

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

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

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.

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

Page 1, line 17, reinstate the stricken language

Page 1, line 17, before "area" insert "or"

Page 3, after line 6, insert:

*"Sec. 3. The housing and redevelopment authority of the city of South St. Paul may, in addition to any authority provided in Minnesota Statutes, Sections 462.415 to 462.716, make rehabilitation loans and grants with respect to property within its area of operation whether within or without the boundaries of an urban renewal area, but the rehabilitation must be necessary to the city's housing assistance plan or, if the property is within an urban renewal area, to carry out the objectives of the urban renewal plan. The authority may determine the conditions under which the loans and grants are made."*

Page 3, line 7, before "This" insert "Subdivision 1."

Page 3, line 8, after "effective" insert "as to the city of Bloomington"

Page 3, after line 10, insert:

*"Subd. 2. This act is effective as to the city of South St. Paul*

*only after its approval by a majority of the governing body of the city of South St. Paul and upon compliance with Minnesota Statutes, Section 645.021."*

Renumber the remaining section

Amend the title as follows:

Page 1, line 2, after "Bloomington" insert "in Hennepin county and the city of South St. Paul in Dakota county"

And when so amended the bill do pass. Mr. Anderson 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. 556: A bill for an act relating to Hennepin county; providing for tenure and benefits to certain employees; amending Laws 1903, Chapter 247, Section 2, as amended.

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

Page 2, line 27, after "1977," insert "or thereafter,"

Page 2, line 31, after "commission," insert "whenever possible,"

Page 3, after line 12, insert:

*"Sec. 3. This act is effective upon approval by the governing bodies of the city of Minneapolis and Hennepin county and upon compliance with Minnesota Statutes, Section 645.021."*

Amend the title as follows:

Page 1, line 2, after "to" insert "the city of Minneapolis and"

Page 1, line 2, after "county" insert "municipal building commission"

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

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

S. F. No. 288: A bill for an act relating to state parks; providing for cooperative agricultural leases of property acquired by the state within state parks; amending Minnesota Statutes 1976, Section 272.68, Subdivision 3, and Chapter 85, by adding a section.

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

Page 1, line 11, after "On" insert "any"

Page 1, line 12, after "lands" insert "however acquired, located"

Page 1, after line 20, insert *"The sharecropping leases may be entered into for state park lands in lieu of any rental arrangement*

*established for use with respect to state lands in any other provision of law."*

Page 1, delete lines 21 to 23

Page 2, delete lines 1 to 10

Further, amend the title as follows:

Page 1, line 5, delete "Section 272.68, Subdivision 3, and"

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

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

S. F. No. 615: A bill for an act relating to education; higher education coordinating board; authorizing the board to contract for spaces for Minnesota residents in out of state schools for optometry; authorizing the board to explore the feasibility of a regional school of optometry; appropriating money.

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

Strike everything after the enacting clause and insert:

"Section 1. Subdivision 1. [POLICY.] The legislature finds that it is in the public interest that opportunity be provided for Minnesota students to become osteopaths and optometrists.

Subd. 2. The higher education coordinating board shall seek to contract with schools of optometry and osteopathy located in other states for placement for Minnesota residents. The number of placements in colleges of osteopathy shall not exceed ten and in colleges of optometry shall not exceed 13.

Subd. 3. Selection of students for spaces obtained through contract between the higher education coordinating board and the out of state schools shall be the responsibility of the individual school, provided that any student for whom space is contracted shall be required to enter into an agreement with the higher education coordinating board to practice osteopathy or optometry in the state of Minnesota for a period of not less than three years.

Subd. 4. The agreement with the student shall provide that practice in Minnesota by the student shall begin within 18 months following completion of the academic program unless the board approves a later time for beginning practice. The board may approve a delay in the time for the student to begin practice in Minnesota for a period of not to exceed seven years in the case of osteopaths and not to exceed four years in the case of optometrists. The delay may be approved to allow for additional education or clinical experience or for extenuating circumstances which in the judgment of the board constitute sufficient justification for delay.

Subd. 5. A student who fails to fulfill the obligation to practice

in accordance with subdivision 4 or who for any reason except death or disability discontinues full time study under the agreement shall pay a penalty in an amount equal to the amount paid to the school by the higher education coordinating board for the space which the student occupied. The penalty shall be payable on demand in accordance with terms and conditions prescribed by the board.

Subd. 6. The higher education coordinating board is authorized to establish terms and conditions of contracts with schools of osteopathy and optometry including the amount of payment to be made to each school.

Sec. 2. The higher education coordinating board shall explore the feasibility of cooperating with neighboring states in the development of a regional system for the delivery of optometric education. The board shall report on the results of the feasibility study no later than January, 1979.

Sec. 3. [APPROPRIATION.] The sum of \$217,000 is appropriated from the general fund to the higher education coordinating board for the biennium ending June 30, 1979. Of this amount, not to exceed \$30,000 shall be available in each year of the biennium for administrative expenses of the board. Also of this amount, the sum of \$52,000 shall be available for payments under contract to schools of optometry and the sum of \$135,000 shall be available for payments under contract to schools of osteopathy for the year ending June 30, 1979."

Further, amend the title as follows:

Page 1, line 5, before "optometry" insert "osteopathy and"

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

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

S. F. Nos. 781, 117, 967, 968, 970, 971, 1175, 1127, 1138, 822, 875, 1034, 1310, 1118, 895, 1096, 975, 494, 969, 973, 1014, 297, 836, 832, 566, 1196, 678, 749, 997, 1077, 1140, 943 and 626, makes the following report:

That S. F. Nos. 781, 967, 968, 970, 971, 1175, 1127, 1138, 822, 875, 1034, 1310, 1118, 895, 1096, 975, 969, 973, 1014, 297, 836, 1196, 678, 749, 997, 1077, 1140 and 626 be placed on the General Orders Calendar in the order indicated.

That S. F. No. 117 be placed on the Consent Calendar.

That S. F. Nos. 494, 832, 566 and 943 are being retained in the subcommittee.

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

**SECOND READING OF SENATE BILLS**

S. F. Nos. 1022, 952 and 288 were read the second time.

S. F. Nos. 1452, 1165, 1018, 1334, 1350, 1390, 1120, 627, 734, 1297, and 556 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

**MOTIONS AND RESOLUTIONS**

Mr. Menning moved that his name be stricken as co-author to S. F. No. 411. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the Senate Calendar and Consent Calendar and waive the lie-over requirement except for S. F. No. 411. The motion prevailed.

**THIRD READING OF SENATE BILLS**

S. F. No. 466: A bill for an act relating to post conviction remedy; authorizing the court to determine whether a petitioner must be present at a post conviction hearing; amending Minnesota Statutes 1976, Section 590.04, Subdivision 3.

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 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearly	Lewis	Peterson	Spear
Aashbach	Gunderson	Luther	Pillsbury	Staples
Bang	Hanson	McCutcheon	Purfeerst	Stokowski
Bernhagen	Hughes	Merriam	Renneke	Strand
Brataas	Humphrey	Milton	Schaaf	Stumpf
Chenoweth	Jensen	Moe	Schmitz	Tennesen
Chmielewski	Johnson	Nelson	Schrom	Ueland, A.
Coleman	Keefe, J.	Ogdahl	Setzepfandt	Ulland, J.
Davies	Keefe, S.	Olhoff	Sieloff	Vega
Dunn	Knutson	Olson	Sikorski	Wegener
Engler	Laufenburger	Penny	Sillers	Willet
Frederick	Lessard	Perpich	Solon	

Mr. Dieterich voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 125: A bill for an act relating to commerce; prohibiting discriminatory trade practices; providing a penalty; amending Minnesota Statutes 1976, Section 325.8018, Subdivision 2; and Chapter 325, 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 52 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Lewis	Peterson	Stokowski
Ashbach	Gearty	Luther	Renneke	Strand
Bang	Gunderson	McCutcheon	Schaaf	Stumpf
Bernhagen	Hanson	Merriam	Schmitz	Tennessee
Brataas	Hughes	Milton	Setzepfandt	Ueland, A.
Chenoweth	Humphrey	Moe	Sieloff	Ulland, J.
Chmielewski	Johnson	Nelson	Sikorski	Wegener
Coleman	Keefe, J.	Ogdahl	Sillers	Willet
Dieterich	Keefe, S.	Olhoff	Solon	
Dunn	Knutson	Penny	Spear	
Engler	Lessard	Perpich	Staples	

Messrs. Jensen, Laufenburger, Purfeerst and Schrom voted in the negative.

So the bill passed and its title was agreed to.

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

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 53 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Lessard	Peterson	Spear
Bang	Gearty	Luther	Pillsbury	Staples
Bernhagen	Gunderson	McCutcheon	Purfeerst	Stokowski
Brataas	Hanson	Merriam	Renneke	Strand
Chenoweth	Hughes	Moe	Schaaf	Stumpf
Chmielewski	Humphrey	Nelson	Schmitz	Ulland, J.
Coleman	Jensen	Ogdahl	Schrom	Vega
Davies	Johnson	Olhoff	Setzepfandt	Wegener
Dieterich	Keefe, S.	Olson	Sieloff	Willet
Dunn	Knutson	Penny	Sikorski	
Engler	Laufenburger	Perpich	Solon	

Those who voted in the negative were:

Ashbach	Lewis	Sillers	Tennessee	Ueland, A.
Keefe, J.				

So the bill passed and its title was agreed to.

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

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 44 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Laufenburger	Olson	Spear
Bang	Gearty	Lessard	Penny	Staples
Bernhagen	Gunderson	Lewis	Peterson	Stokowski
Chenoweth	Hanson	Luther	Purfeerst	Strand
Chmielewski	Hughes	Milton	Renneke	Stumpf
Coleman	Humphrey	Moe	Schmitz	Vega
Dieterich	Jensen	Nelson	Schrom	Wegener
Dunn	Johnson	Ogdahl	Setzepfandt	Willet
Engler	Keefe, S.	Olhoft	Solon	

Those who voted in the negative were:

Brataas	Knutson	Perpich	Sieloff	Tennessen
Davies	McCutcheon	Pillsbury	Sikorski	Ulland, J.
Keefe, J.	Merriam	Schaaf	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 769: A bill for an act relating to the town of White and the city of Aurora; providing for their separation.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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 1, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Gunderson	Keefe, S.	Milton
Ashbach	Davies	Hanson	Knutson	Moe
Bang	Dieterich	Hughes	Laufenburger	Nelson
Bernhagen	Dunn	Humphrey	Lessard	Ogdahl
Brataas	Engler	Jensen	Lewis	Olhoft
Chenoweth	Frederick	Johnson	Luther	Olson
Chmielewski	Gearty	Keefe, J.	McCutcheon	Penny

Perpich	Schaaf	Sikorski	Stokowski	Ulland, J.
Peterson	Schmitz	Sillers	Strand	Vega
Pillsbury	Schrom	Solon	Stumpf	Wegener
Purfeerst	Setzepfandt	Spear	Tennessen	Willet
Renneke	Sieloff	Staples	Ueland, A.	

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

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

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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Ulland, J. voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 417: A bill for an act relating to highway traffic regulations; accidents; requiring certain information to be given; raising the amount of property damage required before an accident must be reported to the commissioner of public safety; providing penalties; amending Minnesota Statutes 1976, Section 169.09, Subdivisions 3, 7, and 14.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Hanson	Knutson	Moe
Ashbach	Davies	Hughes	Laufenburger	Nelson
Bang	Dieterich	Humphrey	Lessard	Ogdahl
Bernhagen	Dunn	Jensen	Lewis	Olhoff
Brataas	Engler	Johnson	Luther	Olson
Chenoweth	Frederick	Keefe, J.	McCutcheon	Penny
Chmielewski	Gearty	Keefe, S.	Merriam	Perpich



Peterson	Schmitz	Sillers	Strand	Vega
Pillsbury	Schrom	Solon	Stumpf	Wegener
Purfeerst	Setzepfandt	Spear	Tennessen	
Renneke	Sieloff	Staples	Ueland, A.	
Schaaf	Sikorski	Stokowski	Ulland, J.	

Messrs. Gunderson and Willet voted in the negative.

So the bill passed and its title was agreed to.

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

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 52 and nays 6, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Brataas	Jensen	Knutson	Renneke	Schrom
Frederick				

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Davies	Frederick	Hughes
Ashbach	Chenoweth	Dieterich	Gearty	Humphrey
Bang	Chmielewski	Dunn	Gunderson	Jensen
Bernhagen	Coleman	Engler	Hanson	Johnson

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

So the bill passed and its title was agreed to.

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.

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

So the bill passed and its title was agreed to.

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.

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 41 and nays 18, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Luther	Schmitz	Stumpf
Bernhagen	Hanson	McCutcheon	Setzepfandt	Ueland, A.
Brataas	Hughes	Merriam	Sikorski	Vega
Chenoweth	Humphrey	Moe	Sillers	Wegener
Chmielewski	Johnson	Olhoft	Solon	Willet
Coleman	Keefe, J.	Penny	Spear	
Davies	Keefe, S.	Perpich	Staples	
Dieterich	Knoll	Peterson	Stokowski	
Engler	Lewis	Purfeerst	Strand	

Those who voted in the negative were:

Ashbach	Gunderson	Lessard	Renneke	Tennessen
Bang	Jensen	Nelson	Schaaf	Ulland, J.
Dunn	Knutson	Olson	Schrom	
Frederick	Laufenburger	Pillsbury	Sieloff	

So the bill passed and its title was agreed to.

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, Section 414.068.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 774: A bill for an act relating to intoxicating liquor; permitting entertainment and coin-operated amusement devices in privately-owned and municipal liquor stores; amending Minnesota Statutes 1976, Sections 340.07, Subdivision 13; and 340.353, Subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 44 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Lewis	Purfeerst	Stokowski
Ashbach	Hughes	Luther	Schmitz	Strand
Bang	Humphrey	Merriam	Schrom	Tennessen
Chenoweth	Jensen	Nelson	Sieloff	Ueland, A.
Davies	Johnson	Ogdahl	Sikorski	Ulland, J.
Dieterich	Keefe, J.	Olson	Sillers	Vega
Dunn	Keefe, S.	Penny	Solon	Wegener
Frederick	Laufenburger	Perpich	Spear	Willet
Gearty	Lessard	Pillsbury	Staples	

Those who voted in the negative were:

Bernhagen	Coleman	Knutson	Moe	Renneke
Brataas	Engler	McCutcheon	Olhoft	Setzepfandt
Chmielewski	Hanson	Milton	Peterson	Stumpf

So the bill passed and its title was agreed to.

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' bonds; eliminating certification of local treasurer's 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; 273.061, Subdivision 3; 274.01, Subdivision 1; 274.13, Subdivision 1; 276.12; and 281.17; and Chapter 270, 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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	Brataas	Davies	Frederick	Hughes
Ashbach	Chenoweth	Dieterich	Gearty	Humphrey
Bang	Chmielewski	Dunn	Gunderson	Jensen
Bernhagen	Coleman	Engler	Hanson	Johnson

Keefe, J.	McCutcheon	Penny	Schrom	Strand
Keefe, S.	Merriam	Perpich	Setzepfandt	Stumpf
Knoll	Milton	Peterson	Sikorski	Tennessee
Knutson	Moe	Pillsbury	Sillers	Ueland, A.
Laufenburger	Nelson	Purfeerst	Solon	Ulland, J.
Lessard	Ogdahl	Renneke	Spear	Vega
Lewis	Olhoff	Schaaf	Staples	Wegener
Luther	Olson	Schmitz	Stokowski	Willet

So the bill passed and its title was agreed to.

S. F. No. 389: A bill for an act relating to taxation; providing that reduced property tax classification for homesteads of disabled persons be continued for their surviving spouses; extending the 3cc classification to property of persons receiving disability benefits from political subdivisions; amending Minnesota Statutes 1976, Section 273.13, Subdivision 7.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 831: A bill for an act relating to port authorities; increasing the compensation of commissioners for attending regular and special meetings; eliminating the annual limitation on such compensation; amending Minnesota Statutes 1976, Section 458-195, Subdivision 3.

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 2, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Gearty	Johnson	Lessard
Ashbach	Coleman	Gunderson	Keefe, J.	Luther
Bang	Dieterich	Hanson	Keefe, S.	McCutcheon
Bernhagen	Dunn	Hughes	Knoll	Merriam
Brataas	Engler	Humphrey	Knutson	Milton
Chenoweth	Frederick	Jensen	Laufenburger	Moe

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

Messrs. Davies and Schrom voted in the negative.

So the bill passed and its title was agreed to.

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

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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Willet voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 686: A bill for an act relating to animals; authorizing destruction rather than research use for unclaimed animals; amending Minnesota Statutes 1976, Section 35.71, Subdivision 3.

Mr. Schaaf moved that S. F. No. 686 be stricken from the Calendar and placed at the top of General Orders.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 32 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Lessard	Pillsbury	Stumpf
Ashbach	Engler	Luther	Renneke	Tennessee
Bang	Frederick	Milton	Schaaf	Ueland, A.
Bernhagen	Gunderson	Moe	Schrom	Ulland, J.
Brataas	Jensen	Ogdahl	Setzepfandt	
Coleman	Knoll	Olson	Sillers	
Davies	Knutson	Perpich	Solon	

Those who voted in the negative were:

Chenoweth	Humphrey	McCutcheon	Purfeerst	Stokowski
Chmielewski	Johnson	Merriam	Schmitz	Strand
Dieterich	Keefe, J.	Nelson	Sieloff	Vega
Gearty	Keefe, S.	Olhoff	Sikorski	Wegener
Hanson	Laufenburger	Penny	Spear	Willet
Hughes	Lewis	Peterson	Staples	

The motion prevailed.

S. F. No. 274: A bill for an act relating to natural resources; authorizing additions to and deletions from certain state parks; authorizing land acquisition in relation thereto; amending Laws 1945, Chapter 484, Section 1, as amended.

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 37 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Merriam	Schaaf	Stumpf
Chenoweth	Humphrey	Moe	Schmitz	Tennessen
Chmielewski	Johnson	Nelson	Setzepfandt	Ulland, J.
Coleman	Keefe, S.	Olhoff	Sikorski	Vega
Davies	Knoll	Olson	Solon	Willet
Gearty	Laufenburger	Perpich	Spear	
Gunderson	Luther	Peterson	Staples	
Hanson	McCutcheon	Renneke	Stokowski	

Those who voted in the negative were:

Ashbach	Dunn	Knutson	Purfeerst	Ueland, A.
Bang	Engler	Lessard	Schrom	Wegener
Bernhagen	Frederick	Ogdahl	Sieloff	
Brataas	Jensen	Penny	Sillers	
Dieterich	Keefe, J.	Pillsbury	Strand	

So the bill passed and its title was agreed to.

S. F. No. 506: A bill for an act relating to taxation; extending the tax credit for feedlot pollution control equipment and providing for a carryover of the credit from one year to another; amending Minnesota Statutes 1976, Section 290.06, Subdivision 9a.

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 1, as follows:

Those who voted in the affirmative were:

Anderson	Dieterich	Jensen	Lewis	Penny
Ashbach	Dunn	Johnson	Luther	Perpich
Bang	Engler	Keefe, J.	McCutcheon	Peterson
Bernhagen	Frederick	Keefe, S.	Moe	Pillsbury
Brataas	Gearty	Knoll	Nelson	Purfeerst
Chenoweth	Gunderson	Knutson	Ogdahl	Renneke
Chmielewski	Hanson	Laufenburger	Olhoff	Schaaf
Coleman	Humphrey	Lessard	Olson	Schmitz

Schrom	Sillers	Stokowski	Ueland, A.	Willet
Setzepfandt	Solon	Strand	Ulland, J.	
Sieloff	Spear	Stumpf	Vega	
Sikorski	Staples	Tennessen	Wegener	

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 102: A bill for an act relating to taxation; removing levy limitations on certain towns having population of less than 3,500; allowing electors of exempt towns to determine mill rates; amending Minnesota Statutes 1976, Sections 275.09, Subdivision 3; 275.10, Subdivision 1; 275.31; and 275.59.

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

So the bill passed and its title was agreed to.

S. F. No. 477: A bill for an act relating to taxation; allowing certain income adjusted homestead credit claims on behalf of decedents; amending Minnesota Statutes 1976, Section 290A.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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.



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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 51 and nays 9, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Lewis	Purfeerst	Strand
Bernhagen	Hughes	McCutcheon	Renneke	Tennessee
Chenoweth	Humphrey	Moe	Schmitz	Ueland, A.
Chmielewski	Jensen	Nelson	Schrom	Ulland, J.
Coleman	Johnson	Ogdahl	Setzepfandt	Vega
Davies	Keefe, J.	Olhoff	Sikorski	Wegener
Dieterich	Keefe, S.	Olson	Sillers	Willet
Engler	Knoll	Penny	Solon	
Frederick	Knutson	Perpich	Spear	
Gearty	Laufenburger	Peterson	Staples	
Gunderson	Lessard	Pillsbury	Stokowski	

Those who voted in the negative were:

Anderson	Brataas	Luther	Schaaf	Stumpf
Bang	Dunn	Merriam	Sieloff	

So the bill passed and its title was agreed to.

S. F. No. 499: A bill for an act relating to the operation of state government; providing for a study on improving public access to state services and facilities; requiring a report.

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

So the bill passed and its title was agreed to.

S. F. No. 498: A bill for an act relating to public drainage systems; transferring the administration of judicial ditches to county boards; raising the interest rate limitation on ditch lien statements; increasing the interest rate limitation on certain penalties; increasing the authorized interest rates on bonds; limiting assessment

levies for repairs and maintenance; providing for a redetermination of benefits and benefited areas; amending Minnesota Statutes 1976, Sections 106.015, Subdivision 5; 106.371, Subdivisions 2 and 4; 106.411, Subdivisions 3, 4 and 7; 106.471, Subdivision 2; 106.673; and Chapter 106, 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 56 and nays 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Keefe, J.; Schmitz; Schrom and Ulland, J. voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 362: A bill for an act relating to retirement; miscellaneous amendments to the teachers retirement law; amending Minnesota Statutes 1976, Sections 354.05, Subdivision 2; 354.06, Subdivision 2, and by adding a subdivision; 354.07, by adding a subdivision; 354.10; 354.41, Subdivision 6; 354.43, Subdivision 4; 354.49, Subdivision 5; 354.50, Subdivision 2; 354.53, Subdivision 1; and 354.58.

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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Sieloff voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 191: A bill for an act relating to adoption; authorizing release of birth information to adopted persons; requiring waiting period for objections from parents; amending Minnesota Statutes 1976, Sections 144.151, by adding subdivisions; 144.175, Subdivision 2; 260.241, by adding a subdivision; and Chapter 144, 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 52 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Lewis	Purfeerst	Strand
Bernhagen	Hughes	Luther	Renneke	Stumpf
Chenoweth	Jensen	McCutcheon	Schaaf	Tennessen
Chmielewski	Johnson	Moe	Schmitz	Ueland, A.
Davies	Keefe, J.	Nelson	Schrom	Ulland, J.
Dieterich	Keefe, S.	Ogdahl	Setzepfandt	Vega
Dunn	Kleinbaum	Olhoff	Sieloff	Wegener
Engler	Knoll	Olson	Sikorski	Willet
Frederick	Knutson	Penny	Spear	
Gearty	Laufenburger	Perpich	Staples	
Gunderson	Lessard	Pillsbury	Stokowski	

Those who voted in the negative were:

Ashbach	Brataas	Merriam	Peterson	Sillers
Bang	Humphrey			

So the bill passed and its title was agreed to.

S. F. No. 617: A bill for an act relating to the university of Minnesota; conferring university of Minnesota peace officers with limited powers of arrest; governing the operation and parking of vehicles upon property owned, leased or occupied by the regents of the university of Minnesota; amending Minnesota Statutes 1976, Section 137.12; 169.123, Subdivision 1; 169.965, Subdivision 1; 626.05, Subdivision 2; 626A.01, Subdivision 7; and Chapter 626, 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 58 and nays 2, as follows:

Those who voted in affirmative were:

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

Messrs. Moe and Peterson voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 766: A bill for an act relating to crimes; public safety and health; dangerous weapons; short-barreled shotguns; providing penalties; amending Minnesota Statutes 1976, Chapter 609, 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 51 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Penny	Stokowski
Ashbach	Gearty	Lessard	Perpich	Strand
Bang	Gunderson	Lewis	Pillsbury	Stumpf
Bernhagen	Hanson	Luther	Schaaf	Tennessen
Brataas	Hughes	McCutcheon	Setzepfandt	Ueland, A.
Chenoweth	Humphrey	Merriam	Sieloff	Ulland, J.
Chmielewski	Jensen	Moe	Sikorski	Vega
Davies	Johnson	Nelson	Sillers	
Dieterich	Keefe, J.	Ogdahl	Solon	
Dunn	Keefe, S.	Olhoff	Spear	
Engler	Knoll	Olson	Staples	

Those who voted in the negative were:

Kleinbaum	Peterson	Renneke	Schrom	Willet
Laufenburger	Purfeerst	Schmitz	Wegener	

So the bill passed and its title was agreed to.

S. F. No. 582: A bill for an act relating to motor vehicle common carriers; reinstating operating authority of certain irregular route common carriers.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 49 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Laufenburger	Olson	Spear
Ashbach	Hanson	Lessard	Penny	Staples
Bernhagen	Hughes	Lewis	Perpich	Stokowski
Brataas	Humphrey	Luther	Pillsbury	Strand
Chenoweth	Jensen	McCutcheon	Purfeerst	Stumpf
Chmielewski	Johnson	Merriam	Renneke	Tennessen
Davies	Keefe, J.	Moe	Schmitz	Ulland, J.
Dieterich	Keefe, S.	Nelson	Setzepfandt	Vega
Engler	Kleinbaum	Ogdahl	Sikorski	Wegener
Gearty	Knoll	Olhoff	Sillers	

Those who voted in the negative were:

Bang	Frederick	Peterson	Schrom	Ueland, A.
Dunn	Knutson	Schaaf	Solon	Willet

So the bill passed and its title was agreed to.

S. F. No. 96: A bill for an act relating to insurance; providing that individual persons may cancel certain policies of insurance within ten days after receipt; setting out notice requirements.

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 43 and nays 16, as follows:

Those who voted in the affirmative were:

Chenoweth	Humphrey	Luther	Purfeerst	Stokowski
Chmielewski	Jensen	Merriam	Renneke	Strand
Davies	Johnson	Moe	Schaaf	Stumpf
Dieterich	Keefe, J.	Nelson	Schmitz	Tennessee
Dunn	Keefe, S.	Olhoft	Schrom	Ulland, J.
Gearty	Kleinbaum	Olson	Sikorski	Vega
Gunderson	Knoll	Penny	Solon	Willet
Hanson	Lessard	Perpich	Spear	
Hughes	Lewis	Pillsbury	Staples	

Those who voted in the negative were:

Anderson	Engler	Laufenburger	Peterson	Sillers
Bang	Frederick	McCutcheon	Setzepfandt	Ueland, A.
Bernhagen	Knutson	Ogdahl	Sieloff	Wegener
Brataas				

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 600: A bill for an act relating to education; trade schools; exempting certain courses in the arts from regulation by

the commissioner of education; amending Minnesota Statutes 1976, Section 141.35.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 804: A bill for an act relating to highway traffic regulations; driving under the influence of alcohol or controlled substances; chemical tests and consent therefor; providing for imme-

diate notice of revocation of a driver license or permit, retention of the license or permit by a court or peace officer and the substitution of temporary licenses under certain circumstances; providing for county court jurisdiction over prosecution for certain offenses; prescribing penalties; amending Minnesota Statutes 1976, Sections 169.121; 169.123; 169.127; and Chapter 169, by adding sections; repealing Minnesota Statutes 1976, Section 171.245.

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 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Dieterich, Knoll and Sieloff voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 23: A bill for an act relating to workers' compensation; requiring an employer to furnish certain remodeling for a handicapped employee's residence; giving the council for the handicapped additional duties; amending Minnesota Statutes 1976, Chapter 176, by adding a section; and Section 256.482, Subdivision 5.

With the unanimous consent of the Senate, Mr. Chmielewski moved to amend the amendment to S. F. No. 23 adopted by the Senate April 23, 1977, as follows:

In the amendment to page 1, line 16, after "*employment*" strike "*of*" and insert "*with*"

The motion prevailed. So the amendment was adopted.

S. F. No. 23 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 58 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Ashbach voted in the negative.

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

### THIRD READING OF HOUSE BILLS

H. F. No. 557: A bill for act relating to highways; requiring reimbursement of fire fighting and protection expenses in certain instances.

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 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Lewis and Tennessen voted in the negative.

So the bill passed and its title was agreed to.

### CONSENT CALENDAR

S. F. No. 521: A bill for act relating to highway traffic regulations; providing that a person may lawfully stop or park his motor vehicle on highways and streets under specified conditions for the purpose of aiding distressed motorists; amending Minnesota Statutes 1976, Chapter 169, by adding a section.

With the unanimous consent of the Senate, Mr. Davies moved to amend S. F. No. 521 as follows:

Page 2, line 6, strike "*at the*"



Page 2, line 7, strike "*direction of*" and insert "*if directed to leave by*"

The motion prevailed. So the amendment was adopted.

Pursuant to Rule No. 9, there being three objectors, S. F. No. 521 was stricken from the Consent Calendar and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

S. F. No. 1286: A bill for act relating to Chisago county; authorizing the issuance of general obligation bonds to finance the cost of facilities for the county nursing home; providing for the administration and rental of such facilities.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 380: A bill for act relating to bicycles; registration; administration of the bicycle registration law; including unicycles within the definition of bicycle; clarifying provisions relating to bicycle registration; providing for the disposition of certain service fees charged in handling registrations; extending the time for the report of the commissioner of public safety to the legislature on recommendations for mandatory registration of bicycles; amending Minnesota Statutes 1976, Sections 168C.02, Subdivision 2; 168C.03; 168C.07; 168C.10; 168C.11, Subdivisions 1 and 2; 168C.12; 168C.13, Subdivision 1; and Laws 1976, Chapter 199, Section 14, Subdivision 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 52 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Lessard	Perpich	Staples
Ashbach	Gearty	Lewis	Pillsbury	Stokowski
Bang	Hanson	Luther	Purfeerst	Stumpf
Bernhagen	Hughes	Merriam	Renneke	Tennessee
Brataas	Humphrey	Milton	Schaaf	Ueland, A.
Chenoweth	Jensen	Moe	Schmitz	Ulland, J.
Chmielewski	Johnson	Nelson	Setzepfandt	Wegener
Coleman	Keefe, J.	Ogdahl	Sikorski	Willet
Davies	Keefe, S.	Olhoft	Sillers	
Dieterich	Knoll	Olson	Solon	
Dunn	Laufenburger	Penny	Spear	

Those who voted in the negative were:

Gunderson	Knutson	Peterson	Sieloff	Strand
Kleinbaum	McCutcheon	Schrom		

So the bill passed and its title was agreed to.

S. F. No. 1387: A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in Steele county.

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

So the bill passed and its title was agreed to.

S. F. No. 1164: A bill for an act relating to Olmsted county; permitting sidewalk and related improvements to be financed by special assessment.

With the unanimous consent of the Senate, Mrs. Brataas moved to amend S. F. No. 1164 as follows:

Page 1, line 14, strike "Sec. 2. This act" and insert "This section"

Page 1, after line 16, insert:

"Sec. 2. Notwithstanding Minnesota Statutes, Section 415.11, Subdivision 2, salaries established by ordinance of the city of Rochester for the mayor and aldermen for the years 1977 and 1978 shall be effective retroactively to April 4, 1977. This section is effective the day following final enactment."

Amend the title as follows:

Line 4, before the period insert “; Rochester city officials’ salaries”

The motion prevailed. So the amendment was adopted.

S. F. No. 1164: A bill for an act relating to Olmsted county; permitting sidewalk and related improvements to be financed by special assessment; Rochester city officials’ salaries.

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

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

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

S. F. No. 3: A bill for an act relating to the city of Cottage Grove; authorizing the rendering of emergency service by a physician’s trained mobile intensive care paramedic; authorizing reasonable charges for the services; granting limited immunity from civil liability for paramedics and physicians advising or instructing paramedics.

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

Those who voted in the affirmative were:

The question was taken on the passage of the bill.

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

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

So the bill passed and its title was agreed to.

S. F. No. 1103: A bill for an act relating to counties; providing for county appropriations for patrol of county highways and roads;

eliminating the restriction on the Hennepin county board of commissioners in relation thereto; amending Minnesota Statutes 1976, Section 375.46, Subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Peterson voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 880: A bill for an act relating to towns; granting certain towns the powers of statutory cities.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1385: A bill for an act relating to the city of Saint Paul and county of Ramsey; providing for a division of costs to maintain the joint court house and city hall.

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

So the bill passed and its title was agreed to.

S. F. No. 111: A bill for an act relating to the firemen's relief association of the city of Centerville, computation of years of service for volunteer firemen.

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

Mr. Tennessen voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1331: A bill for an act relating to the city of Litchfield; firemen's service pensions; validation of certain prior payments.

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 56 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Merriam, Schaaf and Tennesen voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1298: A bill for an act relating to employments licensed by state; exempting registered professional engineers from water well contractor licensing provisions; amending Minnesota Statutes 1976, Section 156A.03, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1039: A bill for an act relating to retirement; firemen's pensions in the cities of Eveleth and Two Harbors; consolidation of the police and firemen's relief associations in the city of Eveleth into the public employees police and fire fund; amending Laws 1935, Chapter 208, Section 11, as added and amended.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1415: A bill for an act relating to Independent School District 625; providing for the severance pay of employees.

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 55 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Schaaf, Tennessen and Ulland, J. voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 489: A bill for an act relating to legal newspapers; simplifying procedures for receiving reimbursement for publication of proposed constitutional amendments; amending Minnesota Statutes 1976, Section 3.22.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chenoweth	Engler	Humphrey	Kleinbaum
Ashbach	Chmielewski	Frederick	Jensen	Knoll
Bang	Coleman	Gearty	Johnson	Knutson
Bernhagen	Dieterich	Gunderson	Keefe, J.	Laufenburger
Brataas	Dunn	Hanson	Keefe, S.	Lessard

Lewis	Olhoft	Renneke	Sillers	Tennessee
Luther	Olson	Schaaf	Solon	Ueland, A.
McCutcheon	Penny	Schmitz	Spear	Ulland, J.
Merriam	Perpich	Schrom	Staples	Vega
Moe	Peterson	Setzepfandt	Stokowski	Wegener
Nelson	Pillsbury	Sieloff	Strand	Willet
Ogdahl	Purfeerst	Sikorski	Stumpf	

So the bill passed and its title was agreed to.

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

### REPORTS OF COMMITTEES

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

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

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

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

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

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

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 290.92, Subdivision 5, is amended to read:

Subd. 5. [EXEMPTIONS.] (1) Entitlement. An employee receiving wages shall on any day be entitled to the following withholding exemptions:

(a) One exemption for himself;

(b) One additional exemption for himself, if, on the basis of facts existing at the beginning of such day, there may reasonably be expected to be allowable a credit for the taxable year under section 290.06, subdivision 3(4) (a) or (c) for having attained the age of 65 before the close of such year;

(c) One additional exemption for himself if, on the basis of facts existing at the beginning of such day, there may reasonably be expected to exist a credit for the taxable year under section 290.06,



subdivision 3(4) (b) or (c) for being blind at the close of such year;

(d) If the individual is married, any exemption to which his spouse is entitled, or would be entitled, under subparagraph (a), (b) or (c), if such spouse were an employee receiving wages, but only if such spouse does not have in effect a withholding exemption certificate claiming such exemption;

(e) One dependent exemption for each dependent as that term is defined in section 290.06, subdivision 3(3).

(2) Withholding exemption certificate. Every employee shall, on or before October 1, 1961, or before the date of commencement of employment, whichever is the later, furnish his employer with a signed withholding exemption certificate relating to the number of withholding exemptions which he claims, which shall in no event exceed the number to which he is entitled.

(3) Effective date of exemption certificate. Withholding exemption certificates shall take effect as of the beginning of the first payroll period ending, or the first payment of wages made without regard to a payroll period, on or after the date on which such certificate is so furnished. Certificates furnished before October 1, 1961 shall be considered as furnished on that date.

(4) New exemption certificate. A withholding exemption certificate which takes effect under this subdivision shall continue in effect with respect to the employer until another such certificate takes effect under this subdivision. If a withholding exemption certificate is furnished to take the place of an existing certificate, the employer, at his option, may continue the old certificate in force with respect to all wages paid on or before the first status determination date, January 1 or July 1, which occurs at least 30 days after the date on which such new certificate is furnished.

(5) Change of number to reflect next tax year. If, on any day during the calendar year, the number of withholding exemptions to which the employee may reasonably be expected to be entitled at the beginning of his next taxable year is different from the number to which the employee is entitled on such day, the employee shall in such cases and at such times as the commissioner may prescribe, furnish the employer with a withholding exemption certificate relating to the number of exemptions which he claims with respect to such next taxable year, which shall in no event exceed the number to which he may reasonably be expected to be so entitled. Exemption certificates issued pursuant to this paragraph shall not take effect with respect to any payment of wages made in the calendar year in which the certificate is furnished.

(6) Change of number. If, on any day during the calendar year, the number of withholding exemptions to which the employee is entitled is less than the number of withholding exemptions claimed by the employee on the withholding exemption certificate then in effect with respect to him, the employee shall,

within ten days thereafter, furnish the employer with a new withholding exemption certificate relating to the number of withholding exemptions which the employee then claims, which shall in no event exceed the number to which he is entitled on such day. If, on any day during the calendar year, the number of withholding exemptions to which the employee is entitled is greater than the number of withholding exemptions claimed, the employee may furnish the employer with a new withholding exemption certificate relating to the number of withholding exemptions which the employee then claims, which shall in no event exceed the number to which he is entitled on such day.

(7) Form of certificate. Withholding exemption certificates shall be in such form and contain such information as the commissioner may by regulation prescribe.

(8) *Notwithstanding the provisions of this subdivision, an employee may elect to claim the same number of withholding exemptions that the employee claims for federal withholding purposes.*

**Sec. 2. [EFFECTIVE DATE.]** *This act is effective the day following final enactment."*

Amend the title as follows:

Page 1, line 2, strike "providing for increased" and insert "altering the requirements for claiming"

Page 1, line 3, strike "based on itemized deductions" and insert "exemptions"

Page 1, line 4, strike "by adding" and insert "Subdivision 5"

Page 1, line 5, strike "a subdivision"

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

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

## INTRODUCTION AND FIRST READING OF SENATE BILLS

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

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

S. F. No. 1467: A bill for an act relating to the organization and operation of state government; appropriating money for the general administrative and judicial expenses of state government and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; amending Minnesota Statutes 1976, Sections 10.30; 16A.095, Subdivision 2; 16A.10, Subdivisions 1 and 2; 16A.11, Subdivisions 2 and 3; 43.09, Subdivision 2; 43.31; 98.46, by adding a subdivision; 168.33, Subdivisions 2 and 7; 176.602; 183.545, Subdivisions 1, 3 and 4; 183.57, Subdivision 2; 186.04; 260.311, Sub-

division 2; 268.06, Subdivision 25; 296.06, Subdivision 2; 296.12, Subdivision 1; 326.241, Subdivision 3; 362.125; 363.14, by adding a subdivision; 462.389, Subdivision 4; Chapter 16A, by adding a section; Laws 1971, Chapter 121, Section 2, as amended; and Laws 1976, Chapter 260, Section 3; repealing Minnesota Statutes 1976, Sections 15.61, Subdivision 3; 16.173; 16A.095, Subdivision 1; 16A.12 and 176.603.

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

### RECESS

Mr. Coleman moved that the Senate do now recess until 1:30 o'clock p.m. The motion prevailed.

The hour of 1:30 o'clock p.m. having arrived, the President called the Senate to order.

### CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Bernhagen	Humphrey	Milton	Schmitz	Strand
Chmielewski	Johnson	Nelson	Setzepfandt	Stumpf
Coleman	Keefe, S.	Olson	Sieloff	Tennessen
Dieterich	Kleinbaum	Penny	Sikorski	Vega
Dunn	Laufenburger	Perpich	Sillers	Wegener
Gearty	Lewis	Peterson	Spear	Willet
Hanson	Luther	Pillsbury	Staples	
Hughes	Merniam	Schaaf	Stokowski	

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

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

### SECOND READING OF SENATE BILLS

S. F. No. 928 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

### SECOND READING OF HOUSE BILLS

H. F. No. 229 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

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

### GENERAL ORDERS

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

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

S. F. Nos. 558, 999, 833, 825, 963, 664, 426, 628, 233, 356, 1004, 39, 1064, 1028, 208, 368 and 541, which the committee recommends to pass.

S. F. No. 796, which the committee recommends to pass with the following amendment offered by Mr. Laufenburger:

Page 3, line 12, strike "*practice*" and insert "*render*"

S. F. No. 616, which the committee recommends to pass with the following amendment offered by Mr. Keefe, S.:

Page 3, line 3, after "*a*" insert "*business association where the stock certificates or other evidence of interest in the business have not been issued, or in a*"

Page 3, line 4, strike everything after "*organization*"

Page 3, line 5, strike everything before the comma

S. F. No. 760, which the committee recommends to pass, after the following motion:

Mr. Knutson moved to amend S. F. No. 760 as follows:

Page 2, line 16, strike the comma

Page 2, lines 17 to 19, strike the new language

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 16 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Jensen	Lewis	Renneke
Bang	Frederick	Keefe, J.	Merriam	Sieloff
Bernhagen	Humphrey	Knutson	Pillsbury	Sillers
Brataas				

Those who voted in the negative were:

Coleman	Johnson	Moe	Schmitz	Strand
Davies	Keefe, S.	Nelson	Setzepfandt	Stumpf
Dietenich	Knoll	Nichols	Sikorski	Tennessen
Gearty	Lessard	Penny	Solon	Vega
Gunderson	Luther	Perpich	Spear	Wegener
Hanson	McCutcheon	Purfeerst	Staples	
Hughes	Milton	Schaaf	Stokowski	

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

S. F. No. 181, which the committee recommends to pass with the following amendments offered by Messrs. Stokowski and Ogdahl:

Mr. Stokowski moved to amend S. F. No. 181 as follows:

Page 5, after line 29, insert

"Sec. 5. Minnesota Statutes 1976, Section 353.01, Subdivision 2a, is amended to read:

Subd. 2a. [INCLUDED EMPLOYEES.] The following persons are included in the meaning of "public employee":

(a) Elected or appointed officers and employees of elected officers.

(b) District court reporters.

(c) Officers and employees of the public employees retirement association.

(d) Employees of the League of Minnesota ~~Municipalities~~ *Cities*.

(e) Officers and employees of public hospitals, owned or operated by or an integral part of, any governmental subdivision or governmental subdivisions.

(f) Employees of a school district who receive separate salaries for driving their own buses.

(g) *Employees of the Association of Minnesota Counties.*

(h) *Employees of the Metropolitan Inter-County Council.*

(i) *Employees of the Minnesota Municipal Utilities Association.*

Sec. 6. Minnesota Statutes 1976, Section 353.01, Subdivision 2b, is amended to read:

Subd. 2b. [EXCLUDED EMPLOYEES.] The following persons are excluded from the meaning of "public employee":

(a) Persons employed for professional services where such service is incidental to regular professional duties.

(b) Election officers.

(c) Independent contractors and their employees.

(d) Patient and inmate help in governmental subdivision charitable, penal and correctional institutions.

(e) Members of boards, commissions, bands and others who serve the governmental subdivision intermittently.

(f) Employees who hold positions of an essentially temporary or seasonal character, provided such employment does not continue for a period in excess of 120 working days in any calendar year. ~~In the event such employees receive compensation on a monthly salary basis, each calendar month for which they are so paid shall constitute 20 working days; however,~~ Immediately following the expiration of such 120 working days if such employees continue in public service and earn in excess of \$150 in any one calendar month, the department heads must then report all such employees for membership and must cause employee contributions to be made on behalf of such employees in accordance with section 353.27, subdivision 4, *and they shall remain members until termination of public service.*

(g) Parttime employees who receive monthly compensation not exceeding \$150, and parttime employees and elected officials whose annual compensation is stipulated in advance to be not more than \$1,800 per year, *except that members shall continue their membership until termination of public service.*

(h) Persons who first occupy an elected office after February 1, 1969, the compensation for which does not exceed \$150 per month.

(i) Emergency employees who are employed by reason of work caused by fire, flood, storm or similar disaster.

(j) Employees who by virtue of their employment are required to contribute to any other pension, relief or retirement fund established for the benefit of officers and employees of a governmental subdivision, except as an act of the legislature has specifically enabled participation by employees of a designated governmental subdivision in a plan supplemental to the public employees retirement association; provided that this clause shall not prevent a person ~~who belongs from contributing to the public employees retirement association from and also belonging to or contributing to a volunteer firemen's relief association that does not determine its benefits or contributions on the basis of the salary or compensation of the fireman another public pension fund for other service occurring during the same period of time.~~

(k) Police matrons employed in a police department of any city who are transferred to the jurisdiction of a joint city and county detention and corrections authority.

(l) ~~Persons who make application to be exempted from membership in the public employees retirement association, due to membership in any religious organization which has been organized five years or more, and whose customs, rites or religious beliefs forbid their membership in any public retirement association, providing such persons file an application stating the applicable provisions of their religious organization, confirmed by such organization, and waive all claims for retirement annuities or benefits of any kind pursuant to this chapter~~ *Chaplains and nuns who have taken a vow of poverty as members of a religious order.*

(m) ~~Students who are occasionally employed part time by a governmental subdivision in any capacity and Full time students who are enrolled and are regularly attending classes at an accredited school, college or university; provided, no full time public employees shall be exempt under this paragraph and any such employees presently exempt hereunder shall become members as of July 1, 1976.~~

(n) Resident physicians, medical interns and pharmacist interns who are serving in public hospitals.

(o) Appointed or elected officers, paid entirely on a fee basis, and who were not members on June 30, 1971.

(p) Nothing in Laws 1973, Chapter 753 shall be interpreted to impair or revoke any option exercised under Laws 1963, Chapter 793.

Sec. 7. Minnesota Statutes 1976, Section 353.01, Subdivision 6, is amended to read:

Subd. 6. [GOVERNMENTAL SUBDIVISION.] "Governmental subdivision" means a county, city, town, school district within this state, or a department or unit of state government, ~~the League of Minnesota Municipalities,~~ or any public body whose revenues are derived from taxation, fees, assessments or from other sources, but does not mean any municipal housing and redevelopment authority organized under the provisions of sections 462.415 to 462.711; or any port authority organized pursuant to chapter 458; or any soil conservation district organized pursuant to chapter 40; or any hospital district organized or reorganized prior to July 1, 1975 pursuant to legislation enacted by the 1959 Legislature.

Sec. 8. Minnesota Statutes 1976, Section 353.01, Subdivision 15, is amended to read:

Subd. 15. [DEPENDENT CHILD.] "Dependent child" means any natural or adopted child of a deceased member, provided such child is (a) under the age of 18, (b) age 18 through 21 and a full time student, and in either case unmarried and dependent for more than one-half of his support upon such member at the time of death and for not less than 90 days prior thereto; provided, ~~that effective retroactively to April 30, 1970 the child of a deceased member, who at the time of his death was receiving total and permanent disability benefits pursuant to section 353.33, shall be deemed dependent if he was dependent upon the decedent for more than one-half of his support during the 90 days prior to the decedent's becoming totally and permanently disabled ; except that no payment in behalf of such a dependent child shall commence prior to July 1, 1971 .~~ It also includes any child of the member conceived during his lifetime and born after his death ~~in any case where a member died after July 1, 1967 .~~ It also means any dependent child who is the subject of adoption proceedings filed by a member, and who within two years after death of the member, by judgment and decree duly entered, is adjudged to be the adopted child of the deceased member; subject, however, to the qualifying conditions of age and dependency aforesaid and the dependency of the child hereunder shall date from the decree of adoption.

Sec. 9. Minnesota Statutes 1976, Section 353.01, Subdivision 20, is amended to read:

Subd. 20. [DEPENDENT SPOUSE.] "Dependent spouse" means the unremarried spouse of a deceased member who was living with and ~~dependant for more than one-half of support upon the member at the time of death, or at the time the member became totally and permanently disabled.~~

Sec. 10. Minnesota Statutes 1976, Section 353.27, Subdivision 4, is amended to read:

Subd. 4. [EMPLOYERS REPORTING REQUIREMENTS; CONTRIBUTIONS; MEMBER STATUS.] The head of each department is hereby directed to cause employee contributions to be deducted at least once each month from the salary of each member and to issue or approve one voucher payable to the state treasurer for the aggregate amount so deducted from such salaries, and at the same time to issue or approve one voucher for the aggregate amount of the employer contributions and the additional employer contributions for the same period of employment as that covered by the employee contributions, and to cause the same to be remitted within 15 days thereafter to the executive director. The head of each department shall, for each pay period in which employee contributions are deducted, submit to the association a salary deduction report, in the form prescribed by the board of trustees, ~~or in lieu thereof a carbon or duplicate copy of departmental payroll abstract,~~ showing (a) the legal names and the association membership numbers, listed in alphabetical or association membership number sequence, of all members; (b) the legal names of all new public employees and the effective dates of appointment; (c) the amount of each salary deduction; (d) the amount of salary from which each deduction was made; (e) effective dates of all terminations of public service on account of members and if such terminations were caused by death or retirement, there shall be inserted after such date the applicable word, "death" or "retirement"; and (f) effective dates of all temporary layoffs and leaves of absence and if such leaves are sick leaves, there shall be inserted after such date the words, "sick leave." Additionally, reports of contributions shall be accompanied by a membership enrollment form for each new employee in the form prescribed by the board, and it shall be the responsibility of department heads to obtain such enrollment forms from new employees for prompt submission to the association. The employers shall furnish such additional reports or punch cards as may be requested by the association executive director.

Sec. 11. Minnesota Statutes 1976, Section 353.29, Subdivision 4, is amended to read:

Subd. 4. [APPLICATION FOR ANNUITY.] Application for retirement annuity may be made by a member or by someone authorized to act in his behalf. Every application for retirement, in the form prescribed by the board of trustees, shall be substantiated in writing by proof of ~~(a) age of the employee and (b) his public service, which shall be submitted by the employee and employer, respectively.~~

Sec. 12. Minnesota Statutes 1976, Section 353.29, Subdivision 8, is amended to read:

Subd. 8. [ANNUITIES; PAYMENT; EVIDENCE OF RECEIPT.] Payment of any annuity or benefit for a given month shall be mailed by the association to the annuitant, recipient of a disability benefit, or survivor, during the first week of the next ensuing month. Evidence of receipt of every warrant issued by the association in payment of an annuity or benefit shall be



submitted by the payee thereof to the association quarterly ~~beginning with the June, 1975 payments~~, together with a written declaration that the annuitant or recipient of a disability benefit has or has not returned to public service; that the surviving dependent spouse has or has not remarried; and shall be furnished on forms provided by the executive director thereof, before the association shall pay to the annuitant, disability recipient, or survivor for the next ensuing month, the annuity or benefit to which he otherwise may be entitled.

Sec. 13. Minnesota Statutes 1976, Section 353.31, Subdivision 8, is amended to read:

Subd. 8. [ACCRUAL OF BENEFITS.] All benefits under this section and survivor benefits otherwise provided in this chapter when payable to persons qualifying therefor shall accrue on the first day following the death of a "basic member" or annuitant, whichever is applicable. No payment may be made ~~(a) retroactively for more than 12 months prior to that month in which the application is filed, or (b) for the month, or any portion thereof, and no benefit shall accrue beyond the end of the month in which entitlement to such benefits has terminated. This subdivision shall have retroactive effect to January 1, 1969.~~

Sec. 14. Minnesota Statutes 1976, Section 353.32, Subdivision 7, is amended to read:

Subd. 7. [CERTAIN PAID PENALTIES.] *A member, former member, beneficiary, legal representative, or next of kin shall be paid on demand the full amount of any additional penalty paid into the retirement fund by the member, former member, or deceased member in accordance with the provisions of Laws 1937, Chapter 466, Section 2; Laws 1947, Chapter 18, Section 2, or any rules made by the board of trustees pursuant to these laws, without interest thereon unless the additional penalty was previously refunded upon retirement of the said member or former member.*

Sec. 15. Minnesota Statutes 1976, Section 353.33, Subdivision 1, is amended to read:

353.33 [TOTAL AND PERMANENT DISABILITY BENEFITS.] Subdivision 1. [AGE, SERVICE AND SALARY REQUIREMENTS.] After June 30, 1973 any member who becomes totally and permanently disabled before age 65 and after ten years of allowable service or after age 50 *but before age 65* with five years of allowable service, whichever is sooner, shall be entitled to a disability benefit in an amount provided in subdivision 3. If such disabled person's public service has terminated at any time, at least five of the required ten years of allowable service must have been rendered after last becoming a member. Any member whose average salary is less than \$75 per month shall not be entitled to a disability benefit.

Sec. 16. Minnesota Statutes 1976, Section 353.33, Subdivision 9, is amended to read:

Subd. 9. [RETURN TO PUBLIC SERVICE.] Any person receiving a disability benefit who is restored to active public service except persons receiving benefits as provided in subdivision 7, shall have deductions taken for the retirement fund and upon subsequent retirement have his retirement annuity based upon all allowable service including that upon which the disability benefits were based. ~~No person shall be entitled to receive disability benefits and a retirement annuity at the same time.~~

Sec. 17. Minnesota Statutes 1976, Section 353.33, Subdivision 11, is amended to read:

Subd. 11. [RETIREMENT STATUS AT AGE 65.] No person shall be entitled to receive disability benefits and a retirement annuity at the same time. The disability benefits paid to a person hereunder shall terminate when he reaches age 65, if he is still totally and permanently disabled. At that time he shall be deemed to be on retirement status and may at his option be paid either a normal retirement annuity as provided in section 353.29 or normal retirement annuity equal to the disability benefit paid to him before he reached age 65, whichever amount is greater. Any disabled person who becomes age 65 ~~after June 30, 1973,~~ shall have his annuity computed in accordance with the law in effect ~~on July 1, 1973 upon attainment of age 65.~~ A person who elects an annuity under section 353.29 may, prior to age 65, select an optional annuity pursuant to section 353.30, subdivision 3.

Sec. 18. Minnesota Statutes 1976, Section 353.36, Subdivision 2, is amended to read:

Subd. 2. [EMPLOYEE CONTRIBUTIONS; INTEREST; MATCHING PAYMENT.] A person who has *at least one year of allowable service with the association and who has prior public service on which salary deductions were not taken for the retirement fund and who does not have the required minimum number of years of allowable service credit to qualify for an annuity,* may apply for such annuity if otherwise qualified, and within 90 days thereafter purchase whatever period of said public service is necessary to bring his total allowable service credit to said minimum, provided that last service shall be purchased first. Such person may gain such allowable service credit by paying six percent of the salary covered under the law in effect at the time that such public service was performed, with interest thereon at the rate of six percent per annum compounded annually from the date first payable to the date payment is made, plus a matching amount, unless the employer agrees to pay said matching amount pursuant to subdivision 2a. An annuity shall accrue as provided in section 353.29, subdivision 7, but no annuity shall be paid until the applicant's payment is made in full for the prior public service; if said payment is not made within such 90 days, the application for retirement shall be void.

Sec. 19. Minnesota Statutes 1976, Section 353.37, is amended to read:

353.37 [PUBLIC RE-EMPLOYMENT OF ANNUITANT.] *Subdivision 1. [EFFECT ON ANNUITIES.]* The annuity of a person otherwise eligible therefor under this chapter shall be suspended if he re-enters and as long as he remains in public service as a non-elective employee of a governmental subdivision, if his earned compensation for such service exceeds \$3,000 in any calendar year. The suspension of the annuity shall commence as of the first of the month in which the maximum permitted compensation is exceeded as herein provided, but shall not apply to any months in which the annuitant is not actually employed in non-elective service in a position covered by this chapter. Any annuitant of the association, who is elected to public office after his retirement following June 30, 1959 shall be entitled to hold such office and receive his annuity otherwise payable from the public employees retirement association from and after July 1, 1959. Upon proper showing by an annuitant that this ineligibility no longer exists, the monthly annuity payments shall be resumed. Public service performed by an annuitant subsequent to his retirement under this chapter does not increase or decrease any annuity when payments thereof are resumed. The annuitant is not required to make any further contributions to the retirement fund by reason of this subsequent public service.

*Subd. 2. [EFFECT ON PROPORTIONATE ANNUITY.]* Notwithstanding Minnesota Statutes, Section 356.32 or any other provision of law, persons employed by a governmental subdivision that requires termination of employment pursuant to a uniformly applied mandatory retirement policy or law in accord with said section may receive a proportionate annuity under said section, if qualified, even if they or others are employed as substitute employees after age 65. For the purpose of this section a substitute employee is one who earns less than \$3,000 in any calendar year.

Sec. 20. Minnesota Statutes 1976, Section 353.46, is amended by adding a subdivision to read:

*Subd. 1a. [PURCHASE OF ALLOWABLE SERVICE; ANNUITY.]* A person who purchased allowable service in the public employees retirement association for a period of time including June 30, 1957, but was not in fact a member of such association on June 30, 1957, shall not be entitled to receive retirement annuity computed under Minnesota Statutes 1957, Section 353.46, Subdivision 1, and laws amendatory thereto. This section shall have retroactive application to any such person receiving or found eligible by the district court to receive benefits calculated under section 353.46, subdivision 1, and laws amendatory thereto.

Sec. 21. Minnesota Statutes 1976, Section 353.651, Subdivision 3, is amended to read:

*Subd. 3. [RETIREMENT ANNUITY FORMULA.]* The average salary as defined in subdivision 2, multiplied by two and one-half percent per year of allowable service for the first 20 years and two percent per year of allowable service thereafter, shall determine the amount of the "normal" retirement annuity ; pro-

vided, however, if the annuity calculated hereunder is less than the annuity calculated under the law in effect on June 30, 1973, this latter amount shall be the "normal" annuity. If the member has earned allowable service for performing services other than those of a police officer or fire fighter, the annuity representing such service shall be computed in accordance with sections 353.29 and 353.30."

Page 8, line 8, strike "7" and insert "24"

Page 9, line 5, strike "Section" and insert "Sections 353.016; 353.018; 353.019;"

Page 9, line 6, strike ", is" and insert "; 353.31, Subdivision 11; 353.36, Subdivision 2d; 353.46, Subdivision 3; and 353.64, Subdivision 5 are"

Renumber the sections

Amend the title as follows:

Page 1, line 7, after the semicolon insert "making miscellaneous changes in the public employees retirement association provisions;"

Page 1, line 9, after the semicolon insert "353.01, Subdivisions 2a, 2b, 6, 15, and 20;"

Page 1, line 10, after "1;" insert 353.27, Subdivision 4; 353.29, Subdivisions 4 and 8; 353.31, Subdivision 8; 353.32, Subdivision 7; 353.33, Subdivisions 1, 9 and 11; 353.36, Subdivision 2; 353.37; 353.46, by adding a subdivision; and 353.651, Subdivision 3;"

Page 1, line 12, strike "Section" and insert "Sections 353.016; 353.018; 353.019;"

Page 1, line 13, after "2a" insert "; 353.31; Subdivision 11; 353.36, Subdivision 2d; 353.46, Subdivision 3; and 353.64, Subdivision 5"

Mr. Stokowski then moved to amend S. F. No. 181 as follows:

Page 3, lines 24, 27 and 29, strike "selection" and insert "election"

Page 3, line 28, strike the first "in" and insert "and"

Page 3, line 28, after "vacancies" insert a comma

Mr. Ogdahl moved to amend S. F. No. 181 as follows:

Page 1, after line 15, insert:

"Section 1. Minnesota Statutes 1976, Section 3A.04, Subdivision 1, is amended to read:

3A.04 [SURVIVOR BENEFIT.] Subdivision 1. [SURVIVING SPOUSE.] Upon the death of a member of the legislature while serving as such member after June 30, 1973, or upon the death of a former member of the legislature with at least eight years of service as required by section 3A.02, subdivision 1, clause (1), the surviving spouse shall be paid a survivor benefit in the amount of one-half of the retirement allowance of the member of the legislature computed as though the member were at least age 60 on the date of his death and based upon his allowable service or eight

years whichever is greater. *The augmentation provided in section 3A.02, subdivision 4, if applicable, shall be applied to the month of death. Upon the death of a former legislator receiving a retirement allowance, the surviving spouse shall be entitled to one-half of the amount of the allowance being paid to the legislator. Such benefit shall be paid during the lifetime of the surviving spouse, but shall cease and terminate upon the remarriage of the surviving spouse.*

Sec. 2. Minnesota Statutes 1976, Section 3A.04, is amended by adding a subdivision to read:

*Subd. 1a. [INCREASE IN SURVIVOR BENEFITS.] Survivor benefits provided in subdivision 1 authorized and in effect on the effective date of this act shall be increased by 25 percent, effective retroactively to January 1, 1974, or the date the survivor benefit became payable, whichever is later."*

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 7, after "processes;" insert "survivor benefits for deceased legislators;"

Page 1, line 8, after "Sections" insert "3A.04, Subdivision 1, and by adding a subdivision;"

S. F. No. 410 which the committee reports progress, subject to the following motion:

Mr. Spear moved to amend S. F. No. 410 as follows:

Page 1, line 12, strike "defective or faulty workmanship,"

The motion prevailed. So the amendment was adopted.

S. F. No. 410 was then progressed.

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

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

#### REPORTS OF COMMITTEES

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

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

S. F. Nos. 397, 143, 1416, 1269, 1234, 1203, 324, 1302, 500, 1452, 1208, 734, 1191, 888, 521 and H. F. No. 598, makes the following report:

That S. F. Nos. 397, 143, 1416, 1269, 1234, 1203, 324, 1302, 500, 1452, 1208, 1191, 888, 521 and H. F. No. 598 be placed on the General Orders Calendar in the order indicated.

That S. F. No. 734 is being retained in the subcommittee.

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

**RECESS**

Mr. Coleman moved that the Senate do now recess until 7:00 o'clock p.m. The motion prevailed.

The hour of 7:00 o'clock p.m. having arrived, the President called the Senate to order.

**CALL OF THE SENATE**

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Hanson	Lewis	Penny	Stokowski
Bang	Hughes	McCutcheon	Perpich	Strand
Borden	Humphrey	Milton	Peterson	Vega
Brataas	Johnson	Moe	Setzepfandt	Wegener
Chmielewski	Keefe, S.	Nelson	Sikorski	Willet
Coleman	Kleinbaum	Nichols	Sillers	
Gearty	Laufenburger	Olhoft	Solon	
Gunderson	Lessard	Olson	Staples	

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

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

**MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 482, 541, 763, 882, 1471, 1038, 1099, 1155, 1305, 676, 707, 993, 1161, 1469, 644, 809, 1095, 1113, 1208, 103, 492, 902, 937 and 1129.

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

**FIRST READING OF HOUSE BILLS**

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

H. F. No. 482: A bill for an act relating to education; teachers; interpreters for the deaf; including interpreters for the deaf in licensing requirements for teachers and interns under the jurisdiction of the board of teaching; amending Minnesota Statutes 1976, Section 125.185, Subdivision 4.

Referred to the Committee on Education.

H. F. No. 541: A bill for an act relating to labor; prohibiting the deduction of certain losses from wages without authorization

by the employee; providing a cause of action for wrongful deduction.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 410 now on General Orders.

H. F. No. 763: A bill for an act relating to labor; prohibiting certain terms in employment contracts relating to inventions by employees.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 208 now on the Calendar.

H. F. No. 882: A bill for an act relating to commerce; providing for disclosure of mileage traveled by motor vehicles; amending Minnesota Statutes 1976, Sections 168A.04, Subdivision 1; 168A.05, Subdivision 3; 168A.10, Subdivision 1; and 168A.11, Subdivisions 1 and 3.

Referred to the Committee on Commerce.

H. F. No. 1471: A bill for an act relating to aeronautics; requiring boards of adjustment to grant or deny applications for zoning variances within six months; authorizing the commissioner of transportation to develop an air transportation system; amending Minnesota Statutes 1976, Section 360.015, Subdivision 14; 360.017, Subdivision 1; and 360.067, Subdivision 2.

Referred to the Committee on Transportation.

H. F. No. 1038: A bill for an act relating to state lands; authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Houston county.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1018.

H. F. No. 1099: A bill for an act relating to the city of Excelsior; proportionate service pensions and financing requirements of the firemen's relief association.

Referred to the Committee on Rules and Administration.

H. F. No. 1155: A bill for an act relating to the revisor of statutes; providing for engrossing and enrolling duties; clarifying disclosure of bill drafting records; amending Minnesota Statutes 1976, Sections 482.09; and 482.12, Subdivision 1.

Referred to the Committee on Governmental Operations.

H. F. No. 1305: A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted and obsolete references and text; reenacting a law; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1976, Chapter 15, by adding a section; Sections 3.973; 4.12, Subdivision

2; 10.13; 15.55; 16A.129; 33.13; 38.02, Subdivision 2; 38.13; 41.57, Subdivision 1; 43.051, Subdivisions 1 and 2; 55.095; 83.26, Subdivision 3; 116.36, Subdivision 1; 116A.20, Subdivision 6; 121.02, Subdivision 1; 121.11, Subdivision 5; 125.05, Subdivision 3; 144.01, Subdivision 1; 144A.19, by adding a subdivision; 161.14, Subdivision 19; 168.013, Subdivision 17; 168.12, Subdivision 1; 168.27, Subdivision 22; 176.101, Subdivision 3; 179.65, Subdivision 2; 192.551; 193.149; 202A.25, Subdivision 1; 207.19, Subdivision 1; 222.50, Subdivision 5; 246.02, Subdivision 2; 252.24, Subdivision 1; 256B.04, Subdivisions 10 and 11; 260.171, Subdivision 6; 270.50; 273.13, Subdivisions 6 and 7; 297.13, Subdivision 1; 336.9-104; 336.9-105; 336.9-404; 336.9-501; 340.039; 353.01, Subdivisions 2a and 6; 355.30; 375.18, Subdivision 8; 458.19; 462.364; 462A.04, Subdivision 1; 462A.22, Subdivision 10; 465.58; 485.01; 549.06; 609.556, Subdivision 1; and 645.44, Subdivision 5a; reenacting Laws 1976, Chapter 127; repealing Minnesota Statutes 1976, Sections 15.055; 17B.22, Subdivision 3; 43.37; 136A.02, Subdivision 2; 144.952; 169.132; Laws 1971, Chapter 427, Section 17; Laws 1974, Chapters 22, Section 5; and 256.

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

H. F. No. 676: A bill for an act relating to intoxicating liquor; civil liability for illegal sale, barter or gift thereof; amending Minnesota Statutes 1976, Sections 340.95 and 340.951.

Referred to the Committee on Judiciary.

H. F. No. 707: A bill for an act relating to taxation; changing certain procedures for objecting to real or personal property taxes; providing for city and town attorneys to handle prosecutions; amending Minnesota Statutes 1976, Sections 277.011, Subdivisions 1 and 5; 278.01 and 278.05.

Referred to the Committee on Rules and Administration.

H. F. No. 993: A bill for an act relating to taxation; providing an alternative tax on liquor in metric containers; authorizing commissioner of revenue to order metric conversion; increasing bonding requirements; defining certain responsibilities of commissioners of public safety and revenue; amending Minnesota Statutes 1976, Sections 299A.02, Subdivision 1; 340.44; 340.47, by adding subdivisions; 340.485, Subdivisions 1 and 2; 340.51; 340.54, Subdivision 1; and 340.55.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 1161: A bill for an act relating to education; correcting and eliminating certain erroneous and obsolete references and text relating to state universities and community colleges; amending Minnesota Statutes 1976, Sections 136.60, Subdivision 1, and by adding a subdivision; 136.603; 136.62, Subdivisions 1, 2 and 4; 136.621, Subdivision 1; repealing Minnesota Statutes 1976, Sec-



tions 136.016; 136.60, Subdivision 2; 136.601; 136.602; 136.62, Subdivision 3; 136.621, Subdivisions 2 and 3; and 136.66.

Referred to the Committee on Education.

H. F. No. 1469: A bill for an act relating to transportation; extending the time for submission by the commissioner of certain proposals relating to certain modes of transportation; amending Minnesota Statutes 1976, Section 174.06, Subdivision 7.

Referred to the Committee on Rules and Administration.

H. F. No. 644: A bill for an act relating to public welfare; general assistance work programs; providing authority for local agencies to contract with nonprofit organizations for work program services; amending Minnesota Statutes 1976, Section 256D.11, Subdivision 4.

Referred to the Committee on Health, Welfare and Corrections.

H. F. No. 809: A bill for an act changing the boundary line between Lac qui Parle county and Big Stone county; amending Laws 1937, Chapter 423, Section 1.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 952, now on the Consent Calendar.

H. F. No. 1095: 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.

H. F. No. 1113: A bill for an act relating to welfare; clarifying the powers of guardianship by the commissioner; amending Minnesota Statutes 1976, Sections 252A.02, Subdivision 2; 252A.03, Subdivision 3; 252A.04, Subdivision 3; 252A.07, Subdivision 1; and 252A.18; repealing Minnesota Statutes 1976, Section 252.03.

Referred to the Committee on Judiciary.

H. F. No. 1208: A bill for an act relating to commerce; regulating mobile home lot payments; prohibiting entrance fees; specifying required notice for termination of tenancies; amending Minnesota Statutes 1976, Sections 327.43, Subdivision 1; and 327.44.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 999, now on the Calendar.

H. F. No. 103: A bill for an act relating to highway traffic regulations; providing that a person may lawfully stop or park his motor vehicle on highways and streets under specified conditions for the purpose of aiding distressed motorists; amending Minnesota Statutes 1976, Chapter 169, by adding a section.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 521, now on General Orders.

H. F. No. 492: A bill for an act relating to the city of Winona; placing the chief of police under the public employees police and fire fund.

Referred to the Committee on Governmental Operations.

H. F. No. 902: A bill for an act relating to state finance, authorizing payments pursuant to grievance resolutions; amending Minnesota Statutes 1976, Section 16A.17, Subdivision 7.

Referred to the Committee on Governmental Operations.

H. F. No. 937: A bill for an act relating to Ramsey county; deleting obsolete provisions in the Ramsey county code relating to parks and recreation; amending Laws 1974, Chapter 435, Section 1.0205.

Referred to the Committee on Local Government.

H. F. No. 1129: A bill for an act relating to Ramsey county; codifying existing laws relating to the composition, terms, selection and redistricting of the board of commissioners; providing for the time and place of certain board meetings; authorizing rules of procedure and the keeping and publication of a board journal; amending Laws 1974, Chapter 435, Section 2.05, and by adding sections; repealing Laws 1974, Chapters 435, Sections 2.01, 2.02 and 2.06; and 576, Section 2, Subdivisions 1, 2, 3 and 5.

Referred to the Committee on Local Government.

### REPORTS OF COMMITTEES

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

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

S. F. No. 263: A bill for an act relating to natural resources; restricting acquisition of agricultural land for inclusion in the Richard J. Dorer Memorial Hardwood Forest.

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

Strike everything after the enacting clause and insert:

"Section 1. [RICHARD J. DORER MEMORIAL HARDWOOD FOREST; SALE OF TILLABLE LAND.] *Subdivision 1. Acquisition of land for the Richard J. Dorer Memorial Hardwood Forest has resulted in state purchase of abnormally large amounts of tillable land because of the state's unique goal of acquiring forest land in steep hillsides and the frequent desire of landown-*

ers to sell their entire farm. This requires a special procedure to mandate and facilitate disposal of this agricultural land by the state.

*Subd. 2. If a land purchase in the Richard J. Dorer Memorial Hardwood Forest, created pursuant to Minnesota Statutes, Section 89.021, Subdivision 33, contains more than five contiguous acres of tillable land adjacent to other privately owned tillable land or to a public road, the commissioner shall offer the tillable land in that parcel for sale or exchange for three years thereafter pursuant to this section. Tillable acres are those included in classes 1, 2, 3, or 4 as defined by the United States soil conservation service. In making the determination of classification, the commissioner shall consult with and obtain the opinion of the soil conservation service and any appropriate soil and water conservation district. "Commissioner" for the purposes of this section means the commissioner of the department of natural resources.*

*Subd. 3. Notwithstanding other laws to the contrary, disposition of lands pursuant to this section shall be in accordance with the procedures specified in this section. All parcels required to be offered for sale pursuant to this section shall be first offered for sale not less than six months after acquisition by the state and at least once thereafter in each of the next two succeeding years. Lands shall be offered for sale and sold by the commissioner of administration for the commissioner pursuant to the procedures specified in Minnesota Statutes, Sections 94.10 to 94.14, except that no offer to any public body shall be required prior to sale to the public and only 50 percent of the cost of any survey or appraisal shall be included in the appraised value. Not more than 300 acres in any county shall be sold under the procedures established by this section. If the commissioner determines that any additional lands should be sold or otherwise disposed of, their disposal shall be governed by the procedures and conditions otherwise established by law.*

*Subd. 4. Land exchanges shall be pursuant to the procedures specified in Minnesota Statutes, Sections 94.341 to 94.348.*

*Subd. 5. Any money which is derived from the sale of the parcels of state forest land pursuant to this section and which is required by any other law to be deposited in the general fund of the state treasury shall be credited to the Richard J. Dorer Memorial Hardwood Forest land acquisition account, which is hereby created in the state treasury. All of the money in the state treasury credited to this account is annually appropriated to the commissioner for the purpose of acquiring additional land within the Richard J. Dorer Memorial Hardwood Forest.*

*Subd. 6. Notwithstanding any law to the contrary neither the state nor any of its political subdivisions shall be required to construct or maintain any street, highway or other road to provide access to any parcel of land sold pursuant to this section.*

Sec. 2. Minnesota Statutes 1976, Section 89.036, is amended to read:

89.036 [FUNDS APPORTIONED TO COUNTY.] The state of Minnesota shall hereafter annually on July 1 or as soon thereafter as may be practical, pay from the state forest fund to each county, in which there now are, or hereafter shall be situated, any state forests, a sum equal to 50 75 percent of the gross receipts of such state forests located within such county, which have been received during the preceding fiscal year and credited to the state forest fund, which payment shall be received and distributed by the county treasurer, as if such payment had been received as taxes on such lands payable in the current year.

After making such payment to the county, the balance of said funds in the state forest fund on July 1 shall be transferred and credited to the general fund of the state.

The commissioner of finance shall annually draw his warrants upon the state treasurer for the proper amounts in favor of the respective counties entitled thereto and the state treasurer shall pay such warrants from the state forest fund.

The commissioner of finance and the state treasurer shall, and are hereby authorized and empowered to devise, adopt, and use such accounting methods as they may deem proper, and to do any and all other things reasonably necessary in carrying out the provisions of this section.

There is hereby appropriated to the counties entitled to such payment, from the state forest fund in the state treasury, an amount sufficient to make the payments specified herein.

Sec. 3. [EFFECTIVE DATE; EXPIRATION OF TEMPORARY PROVISIONS.] *This act is effective July 1, 1977. Section 1 expires June 30, 1979.*

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

"A bill for an act relating to state forests; increasing state payments in lieu of taxes to counties; establishing procedures for disposal of excess agricultural land in the Richard J. Dorer Memorial Hardwood Forest; amending Minnesota Statutes 1976, Section 89.036."

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

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

S. F. No. 788: A bill for an act relating to taxation; providing an additional tax on gasoline and special fuel; directing that the additional tax be used for solar energy research; providing an appropriation; proposing a constitutional amendment to Article XIV, Section 5 and 10 to allow such a use of tax revenue; amending Minnesota Statutes 1976, Section 296.18, Subdivisions 4 and 5; and Chapter 296, by adding a section.

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

Page 1, line 15, strike "SOLAR" and insert "ALTERNATIVE"

Page 1, line 15, after "RESEARCH" insert "AND DEVELOPMENT"

Page 1, line 20, strike "SOLAR" and insert "ALTERNATIVE"

Page 1, line 20, after "RESEARCH" insert "AND DEVELOPMENT"

Page 2, line 1, strike "solar" and insert "alternative"

Page 2, line 1, after "research" insert "and development"

Page 2, line 3, strike "solar" and insert "alternative"

Page 2, line 3, after "research" insert "and development"

Page 2, line 8, strike "solar" and insert "alternative"

Page 2, line 8, after "research" insert "and development"

Page 2, line 11, strike "3" and insert "4"

Page 2, line 13, strike "use" and insert "distribute"

Page 2, line 13, strike "solar" and insert "alternative"

Page 2, line 14, after "research" insert "and development"

Page 2, line 15, strike "to fund solar" and insert "as provided in section 2."

Page 2, strike lines 16 through 19 and insert:

*"Sec. 2. [APPROPRIATIONS.] Subdivision 1. Fifty percent of the alternative energy research and development tax fund is appropriated to the director of the housing finance agency to be distributed as home improvement loans pursuant to section 462A.05, subdivision 14. The loans are to be used for the purpose of equipping homes with a solar energy system as defined in section 116H.02, subdivision 11.*

*Subd. 2. Twenty-five percent of the alternative energy research and development tax fund is appropriated to the director of the energy agency to fund solar energy research and development projects. The director shall promulgate guidelines for the solar research and development program pursuant to chapter 15.*

*Subd. 3. Twenty-five percent of the alternative energy research and development tax fund is appropriated to the director of the energy agency to fund research and development projects on underground buildings and alternative energy other than solar energy. The director shall promulgate rules for the alternative energy research and development program pursuant to chapter 15.*

*Subd. 4. There are annually appropriated from the general fund sums needed to carry out the provisions of sections 1 to 4."*

Page 5, line 7, strike "solar" and insert "alternative"

Page 5, line 7, after "research" insert "and development"

Page 5, line 13, strike "solar" and insert "alternative"

Page 5, line 14, after "research" insert "and development"

Page 5, line 18, strike "3" and insert "4"

Page 5, line 21, strike "4 and 5" and insert "5 and 6"

Renumber the sections accordingly

Further, amend the title as follows:

Page 1, line 4, strike "solar" and insert "alternative"

Page 1, line 4, after "research" insert ", development and low cost home loans"

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

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

S. F. No. 698: A bill for an act relating to insurance companies; simplifying language and removing obsolete provisions; clarifying ambiguities; establishing certain responsibilities; requiring performance bonds for certain corporate officers and employees; increasing certain fees; increasing certain capitalization and reserve requirements; providing certain restrictions; authorizing mutual companies to write certain additional kinds of insurance; prescribing certain penalties; amending Minnesota Statutes 1976, Sections 60A.07, Subdivisions 5d and 11; 60A.09, Subdivision 1; 60A.10, Subdivision 1; 60A.11, Subdivision 2; 60A.12, Subdivision 5; 60A.19, Subdivision 1; 60A.23, Subdivision 7; 60C.06, Subdivision 1; 61A.33; 61A.40; 66A.08, Subdivision 1; 66A.09; 66A.10; 66A.16, Subdivision 2; repealing Minnesota Statutes 1976, Sections 60A.12, Subdivision 6; and 63.36.

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

Page 3, line 2, after "a" insert "*fidelity*"

Page 3, line 3, strike "*to secure the proper performance of*" and insert "*for*"

Page 9, line 8, after "*expenses*" insert "*incurred*"

Page 9, line 20, after "*policies*" insert "*during each of the three years immediately preceding the date of the statement*"

Page 9, line 23, reinstate the stricken "*liability*"

Page 9, line 24, strike "*from the liability policies written during the*" and insert "*for each of the three corresponding years*"

Page 9, line 25, strike "*three years*"

Page 9, line 26, strike "*those*" and insert "*claims incurred during each of those years*"

Page 9, line 27, strike "liability policies"

Page 9, line 32, after "*expenses*" insert "*incurred*"

Page 10, line 14, strike "of" before "each" and insert "*for*"

Page 10, line 16, after "in" insert "*each of*"

Pages 13 and 14, strike section 10

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 16, strike "61A.33;"

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. 403: A bill for an act relating to licensing boards; providing for reissuance of licenses from the board of architecture, engineering, land surveying and landscape architecture; amending Minnesota Statutes 1976, Section 326.11, Subdivision 5.

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

Page 1, line 12, after "been" insert "*suspended or*"

Page 1, line 15, strike "*, which application may not be*"

Page 1, strike lines 16 and 17, except the period

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. 784: A bill for an act relating to insurance; increasing solicitors license fees; establishing a duty of reasonable supervision for those employing agents; authorizing issuance of cease and desist orders and injunctions; prescribing and clarifying penalties; amending Minnesota Statutes 1976, Sections 60A.17, Subdivision 4, and by adding subdivisions; and 72A.07.

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

Page 2, strike section 2

Page 2, line 29, strike "*5b*" and insert "*5a*"

Page 4, line 9, after "*Revoke*" insert "*or suspend*"

Renumber the sections

Amend the title as follows:

Page 1, line 3, strike everything after the semicolon

Page 1, strike line 4

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. 581: A bill for an act relating to insurance; regulating licensing procedures; amending Minnesota Statutes 1976, Section 60A.17, Subdivision 2.

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

Page 4, line 26, before the period insert "*, except that it shall not apply to licenses or renewals of licenses granted before January 1, 1978*"

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. 1338: A bill for an act relating to automobile insurance; clarifying certain ambiguous provisions in the Minnesota no-fault automobile insurance act; amending Minnesota Statutes 1976, Sections 65B.44, Subdivision 3; 65B.49, Subdivisions 4 and 6; 65B.51, Subdivision 1; and 65B.53, Subdivision 1.

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

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

S. F. No. 1291: A bill for an act relating to venue for cases involving maltreatment of minors; amending Minnesota Statutes 1976, Chapter 627, by adding a section.

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

Page 1, line 10, strike "*and*"

Page 1, line 11, strike "*punished*"

Page 1, line 11, strike "*shall*"

Page 1, line 12, strike "*have*"

Page 1, line 12, strike "*may be*" and insert "*is*"

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

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



S. F. No. 798: A bill for an act relating to worker's compensation; providing that persons assisting law enforcement officials may be eligible for benefits; amending Minnesota Statutes 1976, Section 176.011, Subdivision 9.

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

Page 1, line 22, after "*process*" insert "*in which case, for purposes of calculating compensation payable under this chapter, the daily wage of the person requested or commanded to assist an officer or to execute a legal process shall be the prevailing wage for similar services where the services are performed by paid employees*"

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

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

S. F. No. 1311: A bill for an act relating to public employees; excluding supervisory employees from certain bargaining units; amending Minnesota Statutes 1976, Section 179.65, Subdivision 6.

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

Page 1, line 18, after the period insert "*Units of supervisory or confidential employees, or principals or assistant principals shall not participate in any joint negotiations which involve the participation of units of employees other than supervisory or confidential employees, or principals or assistant principals.*"

Amend the title as follows:

Page 1, line 2, strike "*excluding*" and insert "*permitting affiliation of supervisory and confidential employees, principals and assistant principals in certain bargaining*"

Page 1, strike line 3

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

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

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

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

Page 2, lines 8 to 12, restore the stricken language

Page 2, line 11, strike the reinstated "\$100" and insert "\$160"

Page 2, line 14, after the period insert "*In those cases where*

*a single arbitrator is hearing a dispute, the fees, expenses and costs of the arbitrator shall be shared and assessed equally by the parties to the dispute."*

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

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

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

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

Page 1, line 10, strike "*Except*"

Page 1, lines 11 and 12, strike "*lack of*"

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. 1172: A bill for an act relating to administrative procedures of governmental agencies; adding metropolitan and capitol area agencies under the coverage of the administrative procedure act; limiting rule-making authority and obligations; permitting incorporation by reference; requiring completion of hearing examiner reports within a specified period; permitting an agency to appeal adverse district court decisions; providing copies of the state register for public libraries; providing for hearing examiners, subpoenas and reporters; amending Minnesota Statutes 1976, Sections 15.0411, Subdivision 2; 15.0412; 15.0413, Subdivision 3; 15.0417; 15.0426; 15.048; 15.051, Subdivision 4; 15.052, Subdivisions 4 and 5; and 15.42.

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

Page 1, line 25, after the period insert "*For purposes of subdivision 3,*"

Page 1, line 28, after the comma insert "*and*"

Page 1, line 28, after "*commission*" strike "*and*" and insert "*. For purposes of subdivisions 3 and 4, 'agency' also means*"

Page 9, line 5, strike "*15.01*" and insert "*15.0411*"

Page 9, line 27, strike "*office of hearing examiners or the*" and insert "*chief*"

Page 9, line 28, strike "*before whom a hearing is held*"

Page 10, after line 18, insert:

"Sec. 11. [TEMPORARY PROVISION.] *Section 1 shall not be construed to apply to agency statements of general applicability and future effect which were adopted by an agency prior to July 1, 1977, and which were not required to be adopted as rules prior to the effective date of this act. Section 1 shall apply, however, to the amendment, suspension or repeal of an agency statement adopted prior to July 1, 1977.*"

Renumber the remaining section

Amend the title as follows:

Page 1, line 12, strike "hearing examiners,"

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

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

S. F. No. 1290: A bill for an act relating to juveniles; prescribing venue for neglect cases; amending Minnesota Statutes 1976, Section 260.121, Subdivision 1.

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

Page 1, line 13, strike "either"

Page 1, line 14, after "found" insert ", in the county of his residence,"

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

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

S. F. No. 433: A bill for an act relating to public welfare; classifying data; defining terms; amending Minnesota Statutes 1976, Section 15.162, Subdivision 5.

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 15.162, Subdivision 2a, is amended to read:

Subd. 2a. "Confidential data on individuals" means data which is: (a) made not public by statute or federal law applicable to the data and is inaccessible to the individual subject of that data; or (b) collected by a civil or criminal investigative agency as part of an active investigation undertaken for the purpose of the commencement of a legal action, provided that the burden of proof as to whether such investigation is active or in anticipation of a legal action is upon the agency. Confidential data on individuals does not include arrest information

that is reasonably contemporaneous with an arrest or incarceration. The provision of clause (b) shall terminate and cease to have force and effect with regard to the state agencies, political subdivisions, statewide systems, covered by the ruling, upon the granting or refusal to grant an emergency classification pursuant to section 15.1642 of both criminal and civil investigative data, or on June 30, 1977 1978, whichever occurs first."

Amend the title as follows:

Page 1, line 2, strike "public welfare; classifying"

Page 1, line 2, after the semicolon insert "extending the period during which investigative data is classified as confidential"

Page 1, line 3, strike "defining terms"

Page 1, line 4, strike "5" and insert "2a"

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

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

S. F. No. 797: A bill for an act relating to crimes; specifying certain acts which constitute theft in relation to cable television services and systems; providing penalties; amending Minnesota Statutes 1976, Section 609.52, Subdivision 2.

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

Page 5, line 3, strike "(a)"

Page 5, line 6, after "connection" insert a comma

Page 5, line 6, after "whether" insert "by"

Page 5, line 7, strike the second comma and insert a semicolon

Page 5, line 9, after "microwave" insert "equipment"

Page 5, line 11, strike "; or" and insert a period

Page 5, after line 11 insert:

"Sec. 2. Minnesota Statutes 1976, Chapter 609, is amended by adding a section to read:

[609.80] [INTERFERING WITH CABLE COMMUNICATIONS SYSTEMS.] *Whoever does any of the following is guilty of a misdemeanor:*"

Page 5, line 12, strike "(b)" and insert "(1)"

Page 5, lines 14 and 23, strike "communication" and insert "communications"

Page 5, line 17, strike "said" and insert "an"

Page 5, line 19, strike "(c)" and insert "(2)"

Page 5, line 20, strike "microwave"

Page 5, line 22, strike "(d)" and insert "(3)"

Page 5, line 24, strike "without the consent of the owner"

Amend the title as follows:

Page 1, line 6, after "2" and before the period insert "; and Chapter 609, by adding a section"

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

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

S. F. No. 1258: A bill for an act relating to the uniform commercial code; providing for the appropriation of the proceeds of bulk transfers; providing for the payment of creditors; amending Minnesota Statutes 1976, Sections 336.6-107; 336.6-108; and 336.6-109; and Chapter 336 by adding a section.

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

Page 4, line 12, after "PROTECTED" insert "; CREDIT FOR PAYMENT TO PARTICULAR CREDITORS"

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

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

S. F. No. 442: A bill for an act relating to county planning and zoning; providing for enforcement of certain subdivision regulations by providing for review of conveyancing instruments by an administrative officer after recording; amending Minnesota Statutes 1976, Section 394.37, Subdivision 1.

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

Page 2, line 4, after "notice" insert "by mail"

Page 2, line 4, after the first "the" insert "potential"

Page 2, line 5, strike ", and shall file a certificate of noncompliance"

Page 2, strike line 6 except for the period

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

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

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

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 517.08, Subdivision 1, is amended to read:

517.08 [APPLICATION FOR LICENSE.] Subdivision 1. Application for a marriage license shall be made at least five days before a license shall be issued. Such application shall be made upon a form provided for the purpose and shall contain the full names of the parties, their post office addresses and county and state of residence, ~~and their full ages~~ , *and the full names the parties will have after marriage* . The clerk shall examine upon oath the party applying for license relative to the legality of such contemplated marriage and, if at the expiration of this five-day period, he is satisfied that there is no legal impediment thereto, he shall issue such license, containing the full names of the parties *before and after marriage* , and county and state of residence, with the district court seal attached, and make a record of the date of issuance thereof, which license shall be valid for a period of six months. In case of emergency or extraordinary circumstances, the judge of the probate court, the court commissioner, or any judge of the district court, of the county in which the application is made, may authorize the license to be issued at any time before the expiration of the five days. The clerk shall collect from the applicant a fee of \$10 for administering the oath, issuing, recording, and filing all papers required, and preparing and transmitting to the state registrar of vital statistics the reports of marriage required by this section. If illness or other extenuating circumstances, it may be surrendered to the clerk for cancellation, and in such case a new license shall issue upon request of the parties of the original license without fee therefor. Any clerk who shall knowingly issue or sign a marriage license in any other manner than in this section provided shall forfeit and pay for the use of the parties aggrieved not to exceed \$1,000.

Sec. 2. Minnesota Statutes 1976, Section 517.10, is amended to read:

517.10 [CERTIFICATE; WITNESSES.] The person solemnizing a marriage shall prepare under his hand three certificates thereof. Each certificate shall contain the full names *before and after marriage* and county and state of residences of the parties and the date and place of the marriage. Each certificate shall also contain the signatures of at least two of the witnesses present at the marriage who shall be at least 16 years of age. The person solemnizing the marriage shall give each of the parties one such certificate, and shall immediately make a record of such marriage, and file one such certificate with the clerk of the district court of

the county in which the license was issued within five days after the ceremony. The clerk shall record such certificate in a book kept for that purpose."

Amend the title as follows:

Page 1, line 2, strike "the clerk of court" and insert "certain information to be included on an application for a"

Page 1, line 3, strike "to furnish certified copies of"

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

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

Page 1, line 5, strike "Chapter 517, by adding a" and insert "517.10"

Page 1, line 6, strike "section"

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. 801: A bill for an act relating to health care; catastrophic health expense protection; providing protection against certain nursing home expenses incurred for long term care; excluding certain dependent income from the definition of household income; amending Minnesota Statutes 1976, Section 62E.52, Subdivisions 3 and 5.

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

Page 1, after line 10, insert:

"Section 1. Minnesota Statutes 1976, Section 62E.52, Subdivision 2, is amended to read:

Subd. 2. "Eligible person" means any person who is a resident of Minnesota and who, while a resident of Minnesota, has been found by the commissioner to have incurred an obligation to pay:

(1) qualified expenses for himself and any dependents in any 12 consecutive months exceeding:

(a) 40 percent of his household income up to \$15,000, plus 50 percent of his household income between \$15,000 and \$25,000, plus 60 percent of his household income in excess of \$25,000; or

(b) \$2,500, whichever is greater; or

(2) *qualified nursing home expenses for himself and any dependents in any 12 consecutive months exceeding 20 percent of his household income.*"

Page 1, strike all of section 1 and insert:

"Sec. 2. Minnesota Statutes 1976, Section 62E.52, is amended by adding a subdivision to read:

*Subd. 3a. "Qualified nursing home expense" includes any charge incurred for nursing home services after 36 months of continuous care provided to a person 64 years of age or younger in long-term care facilities."*

Page 2, after line 1, insert:

"Sec. 4. Minnesota Statutes 1976, Section 62E.53, Subdivision 2, is amended to read:

Subd. 2. If the commissioner determines that an applicant is an eligible person, he shall pay (1) 90 percent of all qualified expenses of the eligible person and his dependents in excess of:

(a) 40 percent of his household income under \$15,000, plus 50 percent of his household income between \$15,000 and \$25,000, plus 60 percent of his household income in excess of \$25,000; or

(b) \$2,500;

whichever is greater for the 12 month period in which the applicant becomes an eligible person and

(2) all qualified nursing home expenses of the eligible person and his dependents in excess of 20 percent of his household income. If the commissioner determines that the charge for a health service is excessive, he may limit his payment to the usual and customary charge for that service. If the commissioner determines that a health service provided to an eligible person was not medically necessary, he may refuse to pay for the service. To the extent feasible, the commissioner shall contract with a review organization as defined in section 145.61, in making any determinations as to whether or not a charge is excessive. To the extent feasible, the commissioner shall contract with a review organization as defined in section 145.61, in making any determination as to whether or not a service was medically necessary. If the commissioner in accordance with this section refuses to pay all or a part of the charge for a health service, the unpaid portion of the charge shall be deemed to be an unconscionable fee, against the public policy of this state, and unenforceable in any action brought for the recovery of moneys owed."

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 7, strike "Section" and insert "Sections"

Page 1, line 8, strike "3" and insert "2"

Page 1, line 8, after "5" insert ", and by adding a subdivision; and 62E.53, Subdivision 2"

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

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

S. F. No. 1135: A bill for an act relating to motor vehicle car-



riers; requiring insurance or bond before the issuance of a certificate or permit to a motor carrier; providing for suspension and revocation of certificate or permit for failure to maintain insurance or other security; amending Minnesota Statutes 1976, Section 221.141, Subdivision 1.

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

Page 2, line 13, strike "*on*" and insert "*filed*"

Page 2, line 14, strike "*file*"

Page 2, line 20, strike "*not been*" and insert "*willfully failed to be*"

Page 2, after line 21, insert:

"Sec. 2. Minnesota Statutes 1976, Section 221.64, is amended to read:

221.64 [REGISTRATION FEE; EXEMPTIONS.] Such registration as herein provided shall be granted upon petition, without hearing, upon payment of an initial filing fee in the amount of \$25. Upon petition, and payment of said fee if applicable, the commissioner shall furnish to the registration holder a distinguishing identification stamp for each motor vehicle included in said registration which stamp shall at all times be carried in the registered vehicle of the registration holder. For each identification stamp issued, the commissioner shall *establish and* collect a fee of *no more than* \$5 to be deposited in the state treasury, provided that a lesser fee may be collected pursuant to the terms of reciprocal agreements between the commissioner and the regulatory bodies of other states or provinces of the dominion of Canada."

Amend the title as follows:

Page 1, line 7, after the semicolon insert "permitting lesser registration fees for certain interstate motor carriers;"

Page 1, line 8, strike "Section" and insert "Sections"

Page 1, line 8, after "1" insert "and 221.64"

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. 583: A bill for an act relating to insurance companies; prescribing penalties for violation of certain filing requirements; amending Minnesota Statutes 1976, Chapter 72A, by adding a section; repealing Minnesota Statutes 1976, Section 72A.06.

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

Page 1, line 14, strike "*but not limited to*"

Page 1, line 20, after "*cause*" insert "*to the commissioner*"

Page 1, line 21, after the period insert "*if the company has not made the requisite showing within the ten day period,*"

Page 2, line 1, strike "*but not limited to*"

Page 2, line 4, strike "*forfeit*" and insert "*pay*"

Page 2, line 5, strike "*forfeitures required*" and insert "*monetary penalties imposed*"

Page 2, line 10, strike "*but not limited to*"

Page 2, strike lines 15 to 20

Page 2, line 22, strike "*but not limited to*"

Page 2, line 24, strike "*of the*" and insert "*after*"

Page 2, line 25, strike "*the commissioner*" and insert "*shareholders or members of the company*"

Page 3, line 1, strike "*but not*"

Page 3, line 2, strike "*limited to*"

Page 3, line 11, after "*state*" insert "*, including fraternals, reciprocals and township mutuals,*"

Page 3, line 14, strike "*forfeit*" and insert "*pay*"

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

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

H. F. No. 500 for comparison to companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
500	668				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 500 be amended as follows:

Page 2, line 13, delete "*or*" and insert "*and*"

Page 2, line 18, after "*the*" insert "*administrator of the*"

Page 3, line 12, delete "*a*"

Page 3, line 15, restore the comma

Page 4, line 2, delete "*first*"

Page 4, line 14, delete "*such*" and insert "*the*"

Page 4, line 17, delete "*such*" and insert "*the*"

Page 7, line 15, strike "such" and insert "the"

Page 7, line 19, strike "such" and insert "the"

Page 8, line 3, strike "such" and insert "the"

Page 8, line 4, strike "such" and insert "the"

Page 8, line 10, strike "such" and insert "the" in each instance

Page 8, line 22, before the comma insert "to the borrower"

Page 8, line 23, delete the comma and delete "addressee" and insert "borrower"

Page 9, line 1, strike "such" and insert "the"

Page 10, lines 9 and 10, delete "12 United States Code Annotated, section 1720 (j)," and insert "Section 115 of the Housing and Urban Development Act of 1969, Public Law 91-152,"

Page 11, line 10, delete "such" and insert "the"

Page 11, line 11, delete "such" and insert "the"

Page 11, line 29, strike "such" and insert "the"

Page 12, line 7, restore the stricken and delete the underscored language

Page 13, line 9, delete "that decides to discontinue maintaining" and insert "not requiring maintenance of"

Page 13, line 21, before "to" insert "the mortgagor may elect"

Page 13, line 25, after "of" insert "offering"

Page 13, line 26, delete "that (1)" and insert "(1) that"

Page 13, line 27, before "the" insert "of"

Page 13, line 29, before "shall" insert "not requiring the maintenance of escrow accounts"

Page 13, line 30, delete "options" and insert "option"

Page 14, line 3, delete "of the" and insert "after the effective date of this section as to mortgagees not requiring escrow accounts as of the effective date, or within 30 days after a"

Page 14, line 4, before "escrow" insert "requiring"

Page 14, line 5, delete "from the mortgagor"

Page 14, line 6, delete "that"

Page 14, line 8, after "shall" insert a comma

Page 14, lines 26, 27, 29, and 31, strike "such" and insert "the"

Page 15, line 17, delete "two" and insert "25"

Page 15, line 23, delete "two" and insert "25"

Page 16, line 3, delete "nonconventional loans" and insert "loans, other than conventional loans,"

Page 16, line 16, delete "*and not made*"

Page 16, line 18, after "*state*" insert "*, and not made,*"

Page 16, line 19, delete the comma

Page 16, delete lines 21 and 22

Page 16, line 23, delete "*14*" and insert "*13*"

Further, amend the title as follows

Line 6, after "*loans;*" insert "*postponing the expiration of a usury exception;*"

Lines 6 and 7, delete "*providing an extension of a usury exception;*"

And when so amended, H. F. No. 500 will be identical to S. F. No. 668 and further recommends that H. F. No. 500 be given its second reading and substituted for S. F. No. 668 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. 698, 403, 784, 581, 1338, 1291, 798, 1311, 962, 930, 1172, 1290, 433, 797, 1258, 442, 977, 1135 and 583 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

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

H. F. No. 500 was read the second time.

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

##### **RECONSIDERATION**

Mr. Sikorski moved that the vote whereby S. F. No. 3 was passed by the Senate on April 25, 1977, be now reconsidered. The motion prevailed.

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

Mr. Sikorski moved that H. F. No. 61 be withdrawn from the Committee on Local Government and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 3. The motion prevailed.

#### **SPECIAL ORDER**

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 1416 a Special Order to be heard immediately.

S. F. No. 1416: A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes, including appropriations for the departments of public welfare, vocational rehabilitation, corrections, corrections ombudsman, health, health related boards, and public assistance programs; and repealing Minnesota Statutes 1976, Section 261.233.

### CALL OF THE SENATE

Mr. Lewis imposed a call of the Senate. The following Senators answered to their names:

Anderson	Gearty	Lewis	Penny	Strand
Bang	Gunderson	Luther	Peterson	Stumpf
Benedict	Hanson	McCutcheon	Setzepfandt	Tennessen
Bernhagen	Hughes	Menning	Sieloff	Ueland, A.
Borden	Humphrey	Milton	Sikorski	Ulland, J.
Brataas	Jensen	Moe	Sillers	Vega
Chmielewski	Johnson	Nelson	Spear	Wegener
Coleman	Knutson	Nichols	Staples	Willet
Engler	Lessard	Olhoft	Stokowski	

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

Mr. Vega moved to amend S. F. No. 1416 as follows:

Page 18, strike section 17

Page 19, strike section 18

Renumber the sections in sequence

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

Mr. Keefe, J. moved to amend S. F. No. 1416 as follows:

Page 19, strike sections 19 and 20

Renumber the sections in sequence

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 16 and nays 37, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Keefe, J.	Renneke	Staples
Bernhagen	Frederick	Knutson	Sieloff	Ueland, A.
Brataas	Jensen	Pillsbury	Sillers	Ulland, J.
Dunn				

Those who voted in the negative were:

Benedict	Johnson	Menning	Perpich	Stumpf
Borden	Keefe, S.	Milton	Peterson	Tennessen
Coleman	Kleinbaum	Moe	Schmitz	Vega
Dieterich	Knoll	Nelson	Setzepfandt	Wegener
Gearty	Laufenburger	Nichols	Sikorski	Willet
Gunderson	Lewis	Olhoft	Solon	
Hanson	Luther	Olson	Stokowski	
Humphrey	McCutcheon	Penny	Strand	

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

Mr. Sieloff moved to amend S. F. No. 1416 as follows:

Page 7, line 25, before the period insert "except that he shall not increase the obligation imposed on any county to pay the costs of such programs"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 18 and nays 39, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, J.	Pillsbury	Ueland, A.
Bang	Engler	Knutson	Renneke	Ulland, J.
Bernhagen	Frederick	Ogdahl	Sieloff	
Brataas	Jensen	Olson	Sillers	

Those who voted in the negative were:

Benedict	Gunderson	Lewis	Olhoft	Stokowski
Borden	Hanson	Luther	Penny	Strand
Chenoweth	Humphrey	McCutcheon	Perpich	Stumpf
Chmielewski	Johnson	Menning	Schmitz	Tennessen
Coleman	Keefe, S.	Merriam	Setzepfandt	Vega
Davies	Kleinbaum	Moe	Sikorski	Wegener
Dieterich	Knoll	Nelson	Spear	Willet
Gearly	Lessard	Nichols	Staples	

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

Mr. Knutson moved to amend S. F. No. 1416 as follows:

Page 18, line 23, strike everything after "hospital"

Page 18, line 24, strike everything before the period

Page 18, line 26 strike "and Anoka state hospital"

Page 18, lines 27 and 28, strike "and Anoka state hospital"

Page 19, lines 3 and 4, strike "and Anoka state hospital"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 30, as follows:

Those who voted in the affirmative were:

Anderson	Chenoweth	Jensen	Pillsbury	Ueland, A.
Ashbach	Chmielewski	Keefe, J.	Renneke	Ulland, J.
Bang	Davies	Knutson	Sieloff	
Benedict	Dunn	Merriam	Sillers	
Bernhagen	Engler	Ogdahl	Spear	
Brataas	Frederick	Olhoft	Stumpf	

Those who voted in the negative were:

Borden	Humphrey	McCutcheon	Olson	Setzepfandt
Coleman	Johnson	Menning	Penny	Staples
Dieterich	Keefe, S.	Milton	Perpich	Stokowski
Gearly	Knoll	Moe	Peterson	Strand
Gunderson	Lewis	Nelson	Schaaf	Wegener
Hanson	Luther	Nichols	Schmitz	Willet

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

Mr. Ashbach moved to amend S. F. No. 1416 as follows:

Page 20, after line 1, insert:

"Sec. . Minnesota Statutes 1976, Section 290.09, Subdivision 10, is amended to read:

Subd. 10. [MEDICAL EXPENSES.] Payments (not compensated for by insurance or otherwise) for expenses for hospital, nursing, medical, surgical, dental, and other healing services, including institutional care and treatment for the mentally ill and physically handicapped, and for medical supplies and ambulance hire, incurred by the taxpayer on account of sickness, mental illness, physical handicap or personal injury to himself or his dependents and premiums paid for hospitalization and medical insurance including nonprofit hospital service and nonprofit medical service plans. Payments for traveling expenses shall not be deductible under the provisions of this subdivision. Payments for hotel or similar lodging expenses shall be deductible in the same manner as payments for hospital services, if the taxpayer or his dependent is not hospitalized but is nevertheless required to remain in a medical center away from his usual place of abode, for the purpose of receiving prescribed medical treatment.

*If a combination of taxpayers together pays for more than half of the support of an individual, each taxpayer may take this deduction for the payments described in this subdivision made by him."*

Renumber the remaining section

Amend the title as follows:

Page 1, line 8, after "programs;" insert "amending Minnesota Statutes 1976, Section 290.09, Subdivision 10;"

Mr. Lewis raised a point of order as to the germaneness of the amendment.

The President ruled the amendment was out of order.

Mr. Ashbach then moved to amend S. F. No. 1416 as follows:

Page 8, line 10, strike "\$125" and insert "\$60"

Page 8, line 21, strike "\$125" and insert "\$60"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 14 and nays 48, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Keefe, J.	Renneke	Ueland, A.
Bang	Frederick	Ogdahl	Sieloff	Ulland, J.
Dunn	Jensen	Pillsbury	Sillers	

Those who voted in the negative were:

Anderson	Borden	Coleman	Gearty	Hughes
Benedict	Brataas	Davies	Gunderson	Humphrey
Bernhagen	Chmielewski	Dieterich	Hanson	Johnson

Keefe, S.	Luther	Nichols	Schmitz	Strand
Kleinbaum	McCutcheon	Olhoft	Setzepfandt	Stumpf
Knoll	Menning	Olson	Sikorski	Tennessen
Knutson	Merriam	Penny	Solon	Vega
Laufenburger	Milton	Perpich	Spear	Willet
Lessard	Moe	Peterson	Staples	
Lewis	Nelson	Schaaf	Stokowski	

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

S. F. No. 1416 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 55 and nays 8, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Dunn	Frederick	Ueland, A.	Vega
Bernhagen	Engler	Merriam		

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 1034 a Special Order to be heard immediately.

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.

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 18, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Lessard	Olson	Staples
Bang	Gearty	Luther	Perpich	Stokowski
Benedict	Hanson	McCutcheon	Schmitz	Stumpf
Chmielewski	Hughes	Menning	Setzepfandt	Ulland, J.
Coleman	Johnson	Milton	Sikorski	Vega
Davies	Keefe, S.	Moe	Sillers	Wegener
Dieterich	Kleinbaum	Nichols	Solon	Willet
Dunn	Laufenburger	Ogdahl	Spear	



Those who voted in the negative were:

Ashbach	Gunderson	Merriam	Peterson	Strand
Bernhagen	Jensen	Nelson	Renneke	Tennessen
Brataas	Keefe, J.	Olhoft	Sieloff	Ueland, A.
Frederick	Knutson	Penny		

So the bill passed and its title was agreed to.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the General Orders Calendar.

### GENERAL ORDERS

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

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

S. F. No. 686, which the committee recommends to pass with the following amendment offered by Mr. Schaaf:

Page 2, line 21, strike "*a municipal ordinance or*"

Page 2, strike line 22

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 39 and nays 17, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knoll	Olhoft	Solon
Ashbach	Engler	Knutson	Olson	Staples
Bang	Frederick	Laufenburger	Perpich	Strand
Bernhagen	Gunderson	Lessard	Pillsbury	Ueland, A.
Brataas	Hughes	Lewis	Renneke	Ulland, J.
Chenoweth	Humphrey	Luther	Schaaf	Vega
Coleman	Jensen	Nelson	Schmitz	Willet
Davies	Keefe, S.	Ogdahl	Setzepfandt	

Those who voted in the negative were:

Benedict	Hanson	Merriam	Sieloff	Spear
Chmielewski	Johnson	Penny	Sikorski	Stokowski
Dieterich	Keefe, J.	Peterson	Sillers	Wegener
Gearty	Menning			

The motion prevailed. So the amendment was adopted.

S. F. No. 109, which the committee recommends to pass with the following amendments offered by Messrs. Schaaf, Knoll, Milton and Nichols:

Mr. Schaaf moved to amend S. F. No. 109 as follows:

Page 3, line 4, strike "*Other than the commissioner of personnel*"

Page 3, line 21, after the period insert "*An appointing authority*"

*may appoint a person other than a deputy to serve as acting commissioner and to replace any other acting commissioner designated pursuant to this subdivision."*

Page 3, line 23, after the comma insert "*or the appointment of another person to serve as acting commissioner,*"

Page 5, line 31, strike "*an*" and insert "*a department or*"

Page 5, line 32, after "*that*" insert "*department or*"

Page 6, lines 20 and 21, strike "*, and shall be filed with the secretary of state,*" and insert "*upon*"

Page 6, line 21, after "*register*" insert "*and filing with the secretary of state*"

Page 6, strike lines 25 to 28 and insert

*"Subd. 3. [EXPIRATION DATE.] An executive order shall expire when it is revoked, superseded by a later executive order or statute, or when it expires by its own terms."*

Page 33, line 12, strike "*Notwithstanding the*"

Page 33, strike lines 13 and 14

Mr. Ulland moved to amend S. F. No. 109 as follows:

Page 30, line 31, after "*the*" insert "*board of health with the approval of the*"

Page 34, strike section 41

Renumber the sections in sequence

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 10 and nays 39, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Frederick	Pillsbury	Sillers
Brataas	Engler	Knutson	Sieloff	Ulland, J.

Those who voted in the negative were:

Anderson	Hanson	McCutcheon	Perpich	Staples
Benedict	Humphrey	Menning	Peterson	Stokowski
Borden	Johnson	Merriam	Schaaf	Strand
Chenoweth	Keefe, S.	Milton	Schmitz	Stumpf
Davies	Kleinbaum	Nelson	Setzepfandt	Vega
Dieterich	Knoll	Nichols	Sikorski	Wegener
Gearty	Lewis	Olhoft	Solon	Willet
Gunderson	Luther	Penny	Spear	

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

Mr. Knoll moved to amend S. F. No. 109 as follows:

Page 33, line 4, strike "*and*" and insert a comma

Page 33, line 5, after the comma insert "*and five other persons reporting directly to the director*"

Mr. Milton moved to amend S. F. No. 109 as follows:

Page 30, strike section 35

Page 30, strike lines 28 to 32

Page 31 strike lines 1 to 12 and insert:

*"[144.011] [DEPARTMENT OF HEALTH.] Subdivision 1. [COMMISSIONER.] The department of health shall be under the control and supervision of the commissioner of health who shall be appointed by the governor under the provisions of section 1. The state board of health is abolished and all powers and duties of the board are transferred to the commissioner of health.*

*Subd. 2. [STATE HEALTH ADVISORY COUNCIL.] The state health advisory council is hereby created to consist of 15 members appointed by the governor. Nine members of the council shall be broadly representative of the licensed health professions and six members shall be public members as defined by section 214.02. The council and its members shall be governed by the provisions of section 15.059. The governor shall designate a chairman of the council and such other officers as he deems necessary. The council shall advise the commissioner of health on any matter relating to the functions of the department."*

Page 34, line 8, after "2;" insert "144.01; 144.02;"

Renumber the sections

Amend the title as follows:

Page 1, line 15, after the semicolon insert "abolishing the board of health and transferring its powers to the commissioner of health; creating a health advisory council;"

Page 1, line 22, strike "144.02;"

Page 1, line 32, after "2;" insert "144.01; 144.02;"

Mr. Sieloff moved to amend S. F. No. 109 as follows:

Page 10, line 14, after the period insert: "No person so transferred shall because of such transfer obtain, receive or be included in any civil service classification in the department or agency to which he is transferred that he did not have in the department or agency from which he was transferred."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 13 and nays 39, as follows:

Those who voted in the affirmative were:

Ashbach  
Bernhagen  
Brataas

Dunn  
Engler  
Frederick

McCutcheon  
Merriam  
Pillsbury

Sieloff  
Sillers

Ueland, A.  
Ulland, J.

Those who voted in the negative were:

Anderson	Gunderson	Lessard	Penny	Spear
Benedict	Hanson	Lewis	Perpich	Staples
Borden	Humphrey	Luther	Peterson	Strand
Chmielewski	Johnson	Menning	Schaaf	Stumpf
Coleman	Keefe, S.	Milton	Schmitz	Vega
Davies	Kleinbaum	Nelson	Setzepfandt	Wegener
Dieterich	Knoll	Nichols	Sikorski	Willet
Gearty	Knutson	Olhoft	Solon	

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

Mr. Nichols moved to amend S. F. No. 109 as follows:

Page 31, line 29, strike "*board with the approval of the*"

Page 31, line 30, strike everything after the period

Page 31, strike line 31

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 36 and nays 16, as follows:

Those who voted in the affirmative were:

Benedict	Hanson	Luther	Peterson	Staples
Borden	Humphrey	McCutcheon	Pillsbury	Stokowski
Coleman	Johnson	Menning	Schaaf	Vega
Davies	Keefe, S.	Merriam	Schmitz	Willet
Dieterich	Kleinbaum	Milton	Setzepfandt	
Engler	Knoll	Nichols	Sikorski	
Gearty	Lessard	Olhoft	Solon	
Gunderson	Lewis	Perpich	Spear	

Those who voted in the negative were:

Ashbach	Frederick	Nelson	Sillers	Ueland, A.
Brataas	Hughes	Penny	Strand	Ulland, J.
Chmielewski	Knutson	Sieloff	Stumpf	Wegener
Dunn				

The motion prevailed. So the amendment was adopted.

Mr. Chenoweth moved to amend S. F. No. 109 as follows:

Page 3, line 4, strike everything after the period

Page 3, strike lines 5 and 6 and insert "*A commissioner shall only be removed for cause after notice and hearing.*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 23 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Knutson	Pillsbury	Ueland, A.
Bang	Dunn	McCutcheon	Setzepfandt	Ulland, J.
Bernhagen	Engler	Merriam	Sieloff	Wegener
Brataas	Frederick	Nelson	Sillers	
Chenoweth	Hughes	Olhoft	Stumpf	

Those who voted in the negative were:

Benedict	Hanson	Lessard	Penny	Spear
Borden	Humphrey	Luther	Perpich	Staples
Chmielewski	Johnson	Menning	Peterson	Strand
Coleman	Keefe, S.	Milton	Schaaf	Vega
Dieterich	Kleinbaum	Moe	Schmitz	Willet
Gearty	Knoll	Nichols	Sikorski	
Gunderson	Laufenburger	Olson	Solon	

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

The question was taken on the recommendation to pass S. F. No. 109.

The roll was called, and there were yeas 32 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Laufenburger	Perpich	Staples
Benedict	Hanson	Lessard	Peterson	Stokowski
Borden	Humphrey	Luther	Schaaf	Vega
Chmielewski	Johnson	Menning	Schmitz	Willet
Coleman	Keefe, S.	Milton	Sikorski	
Dieterich	Kleinbaum	Olson	Solon	
Gearty	Knoll	Penny	Spear	

Those who voted in the negative were:

Ashbach	Dunn	McCutcheon	Renneke	Stumpf
Bang	Engler	Merriam	Setzepfandt	Ueland, A.
Bernhagen	Frederick	Nichols	Sieloff	Ulland, J.
Brataas	Hughes	Olhoft	Sillers	
Davies	Knutson	Pillsbury	Strand	

The motion prevailed. So the committee recommended S. F. No. 109 to pass.

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

Remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Reports of Committees and Second Reading of Senate Bills.

### REPORTS OF COMMITTEES

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

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

S. F. No. 481: A bill for an act relating to education; providing for aids to education, tax levies, and the distribution of tax revenues; granting certain powers and duties to school boards, school districts, the commissioner of education, the state board of education, and the state board for vocational education; requiring a certificate of need for certain school district construction; providing a June 1 date for the discharge or termination of certain teachers; appropriating money; amending Minnesota Statutes 1976, Sections 120.17, Subdivision 1a; 121.11, Subdivision 5; 121.-

902; 121.908, by adding a subdivision; 121.914, Subdivisions 1, 2, 3 and 4; 121.917, Subdivisions 1 and 2; 122.21, Subdivision 6; 123.335, Subdivision 2; 123.351, Subdivision 4; 123.39, Subdivision 5; 123.581, Subdivisions 1, 2, 3 and 6; 123.71, Subdivisions 1 and 2, and by adding a subdivision; 124.11; 124.14, Subdivision 1; 124.17, Subdivision 1, and by adding a subdivision; 124.19, Subdivision 1; 124.212, Subdivisions 4, 6b, 7b and 8a, and by adding subdivisions; 124.213; 124.222, Subdivisions 1a, 1b, 2a, 3 and 6; 124.223; 124.24; 124.26, Subdivision 4; 124.271, Subdivision 2; 124.32; 124.38, Subdivision 7; 124.562, Subdivision 1; 124.563, Subdivisions 1 and 3; 124.565, Subdivisions 1 and 3; 124.57; 124.572; 124.573; 124.611; 125.12, Subdivisions 3, 4 and 10; 125.17, Subdivision 3; 273.138, Subdivision 3; 275.124; 275.125, Subdivisions 2a, 4, 5, 8, 9, 9a, 12, 13 and by adding subdivisions; 475.61, Subdivision 4; Chapter 121, by adding a section; Chapter 124, by adding sections; Laws 1976, Chapter 271, Sections 94 and 98, Subdivision 3; and Laws 1973, Chapter 683, Section 26, Subdivision 17, as amended; repealing Minnesota Statutes 1976, Sections 123.40, Subdivision 7; 123.80, Subdivision 1; 124.04; 124.14, Subdivision 2; 124.19, Subdivision 2; 124.212, Subdivisions 3a and 19; 124.215, Subdivisions 2a, 3, 4, 5, 7 and 8; 124.221; 124.222, Subdivisions 4 and 5; 124.23; 124.25; 124.271, Subdivision 1; 124.30; 124.562, Subdivisions 5 and 6; 124.563, Subdivision 4; 124.565, Subdivisions 2 and 5; 124.57; 126.021; 126.022; 126.024; 273.138, Subdivision 7; 473.633; and 473.635.

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

Page 9, line 21, reinsert the stricken language

Page 27, line 9, strike "*programs*" and insert "*special instruction and services*"

Page 27, line 16, strike "*these programs*" and insert "*the special instruction and services*"

Page 27, line 18, strike "*program*" and insert "*special instruction and services*"

Page 27, line 19, strike "*program*" and insert "*special instruction and services*"

Page 30, after line 2, insert:

*"The state shall not pay a district the applicable aid in clauses (a) and (b) of this subdivision for the employment of more than the minimum number of special education supervisors required by the rules of the state board of education."*

Page 39, line 1, strike "\$70,818,000" and insert "\$70,140,000"

Page 39, line 2, strike "\$8,640,000" and insert "\$8,612,000"

Page 39, line 4, strike "\$2,888,000" and insert "\$2,860,000"

Page 39, line 8, strike "\$62,178,000" and insert "\$61,528,000"

Page 39, line 10, strike "\$78,973,000" and insert "\$78,133,000"

Page 39, line 11, strike "\$11,588,000" and insert "\$11,478,000"

Page 39, line 13, strike "\$4,079,000" and insert "\$4,039,000"

Page 39, line 18, strike "\$67,385,000" and insert "\$66,655,000"

Page 40, after line 4, insert:

"Section 1. Minnesota Statutes 1976, Section 121.88, is amended to read:

121.88 [DISTRICT PROGRAMS; CITIZENS ADVISORY COUNCIL.] *Subdivision 1.* The board of education of each school district of the state is hereby authorized to initiate a community school program in its district and to provide for the general supervision of said program. Each board may, as it considers appropriate, employ community school directors and coordinators to further the purposes of the community school program. The salaries of the directors and coordinators shall be paid by the board.

*Subd. 2.* Each board shall provide for a citizens advisory council to consist of members who represent the various service organizations, churches, private schools, local government, and any other groups participating in the community school program in the school district. *At least one member of the council shall be a representative of the park, recreation or forestry services of municipal or local government units located in whole or in part within the boundaries of the school district.*

*Subd. 3.* The council shall function in cooperation with the community school director in an advisory capacity in the interest of promoting the goals and objectives of sections 121.85 to 121.88.

*Subd. 4.* *Each council shall adopt a policy to reduce and eliminate program duplication within the district. The community school director shall at least annually report to the school board and to the governing bodies of the counties, municipalities, and townships in which the school district or any part thereof is located, on the efforts of the community school program to eliminate duplication of services within the district. In connection with the preparation of this report, the director, in cooperation with the council, shall each year inventory all community education type services offered within the school district by any provider."*

Renumber the sections of article IV accordingly

Page 40, line 16, strike "match and"

Page 40, line 16, reinstate the stricken language

Page 40, line 17, reinstate the stricken language

Page 40, line 23, strike the new language

Page 40, strike lines 24 to 26

Page 43, line 13, strike "\$3,530,000" and insert "\$1,600,000"

Page 43, line 14, strike "\$3,765,000" and insert "\$1,700,000"

Page 57, line 21, strike "8" and insert "9"

Page 60, line 13, after "*within schools,*" insert ", *"American Indian language and culture programs or alternative schools,"*"

Page 62, after line 6, insert

"Sec. 8. Minnesota Statutes 1976, Section 275.125, Subdivision 6, is amended to read:

Subd. 6. ~~(1)~~ In 1975 1977 and each year thereafter any district in which the 1970-1971 adjusted maintenance cost per pupil unit in average daily membership was greater than \$663 per pupil unit may levy *the greater of (a) an amount per pupil unit which is equal to or less than the difference between the 1970-1971 adjusted maintenance cost per pupil unit in average daily membership and \$663 per pupil unit or (b) the amount raised in 1976 pursuant to this subdivision.* Provided, however, that a district with boundaries coterminous with the boundaries of a city of the first class ~~which was affected by the limitation of an extra levy not to exceed 1.9 mills times the adjusted assessed valuation of the district~~ shall be allowed to levy *the greater of (a) an amount per pupil unit which is equal to 2.0 mills times the 1974 adjusted assessed valuation of the district, divided by the number of pupil units in the district in 1975-1976 or (b) the amount raised in 1976 pursuant to this subdivision.*

~~(2)~~ In 1976 and each year thereafter, any district which qualified in 1975 for an extra levy under clause ~~(1)~~ shall be allowed to levy the same amount per pupil unit allowed by that clause.

~~(2)~~ For purposes of computing allowable levies under this subdivision, pupil units shall include only those units identified in section 124.17, subdivision 1, clauses (1), (2), (6) and (7). The provisions of this clause shall not affect or modify any district's 1970-1971 adjusted maintenance cost per pupil unit in average daily membership."

Page 63, line 31, strike "8" and insert "9"

Page 64, line 7, strike "8" and insert "9"

Page 68, line 26, strike "14" and insert "15"

Page 68, line 26, strike "15" and insert "16"

Page 68, after line 30, insert

"Section 1. Minnesota Statutes 1976, Chapter 6, is amended by adding a section to read:

[6.515] [AUDIT OF FEDERAL MONEYS.] *The state auditor, in respect to any political subdivision over which he has audit jurisdiction provided by this chapter, is empowered to examine all accounts and records of the subdivision relating to funds consisting in whole or part of moneys received from the federal government or any agency thereof. Upon request of the legis-*



*lature or a standing committee, the auditor shall provide copies of the results of his examination or consolidated summaries relating to two or more subdivisions."*

Renumber the sections of Article VII accordingly

Page 94, line 26, strike "*Nothing herein is*"

Page 94, strike lines 27 and 28

Page 95, line 3, after "\$200,000" insert "*by that district*"

Page 96, line 27, strike "*and*"

Page 96, line 30, strike the period and insert "; *and*"

Page 96, after line 30 insert:

*"(i) any desegregation requirements, provided they cannot be met by any other means."*

Pages 100 to 106, strike Article X

Amend the title as follows:

Page 1, line 13, after "5;" insert "121.88;"

Page 1, line 31, after "5," insert "6,"

Page 1, line 32, after "4;" insert "Chapter 6, by adding a section;"

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

#### SECOND READING OF SENATE BILLS

S. F. No. 481 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 7:00 o'clock p.m., Tuesday, April 26, 1977. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate