

FORTY-FIRST DAY

St. Paul, Minnesota, Tuesday, April 26, 1977

The Senate met at 7:00 o'clock p.m. and was called to order by the President.

Prayer was offered by the Chaplain, Phillip Mettling.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Hanson, Purfeerst, Schrom and Wegener were excused from this evening's Session. Mr. Humphrey was excused from this evening's Session until 8:45 o'clock p.m. Mr. Olson was excused from this evening's Session until 9:30 o'clock p.m. Mr. Sieloff was excused from this evening's Session at 9:30 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 22, 1977

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

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1977 Session of the State Legislature have been

received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1977	Date Filed 1977
	21	32	April 21	April 22
	283	33	April 21	April 22
	661	34	April 21	April 22
483		35	April 21	April 22

Sincerely,

Joan Anderson Growe,
Secretary of State

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Merriam, Luther and Spear introduced—

S. F. No. 1468: A bill for an act relating to commerce; regulating the repair of motor vehicles, appliances, and dwelling places; regulating service calls, estimates, and repairs; providing penalties.

Referred to the Committee on Commerce.

Messrs. Benedict and Vega introduced—

S. F. No. 1469: A bill for an act relating to taxation; increasing designated maximum income-adjusted homestead credits; amending Minnesota Statutes 1976, Section 290A.04, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Mr. Borden introduced—

S. F. No. 1470: A bill for an act relating to taxation; altering means of calculating attached machinery aid; amending Minnesota Statutes 1976, Section 273.138, Subdivisions 2 and 5.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Frederick, Peterson, Olhoft, Bernhagen and Ueland, A. introduced—

S. F. No. 1471: A bill for an act relating to taxation; sales; exempting goods and services sold by certain charitable organizations; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 72, 345, 651 and 919.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 25, 1977

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 586.

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

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

Kelly, W.; Skoglund and Savelkoul have been appointed as such committee on the part of the House.

House File No. 586 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 25, 1977

Mr. McCutcheon moved that the Senate accede to the request of of the House for a Conference Committee on H. F. No. 586, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 339.

H. F. No. 339: A bill for an act relating to transportation construction contracts; providing for small business contracts; amending Minnesota Statutes 1976, Chapter 161, by adding a section.

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

Casserly, Hanson and Ewald have been appointed as such committee on the part of the House.

House File No. 339 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 25, 1977

Mr. Knoll moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 339, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 437.

H. F. No. 437: A bill for an act relating to taxation; altering the definition of gross income for income tax purposes for individuals, trusts and estates; placing restrictions on certain deductions and allowing certain tax free distributions; extending time for certain sales or exchanges of residential property; making certain changes in treatment of small business corporations; amending Minnesota Statutes 1976, Sections 290.01, Subdivision 20; 290.09, Subdivisions 2 and 29; 290.13, Subdivision 9; 290.23, by adding a subdivision; 290.26, by adding a subdivision; 290.971, Subdivisions 1 and 3, and by adding subdivisions; 290.972, Subdivision 5; and 290A.03, Subdivision 3.

And the House respectfully requests that a Conference Committee of 3 members be appointed thereon:

Kelly, W.; Jacobs and Pleasant have been appointed as such committee on the part of the House.

House File No. 437 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

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

Mr. Olhoff moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 437, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 38, and repassed said bill in accordance with the report of the Committee, so adopted.

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

H. F. No. 38 is herewith transmitted to the Senate.

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 38

A bill for an act relating to housing; providing statutory warranties on the sale of new housing; establishing a cause of action for breach of warranty; providing remedies; amending Minnesota Statutes 1976, Section 541.051, by adding a subdivision.

April 20, 1977

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

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 38 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and H. F. No. 38 be amended as follows:

Page 1, line 11, delete "*this act*" and insert "*sections 1 to 7*"

Page 2, line 20, after "*sale*" and before the period, insert: "*, including the construction of dwellings on land owned by vendees*"

Page 2, lines 22 to 23, delete "*of this act*"

Page 3, line 12, delete "*of this act*"

Page 3, lines 15 and 16, delete "*this act*" and insert "*sections 1 to 7*"

Page 4, line 23, delete "*subdivision*" and insert "*subdivisions*"

Page 4, line 23, after "*2*" insert "*and 3*"

Page 4, lines 24 and 26, delete "*this act*" and insert "*sections 1 to 7*"

Page 4, line 27, delete "*subdivision*" and insert "*subdivisions*"

Page 4, line 27, after "*2*" insert "*and 3*"

Page 4, line 30, delete "*this*" and insert "*section 2*"

Page 4, line 31, delete "*act*"

Page 5, lines 7, 11, and 24, delete "*of this act*"

Page 5, after line 11, insert:

"Subd. 3. If a major construction defect is discovered prior to the sale of a dwelling, the statutory warranty set forth in section 2, subdivision 1, clause (c) may be waived for the defect identified in the waiver instrument, after full oral disclosure of the specific defect, by an instrument which sets forth in detail: the specific defect; the difference between the value of the dwelling without the defect and the value of the dwelling with the defect, as determined and attested to by an independent appraiser, contractor, insurance adjuster, engineer or any other similarly knowledgeable person selected by the vendee; the price reduction; the

date the construction was completed; the legal description of the dwelling; the consent of the vendee to the waiver; and the signatures of the vendee, the vendor, and two witnesses.

A single waiver agreed to pursuant to this subdivision may not apply to more than one major construction defect in a dwelling.

The waiver shall not be effective unless filed for recording with the county recorder or registrar of titles who shall file the waiver for record."

Page 5, lines 13 and 22, delete "*this act*" and insert "*section 2*"

Page 5, line 26, delete the second "*of*"

Page 5, line 27, delete "*this act*"

Page 6, lines 2 and 7, delete "*of this act*"

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Mike Sieben, Ray Pleasant, Ray Faricy

Senate Conferees: (Signed) Harmon T. Ogdahl, Gerry Sikorski, Jack Davies

Mr. Sikorski moved that the foregoing recommendations and Conference Committee Report on H. F. No. 38 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

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

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 50 and nays 2, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Lessard	Olhoff	Spear
Benedict	Gearty	Lewis	Penny	Staples
Bernhagen	Gunderson	Luther	Perpich	Stokowski
Brataas	Hughes	McCutcheon	Peterson	Strand
Chmielewski	Johnson	Menning	Pillsbury	Stumpf
Coleman	Keefe, J.	Merriam	Schmitz	Tennessen
Davies	Kleinbaum	Milton	Setzepfandt	Ueland, A.
Dieterich	Knoll	Moe	Sieloff	Ulland, J.
Dunn	Knutson	Nelson	Sikorski	Vega
Engler	Laufenburger	Ogdahl	Sillers	Willet

Messrs. Jensen and Renneke voted in the negative.

So the bill, as amended by the Conference Committee, was re-passed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 79, 920, 1079 and 1259.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 25, 1977

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 108 and 1072.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 26, 1977

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 805.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 26, 1977

FIRST READING OF HOUSE BILLS

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

H. F. No. 79: A bill for an act relating to real estate; placing restrictions on who may acquire title; providing enforcement powers; providing penalty; amending Minnesota Statutes 1976, Chapter 500, by adding a section; repealing Minnesota Statutes 1976, Section 500.22.

Referred to the Committee on Judiciary.

H. F. No. 920: A bill for an act relating to labor; providing for union notification of a member's injury or death; amending Minnesota Statutes 1976, Chapter 181, by adding a section.

Referred to the Committee on Employment.

H. F. No. 1079: A bill for an act relating to agriculture; seeds; changing the basis for listing restricted noxious weed seeds on labels; prohibiting certain acts; increasing fees; amending Minnesota Statutes 1976, Sections 21.48, Subdivision 3; 21.49, Subdivision 1; 21.53, Subdivision 3; and 21.54, Subdivision 2.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 1259: A bill for an act relating to the city of Savage; firefighter's service pensions.

Referred to the Committee on Governmental Operations.

H. F. No. 805: 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.

Referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk with the exception of S. F. Nos. 522 and 1133 be now adopted. The motion prevailed.

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

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

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

Page 2, after line 7, insert:

"Subd. 3. All indictments, reports or other returns returned by a grand jury drawn from more than one county shall be returned without any designation of venue. Thereupon, the judge ordering the impaneling of the grand jury shall designate the county of venue for purposes of trial.

Subd. 4. If a grand jury drawn from more than one county was impaneled pursuant to the request of a county attorney, that county attorney shall prosecute indictments returned thereby, except that the county attorney of the county in which venue was designated pursuant to subdivision 3 may file a written request to prosecute with the judge impaneling the grand jury within 15 days, in which case the judge shall designate the prosecuting authority. In all other cases, the prosecuting authority shall be designated by the judge impaneling the grand jury.

Subd. 5. The costs of a grand jury drawn from more than one county shall be apportioned between the counties from which the grand jury was drawn as may be ordered by the judge impaneling the grand jury.

Subd. 6. Members of grand juries drawn from more than one county shall be compensated as provided in section 357.26. In addition, grand jurors residing more than 50 miles from the place where the grand jury sits shall be reimbursed for expenses actually incurred for meals and lodging, not to exceed \$35 per day."

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. 823: A bill for an act relating to mechanics liens; requiring notice to the owner of the real estate improved; increasing the period in which notice must be given; amending the definition of owner; enlarging the circumstances in which notice is not required to be given; extending the lien period; providing penalties; amending Minnesota Statutes 1976, Sections 514.011, Subdivisions 1, 2, 3 and 4; 514.08, Subdivision 1.

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

Page 1, strike lines 13 to 25

Strike all of page 2

Page 3, line 41, restore the stricken language

Page 3, line 42, strike the new language

Page 4, line 11, strike "If"

Page 4, line 11, after "contractor" insert "who"

Page 4, line 11, after "to" insert "supply the information requested pursuant to"

Page 4, line 12, strike "respond to this request as prescribed in"

Page 4, line 13, strike "the contractor"

Page 4, line 15, after "of" insert "the contractor's"

Page 4, line 15, strike "or \$50,"

Page 4, line 16, strike "whichever is greater"

Page 5, after line 15 insert:

"Sec. 4. This act shall apply to contracts for improvements entered into by an owner on or after August 1, 1977."

Page 5, strike lines 16 to 29

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, strike "requiring notice to"

Page 1, line 3, strike "the owner of the real estate improved;"

Page 1, line 4, after "given" insert "to the owner of improved real estate"

Page 1, line 7, strike "extending the lien period;"

Page 1, line 9, strike "Sections" and insert "Section"

Page 1, line 9, strike "1,"

Page 1, line 9, strike the semicolon and insert a period

Page 1, strike line 10

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. 1309: A bill for an act relating to tax-forfeited land; providing time limitations for bringing actions; providing procedures for settling tax titles; amending Minnesota Statutes 1976, Section 284.28; and Chapter 541, by adding a section; repealing Minnesota Statutes 1976, Sections 284.09 and 284.22.

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

Page 1, line 21, after *"including"* insert *"both non-jurisdictional and"*

Page 2, line 20, after the comma insert *"including but not limited to any claim based upon any failure, omission, error, or defect described in subdivision 1,"*

Page 3, line 9, after the comma insert *"including but not limited to any claim based upon any failure, omission, error, or defect described in subdivision 1,"*

Page 8, line 20, strike *"ten"* and insert *"four"*

Page 8, line 23, after *"commenced"* insert *"on or"*

Page 8, line 23, strike *"January 1, 1978"* and insert *"June 15, 1977"*

Page 9, after line 16, insert:

"Subd. 5. This section applies to real estate titles based upon or derived from a county auditor's certificate of forfeiture, or auditor's certificate of sale or state assignment certificate issued prior to June 15, 1977."

Page 9, line 17, after *"Sections"* insert *"280.34;"*

Page 9, line 19, strike *"January 1, 1978"* and insert *"June 15, 1977"*

Amend the title as follows:

Page 1, line 7, after *"Sections"* insert *"280.34;"*

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. 1068: A bill for an act relating to children; reporting of maltreatment of minors; providing definitions; delineating

reporting requirements; providing for notification of police from welfare agencies; delineating the scope of the privacy attributed to records maintained by welfare agencies; providing for the destruction of certain records; providing for a new crime of assault on a child; providing penalties; amending Minnesota Statutes 1976, Section 626.556, Subdivisions 2, 3, 5, 6, 9, 11, and by adding a subdivision; and 609.225, by adding subdivisions.

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

Page 2, lines 1 and 12, strike "*shall mean*" and insert "*means*"

Page 2, line 5, strike "*shall have*" and insert "*has*"

Page 2, line 14, strike "*may be*" and insert "*is*"

Page 2, line 19, after "*injury*" insert "*or health defect*"

Page 2, line 20, strike "the history of injuries provided by the" and insert "a"

Page 2, line 21, strike the semicolon and insert a period

Page 2, strike lines 22 to 25

Page 3, line 10, strike "*child*" and insert "*physical or sexual*"

Page 3, lines 16 to 21, strike all of the new language and reinsert the stricken language and strike the period on line 21

Pages 3 and 4, strike sections 3 and 4

Page 4, line 24, strike "*required*" and insert "*made*"

Page 4, line 25, strike "*such*" and insert "*the*"

Page 4, line 28, strike "*child*" and insert "*physical or sexual*"

Page 5, lines 8 to 11, reinstate the stricken language

Page 5, line 9, strike "*unsubstantiated*" and insert "*false*"

Page 5, lines 11 and 15, strike the new language and restore the stricken language

Page 5, line 16, after "*substantiated*" insert "*or disproved*"

Page 5, line 25, strike "*unsubstantiated*" and insert "*false*"

Pages 5 and 6, strike sections 8 and 9

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, strike "providing for notification"

Page 1, line 5, strike "of police from welfare agencies,"

Page 1, line 8, strike "providing for a"

Page 1, strike line 9

Page 1, line 10, strike "penalties;"

Page 1, line 11, strike "5, 6,"

Page 1, line 11, after "9," insert "and"

Page 1, line 12, strike "; and 609.225, by" and insert a period

Page 1, strike line 13

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. 646: A bill for an act relating to the environment; environmental impact statements; requiring petitioners initiating environmental impact statements to be adult residents or property owners in affected areas; exempting private actions of only local significance; providing that economic considerations be given due consideration; amending Minnesota Statutes 1976, Section 116D.04, Subdivisions 3, 5 and 6.

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

Page 1, line 16, strike "*residents*" and insert "*citizens*"

Page 1, line 16, after "*of*" insert "*the state*"

Page 1, line 16, after the comma insert "*at least half of whom reside in*"

Page 1, line 17, strike "*owners of*" and insert "*own*"

Page 1, line 17, strike "*located*"

Page 1, line 17, strike "*, the*" and insert "*any county*"

Page 1, line 17, strike "*area in*" and insert "*by the action*"

Page 1, line 18, strike "*Minnesota*"

Page 2, strike lines 1 through 32

Page 3, strike lines 1 through 14

Amend the title as follows:

Line 2, strike "environmental impact"

Line 3, strike "statements;"

Line 3, after "requiring" insert "one half of the"

Line 5, strike "areas" and insert "counties"

Strike lines 6, 7, 8

Line 10, strike "Subdivisions" and insert "Subdivision"

Line 10, strike "*, 5 and 6*"

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. 1423: A bill for an act relating to state lands; authorizing the exchange of certain public lake access land in Polk county.

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

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

S. F. No. 1336: A bill for an act relating to state lands; authorizing the conveyance of certain lands in Aitkin county.

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

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

S. F. No. 1221: A bill for an act relating to state lands; providing for the purchase of certain lands by the department of natural resources; providing an appropriation.

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

Page 1, line 7, strike "department of natural resources" and insert "university of Minnesota"

Page 2, line 5, after "growth" insert ", by the freshwater biological institute"

Page 2, line 7, strike "department of natural resources" and insert "university of Minnesota"

Amend the title as follows:

Line 3, strike "department" and insert "university"

Line 4, strike "natural resources" and insert "Minnesota"

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 re-referred

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

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

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

S. F. No. 1362: A bill for an act relating to game and fish;

exempting certain disabled residents from the requirements of obtaining a fishing license; amending Minnesota Statutes 1976, Section 98.47, by adding a subdivision.

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

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

S. F. No. 544: A bill for an act relating to public employment labor relations; clarifying and revising the powers and duties of the director of the bureau of mediation services and the public employment relations board; authorizing the director to decertify exclusive representatives and to clarify or amend appropriate bargaining units; exempting the public employment relations board from the administrative procedure act; authorizing the public employment relations board to obtain administrative services and staff subject to appropriation, and to issue notices, subpoenas and orders; revising the criteria for determining appropriate units; authorizing the appeal of certain decisions by the public employment relations board to the supreme court; revising the compensation of arbitrators; eliminating the independent review of grievances; amending Minnesota Statutes 1976, Sections 15.0411, Subdivision 2; 179.61; 179.62; 179.63, Subdivisions 1, 6, 8, 9, 9a, 10, 11, 13, 14 and 17; 179.64, Subdivision 7; 179.65, Subdivisions 1, 2 and 6; 179.66, Subdivisions 5, 6 and 9; 179.67, Subdivisions 1, 4, 5, 6, 14, and by adding a subdivision; 179.68; 179.69, Subdivisions 1 and 2; 179.70, Subdivision 1; 179.71, Subdivisions 2, 3, 4 and 5; 179.72, Subdivisions 1, 3, 4, 6 and 7; 179.74, Subdivisions 2 and 4; repealing Minnesota Statutes 1976, Section 179.76.

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

Pages 1 and 2, strike section 1

Page 10, line 20, reinstate "statute"

Page 10, line 21, strike "law"

Pages 11 and 12, strike section 21

Page 25, line 14, strike "by mutual agreement" and insert "*if either party requests*"

Page 25, line 14, strike "may" and insert "*shall*"

Page 25, line 24, after the stricken word "upon" insert "by"

Page 25, line 24, reinstate "a" and strike "by"

Page 25, lines 25 to 29, reinstate the stricken language

Page 25, line 28, strike the reinstated "\$100" and insert "\$160"

Page 25, line 29, strike "*fees,*"

Page 25, line 30, strike "*or arbitrator*"

Page 25, line 31, 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."*

Page 28, line 8, strike "35" and insert "33"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, strike "exempting the public"

Page 1, strike line 9

Page 1, line 10, strike "procedure act;"

Page 1, line 20, strike "15.0411, Subdivision 2;"

Page 1, line 24, strike "1,"

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. 1070: A bill for an act relating to franchises; concerning franchise fees; amending Minnesota Statutes 1976, Sections 80C.01, Subdivisions 4 and 9; 80C.08, Subdivision 1; and 80C.09, Subdivision 1.

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

Page 2, line 9, after *"beverages"* insert *"at wholesale, if the supplier's sales in this state exceed 300,000 barrels per year"*

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. 1179: A bill for an act relating to savings associations; investments in certain obligations; amending Minnesota Statutes 1976, Section 51A.35.

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

Page 2, after line 19, insert:

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

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. 1086: A bill for an act relating to license fees; increasing maximum fees for off-sale intoxicating liquor licenses; and for licenses for the sale of cigarettes; amending Minnesota Statutes 1976, Sections 340.11, Subdivision 14 and 461.12.

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

Page 2, line 4, strike "maximum"

Page 2, line 4, after the second "license" insert "*shall be established by the municipality issuing the license*"

Page 2, strike lines 5 through 7

Page 2, line 8, strike "exceed the sum of" and strike "\$2,000 annually"

Page 2, line 11, strike "; in all cities of over"

Page 2, strike lines 12 through 19

Page 2, line 20, strike everything except the period

Amend the title as follows:

Page 1, line 2, strike "increasing" and insert "permitting municipalities to set"

Page 1, line 3, before the semicolon, insert "with a maximum annual increase in fees"

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. 1337: A bill for an act relating to state employees; providing for wage and fringe benefits for certain state employees; ratifying collective bargaining agreements; providing emergency rule making authority; increasing salary ranges; appropriating money; amending Minnesota Statutes 1976, Chapter 43, by adding a section; Sections 43.09, Subdivision 3; 43.12, Subdivisions 2, 3, 5, 6, 7, 8, 10, 11, 14, 16, and 17, and by adding a subdivision; 43.122, Subdivision 3, and by adding a subdivision; 43.126, Subdivision 1; 43.323, by adding a subdivision; 43.42; 43.44, Subdivision 1; 43.46; and 43.50, Subdivision 1; repealing Minnesota Statutes 1976, Sections 43.09, Subdivision 7; and 43.12, Subdivisions 4 and 9.

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

Page 1, line 21, after "legislature" insert "*and except as may otherwise be provided in this act*"

Page 1, line 27, after "320," insert "*the international union of operating engineers, local No. 49,*"

Page 2, line 4, after the period insert *"A state employee whose exclusive representative, as defined by section 179.63, subdivision 6, has not executed an agreement with the state covering wages and economic fringe benefits on or before May 15, 1977, shall not receive the wage and economic fringe benefit increases provided by this act."*

Page 2, line 25, strike "appointments" and insert "appointment"

Page 5, line 7, strike "and"

Page 5, after line 27, insert *"Employees who are classified as highway maintenance worker, senior and who are employed by the department of transportation and assigned to the central office and districts 5 and 9 shall, in addition, be granted a one time lump sum payment of \$400."*

Page 9, line 27, strike "through" and insert "and"

Page 11, lines 12 and 13, strike "as otherwise provided in this section" and insert *"for classification reassignments effective July 6, 1977,"*

Page 17, line 27, after "effective" insert *"the first day of the first payroll period commencing on or after"*

Page 17, line 27, strike "6" and insert "1"

Page 17, line 31, after "Effective" insert *"the first day of the first payroll period commencing on or after"*

Page 17, line 31, strike "5" and insert "1"

Page 19, after line 10, insert:

"Sec. 24. The commissioner of public safety shall promulgate a rule providing that criminal investigators shall receive a clothing allowance of \$100 per year in lieu of any other clothing allowance pursuant to section 299C.04. The commissioner shall have emergency rule-making authority in respect to this matter in order to implement the provisions of a collectively bargained agreement.

Sec. 25. [REVISOR'S INSTRUCTIONS.] In respect to a collectively bargained contract with the state covering a period beginning on and after July 1, 1979, the revisor of statutes shall provide the members of the legislature with copies of the contract showing additions and deletions from contract language in effect for the immediately preceding contract period. Where appropriate, the revisor shall consolidate provisions which are identical from contracts of two or more bargaining units.

Sec. 26. [APPROPRIATIONS.] There is appropriated from the general fund to the commissioner of finance for the two years beginning with the effective date of this act the sum of \$56,003,354 to pay direct compensation increases and economic benefit increases provided for employees of the state covered by provisions in this act."

Page 19, line 14, after "effective" insert *"the first day of the first payroll period commencing on or after"*

Renumber sections in sequence

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

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

S. F. No. 1249: A bill for an act relating to state employees; providing for investment options for deferred compensation; amending Minnesota Statutes 1976, Section 352.96, Subdivision 2.

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

Page 1, line 21, after "shares" insert "*“, accounts or contracts”*

Page 2, after line 9, insert:

"Sec. 2. Minnesota Statutes 1976, Section 352.96, Subdivision 3, is amended to read:

Subd. 3. [EXECUTIVE DIRECTOR TO ADMINISTER SECTION.] The provisions of this section shall be administered by the executive director of the Minnesota state retirement system pursuant to the provisions of subdivision 4. *If the state board of investment so elects, it may solicit bids for options under subdivision 2, clauses (b) and (c). All contracts must be approved prior to execution by the state board of investment. All contracts shall provide that all options in subdivision 2 shall be presented in an unbiased manner, shall conform to all rules promulgated by the executive director, shall report on a period basis to all employees participating in the deferred compensation program, and shall not unreasonably solicit state employees to participate in the program. The contract may not call for any person to jeopardize the tax-deferred status of moneys invested by state employees pursuant to this section. All costs or fees paid shall be paid by the underwriting companies ultimately selected by the state board of investment.*

Sec. 3. Minnesota Statutes 1976, Section 352.96, Subdivision 4, is amended to read:

Subd. 4. [EXECUTIVE DIRECTOR TO ESTABLISH RULES.] The executive director of the Minnesota state retirement system shall establish rules, ~~regulations~~, and procedures to carry out the provisions of this section including allocation of administrative costs against the assets accumulated under this section. Funds to pay such costs are hereby appropriated from the fund or account in which the assets accumulated under this section are placed. *Rules adopted after July 1, 1977, must be approved by the state board of investment. A state employee shall not be permitted to make payments under the plan until the plan or applicable component thereof has been approved as to its tax-deferred status by the internal revenue service.*

Sec. 4. [EFFECTIVE DATE.] *This act is effective on the first day of the first payroll period after July 1, 1977."*

Amend the title as follows:

Line 5, strike "Subdivision 2" and insert "Subdivisions 2, 3, and 4"

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. 1410: A bill for an act relating to the attorney general; changing appointments; removing restrictions on assignment of deputy and assistant attorneys general; amending Minnesota Statutes 1976, Sections 8.02 and 268.12, Subdivision 5; repealing Minnesota Statutes 1976, Sections 8.023; 8.024; 8.026, and 84.025, Subdivision 6.

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

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

S. F. No. 1369: A bill for an act relating to the cities of St. Paul, Minneapolis, and Duluth; firemen's survivor benefits; amending Laws 1955, Chapter 375, Section 25, as amended; Laws 1965, Chapter 519, Section 1, as amended; and Laws 1975, Chapter 127, Section 2, as amended.

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

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

S. F. No. 559: A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Rice county to the city of Faribault for the purpose of establishing a nature interpretative center with emphasis on natural history.

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

Page 1, line 12, strike "transfer and convey" and insert "lease"

Page 1, line 16, strike "conveyance" and insert "lease"

Page 4, line 28, strike "quitclaim deed" and insert "lease"

Page 4, line 28, after the period insert "Notwithstanding any other law to the contrary, the lease shall be for a 20-year period and shall be renewed as long as the conditions specified in subdivision 1 are fulfilled to the satisfaction of the Minnesota Historical Society and upon the recommendation of its executive committee."

Page 4, line 29, strike "quitclaim deed" and insert "lease"

Page 4, line 31, after "the" insert "leased"

Page 4, line 31, strike "conveyed"

Page 5, line 1, strike "of conveyance" and insert "on which the lease is issued"

Page 5, line 1, strike "conveyed" and insert "lease shall terminate and the leased"

Amend the title as follows:

Page 1, line 3, strike "conveyance" and insert "lease"

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. 1082: A bill for an act relating to agriculture; produce; inspection; fees; potato grading; labeling and inspection; prohibiting certain sales of artificially colored potatoes; amending Minnesota Statutes 1976, Sections 27.07; 30.10; 30.20; and Chapter 30, by adding sections; repealing Minnesota Statutes 1976, Sections 30.121; 30.13; 30.14; and 30.478.

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

Amend the title as follows:

Page 1, line 2, after "agriculture;" insert "clarifying the commissioner's authority to establish certain"

Page 1, line 2, after "produce" strike the semicolon

Page 1, line 2, after "inspection" strike the semicolon

Page 1, line 3, strike "; potato grading; labeling and inspection" and insert "to grade potatoes"

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. 522: A bill for an act relating to watersheds; providing for the issuance of county bonds to pay the cost of watershed district improvements; amending Minnesota Statutes 1976, Section 112.60, 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. Upon filing of the statement as provided in Minnesota Statutes, Section 112.60, Subdivision 1, or upon approval by the managers of watershed districts located primarily in Hennepin county and the Hennepin county board of improvements constituting a part of the basic water management features of the

overall plan of the district, determined by the managers to be financed by an annual district tax levy pursuant to Minnesota Statutes, Section 112.61, Subdivision 3, the Hennepin county board shall provide funds to meet the total cost of the improvements, as shown by the report and order of the managers of the district, and for such purposes is authorized to issue bonds of the county, in such amount as may be necessary. In authorizing the bonds the Hennepin county board 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 county at the last general election is filed with the county auditor. In the event a petition is filed, no bonds shall be issued under this subdivision unless authorized by a majority of the electors voting on the question. The bonds shall be issued, sold and secured in the manner provided by Minnesota Statutes, Section 106.411, except that the bonds shall be primarily payable from the special assessments set forth in the managers' statement or, as the case may be, from the watershed district tax levy, and shall be made payable at the times and in the amounts estimated by the Hennepin county board to be provided from the special assessments or tax levies. After the determination of the managers to finance improvements from a tax levy, the levy shall be extended annually against all taxable lots and parcels of land within the watershed district at a rate sufficient to produce the amounts required for payment of the bonds and interest thereon, not exceeding the rate or period provided in Minnesota Statutes, Section 112.61, Subdivision 3. The bonds shall be a general obligation of the county. The cost of the issuance and administering of any bonds issued pursuant to this section shall be payable from the revenue created by the sale of such bonds, and the obligation for payment for services in the issuance and administering of such bonds shall be the obligation of the watershed district for which such bonds were issued.

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

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

"A bill for an act relating to watersheds located primarily in Hennepin county; providing for the issuance of Hennepin county bonds to pay the cost of watershed district improvements initiated by petition of a municipality."

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

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

S. F. No. 645: A bill for an act relating to vital statistics; re-

quiring reporting; establishing registration districts; defining terms; providing penalties; repealing Minnesota Statutes 1976, Sections 144.151 to 144.205; 517.071; 517.08, Subdivisions 2 and 3; and 518.001.

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

Page 1, strike lines 15 to 17

Renumber the subdivisions in sequence

Page 2, line 7, after "abortion" and before the period insert ", as defined in section 145.411, subdivision 5"

Page 2, line 12, after "or" insert "dead"

Page 2, line 20, strike "such"

Page 2, line 27, after "practice" insert "medicine"

Page 3, line 11, strike "divorce" and insert "dissolution"

Page 3, after line 12, insert:

"Subd. 15. "Local registrar" means an individual designated under section 4, subdivision 1, to perform the duties of a local registrar."

Page 3, line 14, after "CREATION" insert "; STATE REGISTRAR"

Page 3, line 15, strike "to be headed by" and insert "under the supervision of"

Page 3, line 27, strike "RESPONSIBILITY" and insert "DUTIES"

Page 3, line 31, after "18" and before the period insert ", and shall supervise the enforcement of sections 1 to 18 and the rules promulgated thereunder by the local registrars in the registration districts"

Page 4, line 15, after "appoint" insert "a"

Page 4, line 16, strike "registrars" and insert "registrar"

Page 4, line 16, strike "them" and insert "each registration district so established"

Page 4, line 19, strike the comma

Page 4, line 21, strike "another for the unexpired" and insert "a successor to serve as local registrar"

Page 4, line 22, strike "part of his term"

Page 4, line 28, strike "state" and insert "local"

Page 4, strike lines 29 to 31 and insert "enforce the provisions of sections 1 to 18 and the rules promulgated thereunder within the registration district, and shall promptly report violations of the laws or rules to the state registrar."

Page 5, line 3, strike "transportation"

Page 5, line 3, after "permits" insert "for the transportation of dead bodies or dead fetuses"

Page 5, line 4, after "by" insert "rule of"

Page 5, line 10, strike "The birth certificate of a child born out of"

Page 5, strike line 11

Page 5, line 31, strike "unless both the" and insert ". The name of the husband shall be removed from the birth certificate only by order of the court after a judicial determination that the husband is not the father of the child or that another man is the father of the child."

Page 5, strike line 32

Page 6, strike line 1

Page 6, line 5, strike "without the written consent of the" and insert "unless the father has filed with the district court of the state registrar an acknowledgment of paternity, and the mother does not dispute the acknowledgment within a reasonable time after receiving notice of the filing. "

Page 6, strike lines 6 to 8

Page 6, line 11, strike "and" and insert ". If the order of the court declares the name of the child, it shall also be entered on the birth certificate; if the order of the court does not declare the name of the child, then"

Page 6, line 17, strike the period and insert a colon

Page 7, line 7 after the first "the" insert "appropriate"

Page 7, line 20, after "for" insert "a"

Page 7, line 20, after "hearing" insert "on"

Page 7, line 21, strike "said" and insert "the"

Page 8, line 7, after "order" and before the period insert "or pursuant to any provision of law which permits access to the information contained on the original birth certificate"

Page 8, line 10, strike ", and the original certificate shall be public"

Page 8, line 27, strike "A"

Page 8, strike lines 28 to 31, and insert "If, in cases in which a certificate of birth has been registered pursuant to section 5, subdivision 5, the natural parents of the child marry after the birth of the child, a new certificate of birth shall be issued"

Page 8, line 32, strike ", if the state registrar receives" and insert "upon presentation of"

Page 9, line 3, strike "affidavit" and insert "acknowledgment"

Page 9, line 4, strike "is" and insert "and the original certificate of birth are"

Page 10, line 2, strike "the best" and insert "a"

Page 10, line 3, strike "available"

Page 10, lines 29 and 31, strike "dead fetus is born" and insert "fetal death occurs"

Page 11, line 15, after "or" insert "dead"

Page 11, line 18, strike "sexton, or other"

Page 11, line 21, after "or" insert "dead"

Page 11, line 22, strike "Each" and insert "Every"

Page 11, line 23, strike "any" and insert "a"

Page 11, line 27, strike "as such" and insert "in that capacity"

Page 11, line 30, after "to" insert "the"

Page 12, line 26, after "and" insert "the"

Page 12, strike lines 27 to 32 and insert:

"Subd. 2. Upon order of a court of this state or upon request of a court of another state, or upon the filing of an acknowledgment of paternity with the state registrar or the appropriate court which is not disputed by the mother named on the original birth certificate within a reasonable time after being informed of the filing, a new birth certificate shall be issued and registered consistent with the findings of the court or with the acknowledgment of paternity."

Page 13, line 4, strike "provided that access to records" and insert a period

Page 13, strike lines 5 and 6

Page 13, line 11, strike "; provided" and insert a period

Page 13, line 12, strike "that"

Page 13, strike lines 17 to 22

Renumber the subdivision in sequence

Page 13, line 26, after "or" insert "the"

Page 14, line 1, strike "needed in connection with" and insert "required for"

Page 14, line 2, after the second "or" insert "required"

Page 14, line 5, strike "needed" and insert "requested"

Page 14, line 6, strike "in connection with the needs of" and insert "for the discharge of his duties relating to"

Page 14, line 14, after "record" insert a comma

Page 15, line 5, after "or" insert "dead"

Page 15, line 7, strike "such" and insert "the"

Page 15, line 7, after "to" insert "the"

Page 15, line 21, strike "this act" and insert "sections 1 to 18,"

Page 15, line 22, strike "shall be" and insert ", is"

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. 896: A bill for an act relating to the establishment of a power plant site and transmission line route selection authority in the environmental quality board; eliminating the corridor designation process; clarifying certain procedures; authorizing certain options concerning the amount of land to be condemned, annual payments, and attorneys fees for owners of land condemned for routes or sites; requiring the board and the office of hearing examiners to adopt emergency and permanent rules; authorizing the board to revoke or suspend permits; specifying amounts for route application fees; prescribing a property tax credit for land crossed by high voltage transmission lines; providing penalties; amending Minnesota Statutes 1976, Sections 116C.52, Subdivisions 3 and 7, and by adding subdivisions; 116C.53; 116C.54; 116C.55, Subdivisions 2 and 3; 116C.57; 116C.58; 116C.59, Subdivision 1, and by adding subdivisions; 116C.61, Subdivisions 2 and 3; 116C.62; 116C.63; 116C.64; 116C.65; 116C.66; 116C.67; 116C.68; 116C.69; 273.42; 276.04; and Chapters 116C, by adding a section; and 273, by adding a section; repealing Minnesota Statutes 1976, Sections 116C.55, Subdivision 1; and 116C.56.

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

Page 1, line 31, strike "shall mean" and insert "*means*"

Page 2, line 2, strike "regulation" and insert "*rule*"

Page 2, line 6, place quotation marks around "construction"

Page 2, line 6, strike "shall"

Page 2, line 9, strike "*mean*" and insert "*means*"

Page 2, lines 18, 23, and 27, strike "*shall mean*" and insert "*means*"

Page 3, lines 19 and 20, strike "*such*" and insert "*the*"

Page 6, line 14, strike "; APPROVAL OF TRANSMISSION" and insert "AND"

Page 6, line 15, strike "LINE" and "AND FACILITY CONSTRUCTION"

Page 6, line 15, after the semicolon insert "PROCEDURES; CONSIDERATIONS;"

Page 6, line 16, strike "RESPONSIBILITIES" and insert "EX-EMPTION"

Page 7, line 29, after "*specified in*" insert "*section 116C.55, subdivision 2, and the responsibilities, procedures and considerations specified in*"

Page 8, line 8, strike "APPROVAL" and insert "DESIGNATION"

Page 8, line 8, strike "AND FACILITY"

Page 8, line 9, strike "CONSTRUCTION" and "; EXEMPTION"

Page 8, line 25, strike "*any such*" and insert "*the*"

Page 10, line 4, strike "*insure*" and insert "*meet*"

Page 12, line 3, after the semicolon insert "*and*"

Page 12, lines 6 and 12, restore the stricken language, and strike the new language

Page 12, line 7, strike "Where" and insert "If"

Page 13, line 7, after "*may*" insert "*by rule*"

Page 13, line 9, after "*The*" insert "*permanent*"

Page 13, line 11, strike "*high voltage transmission line*" and insert "*route*"

Page 14, line 8, strike "*Provided,*"

Page 14, line 9, strike "*however, that*"

Page 14, line 26, strike "*councils*" and insert "*commissions*"

Page 15, line 10, strike "*procedure*" and insert "*proceeding*"

Page 15, line 18, after "*governing*" insert "*reimbursement of*"

Page 17, line 3, strike "*Their*" and insert "*The*"

Page 17, lines 13 to 18, strike all of subdivision 3

Page 17, lines 30 and 31, strike all of subdivision 5

Re-number the subdivisions in sequence

Page 20, line 5, strike "*The office of*"

Page 20, strike lines 6 to 9

Page 20, line 10, strike "*participation in these processes.*"

Page 20, line 13, after the period insert "*The provisions of*"

Page 20, line 13, strike the comma

Page 20, after line 16 insert

"The chief hearing examiner shall, prior to January 1, 1978, adopt procedural rules for public hearings relating to the site and route designation process and to the route exemption pro-

cess. The rules shall attempt to maximize citizen participation in these processes."

Page 21, line 4, strike "shall be" and insert "is"

Page 22, line 4, strike "3" and insert "2a"

Page 22, line 4, restore "3" and strike "4"

Page 22, line 31, strike "such" and insert "the"

Page 27, line 10, after "The" insert "environmental quality"

Page 27, lines 19 and 28, strike "office of" and insert "chief"

Page 27, lines 19 and 28, strike "examiners" and insert "examiner"

Page 27, line 22, strike "concerning the conduct of" and insert "establishing procedures for"

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

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 1382: A bill for an act relating to the city of St. Paul; providing that the employees of the housing and redevelopment authority of the city of St. Paul may remain employees of the authority or become employees of the city as the governing body of the city may determine; amending Laws 1976, Chapter 234, Section 4, Subdivision 4, and by adding a subdivision.

Reports the same back with the recommendation that the report from the Committee on Local Government shown in the Journal for April 23, 1977, that "when so amended the bill do pass and be placed on the Consent Calendar" be adopted. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 1384: A bill for an act relating to the city of Saint Paul; establishing a public housing agency; transferring functions from housing and redevelopment authority.

Reports the same back with the recommendation that the report from the Committee on Local Government shown in the Journal for April 23, 1977, that "when so amended the bill do pass and be placed on the Consent Calendar" be adopted. Amendments adopted. Report adopted.

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

S. F. No. 1106: A bill for an act relating to solid waste dis-

posal; authorizing counties to prohibit transportation of solid waste to other counties for disposal; authorizing counties to designate disposal sites for solid waste generated within their boundaries; amending Minnesota Statutes 1976, Section 400.04, by adding a subdivision.

Reports the same back with the recommendation that the bill be re-referred to the Subcommittee on Bill Scheduling. Report adopted.

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

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

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

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rules 35, together with the committee report thereon,

S. F. No. 753: A bill for an act relating to motor vehicles; licensing and taxation; providing for biennial payment of the tax assessed on trailers; dimensional specifications for trailer number plates; amending Minnesota Statutes 1976, Sections 168.013, Subdivision 1d; and 168.12.

Reports the same back with the recommendation that the report from the Committee on General Legislation and Veterans Affairs shown in the Journal for April 18, 1977, that "when so amended the bill do pass and be placed on the Consent Calendar" be adopted. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

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

Reports the same back with the recommendation that the report from the Committee on Agriculture and Natural Resources shown in the Journal for April 14, 1977, that "when so amended the bill do pass and be re-referred to the Committee on Finance" be adopted. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

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

Reports the same back with the recommendation that the report from the Committee on Local Government shown in the Journal for April 14, 1977, that "when so amended the bill do pass" be adopted. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred for proper reference under Rule 35:

S. F. No. 1347 and H. F. No. 7

Reports the same back with the recommendation that the bills be re-referred as follows:

S. F. No. 1347 to the Committee on Education.

H. F. No. 7 to the Committee on Employment.

Report adopted.

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

H. F. No. 61 for comparison to companion Senate File, reports the following House File was found identical and recommends the House File be given its Second Reading and substituted for 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.
		61	3		

and that the above 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. Report adopted.

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

H. F. Nos. 541, 103, 763 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
541	410			763	208
103	521				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 541 be amended as follows:

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

Page 1, line 22, after "deduction" insert ", unless authorized in writing by the employee,"

And when so amended, H. F. No. 541 will be identical to S. F. No. 410 and further recommends that H. F. No. 541 be given its second reading and substituted for S. F. No. 410 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 103 be amended as follows:

Page 1, line 17, delete the first comma

Page 2, lines 6 and 7, delete "*at the direction of*" and insert "*if directed to leave by*"

And when so amended, H. F. No. 103 will be identical to S. F. No. 521 and further recommends that H. F. No. 103 be given its second reading and substituted for S. F. No. 521 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 763 be amended as follows:

Page 1, line 7, delete "PROVISIONS" and insert "TERMS"

Page 1, line 10, after "assign" insert "or offer to assign"

Page 1, line 11, delete "which does not"

Page 1, delete lines 12 to 14

Page 1, line 15, delete everything except the second "for"

Page 1, line 18, after "and" insert

"(1) which does not relate (a) directly to the business of the employer or (b) to the employer's actual or demonstrably anticipated research or development, or (2) which does not result from any work performed by the employee for the employer."

Page 1, line 20, delete "shall" and insert "is"

Page 2, delete lines 3 to 14 and insert

"Subd. 3. If an employment agreement entered into after the effective date of this act contains a provision requiring the employee to assign or offer to assign any of his rights in any inven-

tion to his employer, the employer must also, at the time the agreement is made, provide a written notification to the employee that the agreement does not apply to an invention for which no equipment, supplies, facility or trade secret information of the employer was used and which was developed entirely on the employee's own time, and (1) which does not relate (a) directly to the business of the employer or (b) to the employer's actual or demonstrably anticipated research or development, or (2) which does not result from any work performed by the employee for the employer."

Further amend the title in line 3, by deleting "contracts" and inserting "agreements"

And when so amended, H. F. No. 763 will be identical to S. F. No. 208 and further recommends that H. F. No. 763 be given its second reading and substituted for S. F. No. 208 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.

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

S. F. No. 73: A bill for an act relating to weather modification; prescribing powers and duties for the commissioner of agriculture; providing for weather modification research; requiring the obtaining of licenses and permits prior to engaging in weather modification; prescribing penalties; creating a weather modification advisory council.

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

Strike everything after the enacting clause and insert:

"Section 1. It shall be illegal to use a ground-based cloud seeding apparatus as a method for attempting to modify the weather.

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

Amend the title as follows:

Page 1, strike lines 2 to 8 and insert:

"relating to weather modification; prohibiting ground-based cloud seeding apparatus; prescribing a penalty."

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. 1133: A bill for an act relating to environmental protection; prohibiting the storage of certain radioactive wastes in Minnesota; providing a penalty.

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

Strike everything after the enacting clause and insert:

"Section 1. [116C.71] [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 3, the terms defined in this section have the meaning given them.

Subd. 2. "Byproduct nuclear material" means any radioactive material, except special nuclear material, which is yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

Subd. 3. "Radioactive waste storage" means the discarding, treatment, recycling or decontamination of radioactive wastes, or their collection, maintenance or storage at a waste storage site.

Subd. 4. "Radioactive waste storage or disposal facility" means a geographical site including buildings, structures and equipment, in or upon which radioactive wastes are retained for the sole purpose of storage or disposal.

Subd. 5. "Person" means any individual, corporation, partnership or other unincorporated association or governmental agency.

Subd. 6. "Radioactive waste" means:

(a) Any capturable radioactive material, including but not limited to spent fuel, naturally occurring or accelerator-produced isotopes, and byproduct nuclear material, source nuclear material or special nuclear material; or

(b) Discarded, useless or unwanted containers, receptacles, tools, instruments, clothing, and other matter which has been contaminated with radioactivity incidental to the use or transportation of radioactive material.

Subd. 7. "Source nuclear material" means:

(a) Uranium or thorium or any combination thereof, in any physical or chemical form; or

(b) Ores which contain by weight one-twentieth of one percent or more of uranium, thorium, or any combination thereof. Source material does not include special nuclear material.

Subd. 8. "Special nuclear material" means:

(a) Plutonium, uranium 233, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Nuclear Regulatory Commission, pursuant to the Atomic Energy Act of 1954 as amended, determines to be special nuclear material; or

(b) Any material artificially enriched by any of the materials described in clause (a). Special nuclear material does not include source nuclear material.

Sec. 2. [116C.72] [NON-MINNESOTA RADIOACTIVE WASTES.] Notwithstanding any provision of Minnesota Statutes,

Chapter 116H, to the contrary, no person shall transport radioactive wastes into the state of Minnesota for the sole purpose of disposing or storing the wastes within the state except that such wastes may be transported into the state and stored in accordance with applicable federal and state rules for up to 12 months pending transportation out of the state for ultimate disposal.

Sec. 3. [116C.73] [PENALTIES.] Any person causing radioactive wastes to be shipped in violation of section 2 shall be guilty of a gross misdemeanor and subject to a fine of not more than \$10,000 or a sentence of imprisonment of not more than one year, or both.

Sec. 4. [EFFECTIVE DATE.] This act is effective the day following its final enactment."

Strike the title and insert:

"A bill for an act relating to environmental protection; prohibiting transportation of radioactive wastes into Minnesota for purposes of storage or disposal; providing exceptions; prescribing penalties."

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

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

S. F. No. 97: A bill for an act relating to public utilities; providing for a lifeline rate for electricity; amending Minnesota Statutes 1976, Chapter 216B, by adding a section.

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

Page 1, line 7, strike everything after the period

Page 1, strike line 8

Page 1, line 9, strike "[216B.031] [LIFELINE RATES.] *Subdivision 1.*"

Page 1, lines 13, 14 and 18, after "*electricity*" insert "and natural gas"

Page 1, line 19, strike "*section*" and insert "act"

Page 1, line 20, strike "*Subd.*" and insert "Sec."

Page 1, line 20, strike "*section*" and insert "act"

Page 2, line 3, strike "*Subd.*" and insert "Sec."

Page 2, line 3, strike "*section*" and insert "act"

Page 2, strike lines 7 through 29 and insert:

"Sec. 4. The department of public service shall conduct a study examining the feasibility of requiring specific rates for lifeline

quantities of natural gas and electricity in Minnesota, and the alternatives for implementation of lifeline rates if lifeline rates are recommended. The public service commission shall appoint an advisory task force consisting of five non-legislator members who represent the various persons potentially affected by lifeline rates, plus one member of the house of representatives appointed by the speaker of the house and one member of the senate appointed by the subcommittee on committees. Non-legislator members shall be governed by section 15.059, subdivision 6. The department of public service shall consult with the advisory panel during the course of its study and prior to making its recommendations.

Sec. 5. On or before January 1, 1978, the public service department shall report to the legislature the results of its study and make its recommendations regarding lifeline rates.

Sec. 6. There is appropriated \$21,000 to the public service department to effectuate the purposes of this act."

Renumber the remaining section

Delete all underlining in the bill

Amend the title as follows:

Page 1, line 2, after "a" insert "study of"

Page 1, line 3, strike "rate" and insert "rates"

Page 1, line 3, strike "; amending Minnesota" and insert "and natural gas; appropriating money."

Page 1, strike line 4

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. 330: A bill for an act relating to insurance; regulating the use of credit life and credit health and accident insurance; amending Minnesota Statutes 1976, Sections 61A.12, by adding subdivisions; 62B.01; 62B.04, Subdivision 1; 62B.05; 62B.06, by adding subdivisions; 62B.07, Subdivision 2, and by adding a subdivision; 62B.08, Subdivision 2, and by adding subdivisions; and 62B.11.

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 53.051, is amended to read:

53.051 [INSURANCE IN CONNECTION WITH LOANS.] Any policy or certificate of insurance procured by a licensee in connection with any loan or transaction subject to this chapter, for

which the premium has been paid by the obligor or obligors out of the proceeds of the loan or transaction, shall contain the amount and description of the coverage, all of the terms and conditions, the period of time for which it is written, the premium therefor, and shall be delivered to the obligor or obligors within a reasonable time. No policy or certificate providing life insurance or accident and health benefits shall be written for a term extending more than 15 days beyond the maturity of the related obligation and shall not provide benefits greater than the initial amount of such obligation.

If the coverage provides credit accident and health insurance, the policy or certificate shall contain a provision that if the insured obligor is disabled, as defined in the policy, for a period of more than 14 days, benefits shall commence as of the first day of disability.

In case there are multiple obligors under a transaction subject to such chapter, no policy or certificate of insurance providing life insurance or accident and health benefits shall be procured by or through a licensee upon more than one of such obligors.

A policy or certificate for credit accident and health insurance shall disclose whether or not the benefits shall commence as of the first day of disability and shall further disclose the number of days that an insured obligor must be disabled, as defined in the policy, before benefits, whether retroactive or non-retroactive, shall commence.

In case there are multiple obligors under a transaction subject to this chapter, credit life and accident and health insurance, or either type of coverage, may be written on each obligor who elects such coverage.

If an obligation is prepaid in full by cash, a new loan, refinancing, or otherwise, any policy or certificate of insurance providing life insurance or accident and health benefits procured by or through a licensee and for which the premium has been paid by the obligor out of the proceeds of the obligation shall be cancelled upon surrender of the policy, certificate or other evidence and the unearned premium refunded unless the obligor shall request in writing that such insurance be continued in force, and a copy of such written request shall be delivered to the insured at time of signature.

No licensee shall decline to accept a policy of insurance furnished by the borrower from another source.

Sec. 2. Minnesota Statutes 1976, Section 56.15, Subdivision 2, is amended to read:

Subd. 2. No licensee shall, directly or indirectly, sell or offer for sale any insurance in connection with any loan made under this chapter except as and to the extent authorized by this section. Life, accident and health insurance, or any of them, may be written upon or in connection with any loan for a term not extending beyond the final maturity date of the loan contract but only upon one

~~obligor on any one loan contract.~~ The amount of life insurance shall at no time exceed the unpaid balance of principal and charges combined which are scheduled to be outstanding under the terms of the loan contract or the actual amount unpaid on the loan contract, whichever is greater. Accident and health insurance shall provide benefits not in excess of the unpaid balance scheduled to be outstanding under the terms of the loan contract and the amount of each periodic benefit payment shall not exceed the total amount payable divided by the number of installments and shall provide that if the insured obligor is disabled, as defined in the policy, for a period of more than 14 days, benefits shall commence as of the first day of disability ~~disclose whether or not the benefits shall commence as of the first day of disability and shall further disclose the number of days that an insured obligor must be disabled, as defined in the policy, before benefits, whether retroactive or non-retroactive, shall commence.~~ In case there are multiple obligors under a transaction subject to this chapter, credit life and accident and health insurance, or either type of coverage, may be written on each obligor who elects such coverage. The premium or identifiable charge for such insurance shall not exceed that filed by the insurer with the insurance division of the department of commerce. Such charge, computed at the time the loan is made for the full term of the loan contract on the total amount required to pay principal and charges, may be deducted from the proceeds or may be included as part of the principal of any loan. If a borrower procures insurance by or through a licensee, the statement required by section 56.14 of this chapter shall disclose the cost to the borrower and the type of insurance, and the licensee shall cause to be delivered to the borrower a copy of the policy, certificate, or other evidence thereof, within a reasonable time. No licensee shall decline new or existing insurance which meets the standards set out herein nor prevent any obligor from obtaining such insurance coverage from other sources. ~~If the loan contract is prepaid in full by cash, a new loan, renewal, refinancing, or otherwise (except by the insurance) any life, accident and health insurance procured by or through a licensee shall be cancelled and a refund of the unearned premium or identifiable charge shall be rebated.~~ Notwithstanding any other provision of this chapter, any gain or advantage to the licensee or to any employee, affiliate, or associate of the licensee from such insurance or the sale or provision thereof shall not be deemed to be additional or further charges in connection with such loan; nor shall any of the provisions pertaining to insurance contained in this section be deemed prohibited by any other provision of this chapter.

Sec. 3. Minnesota Statutes 1976, Section 62B.04, Subdivision 1, is amended to read:

62B.04 [AMOUNT OF CREDIT LIFE INSURANCE AND CREDIT ACCIDENT AND HEALTH INSURANCE.] Subdivision 1. [CREDIT LIFE INSURANCE.] (1) The initial amount of credit life insurance shall not exceed the total amount repayable under the contract of indebtedness. Thereafter, if the indebtedness is repayable in substantially equal installments, the amount of insurance shall not exceed the scheduled or actual amount of

indebtedness, whichever is greater, unless the debtor is apprised of his right to have insurance covering only the scheduled or actual amount of indebtedness, at a lesser cost than level term insurance, and the debtor nonetheless elects in writing to carry level term insurance. A transaction under section 53.04 wherein the certificate of indebtedness provides for payment in substantially equal installments shall constitute an indebtedness repayable in substantially equal installments under this subdivision.

(2) Notwithstanding the provisions of subdivision 1, paragraph clause (1) of this or any other section, insurance on educational, agricultural and horticultural credit transaction commitments may be written for the amount of the portion of such the commitment that has not been advanced by the creditor.

Sec. 4. Minnesota Statutes 1976, Section 62B.05, is amended to read:

62B.05 [TERM OF CREDIT LIFE INSURANCE AND CREDIT ACCIDENT AND HEALTH INSURANCE.] The term of any credit life insurance or credit accident and health insurance shall, subject to acceptance by the insurer, commence on the date when the debtor becomes obligated to the creditor, except that, where a group policy provides coverage with respect to existing obligations, the insurance on a debtor with respect to the indebtedness shall commence on the effective date of the policy. Where evidence of insurability is required and the evidence is furnished more than 30 days after the date when the debtor becomes obligated to the creditor, the term of the insurance may commence on the date on which the insurance company determines the evidence to be satisfactory, and in that event there shall be an appropriate refund or adjustment of any charge to the debtor for insurance. The term of the insurance shall not extend more than 15 days beyond the scheduled maturity date of the indebtedness except when extended without additional cost to the debtor. If the indebtedness is discharged due to renewal or refinancing prior to the scheduled maturity date, the insurance in force shall be terminated before any new insurance may be issued in connection with the renewed or refinanced indebtedness, unless the debtor requests in writing that it be continued. In all cases of termination prior to scheduled maturity, a refund shall be paid or credited as provided in section 62B.08.

If an obligation is prepaid in full before its scheduled maturity, except by a new loan from or by refinancing through the same obligee and except by performance of the insurer's obligation under the policy, any policy or certificate of insurance providing life insurance or accident and health benefits procured by or through an obligee and for which the premium has been paid by the obligor or obligors out of the proceeds of the obligation shall be cancelled upon surrender of the policy, certificate or other evidence and the unearned premium refunded.

If, on or after July 1, 1978, an obligation is prepaid in full by a new loan or by refinancing by the same obligee through which the obligor procured such insurance, such insurance shall be

deemed cancelled if any new policy or certificate for the same type of insurance is issued in connection with the new loan or refinancing, and the unearned premium refunded.

If, after the effective date hereof but before July 1, 1978, an obligation is prepaid in full by a new loan or by refinancing by the same obligee through which the obligor procured such insurance, the policy or certificate may be continued in force.

Any refund made hereunder shall be paid or credited as provided in section 62B.08.

Sec. 5. Minnesota Statutes 1976, Section 61A.12, is amended by adding a subdivision to read:

Subd. 5. [SUBSTITUTION.] When a creditor requires credit life insurance, credit accident and health insurance, or both, as additional security for an indebtedness, the debtor shall be given the option of furnishing the required amount of insurance through existing policies of insurance owned or controlled by him or procuring and furnishing the required coverage through any insurer authorized to transact insurance business in this state. If this subdivision is applicable, the debtor shall be informed by the creditor of his right to provide alternative coverage before the transaction is completed."

Amend the title as follows:

Page 1, line 4, after the semicolon insert "eliminating level term credit life insurance; eliminating "pyramiding" of credit life insurance; permitting joint life credit insurance policies; permitting certain classes of credit accident and health insurance;"

Page 1, line 5, after "Sections" insert "53.051; 56.15, Subdivision 2;"

Page 1, line 5, strike "subdivisions" and insert "a subdivision" and strike "62B.01;"

Page 1, line 6, after the first semicolon insert "and"

Page 1, line 6, strike "; 62B.06, by adding" and insert a period

Page 1, strike lines 7 to 9

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. 1339: A bill for an act relating to the Minnesota housing finance agency; providing for unclassified employees; amending Minnesota Statutes 1976, Section 43.09, Subdivision 2a.

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

Page 2, line 28, strike "and"

Page 2, line 28, after "revenue" insert ", and the Minnesota housing finance agency"

Page 2, line 31, reinstate "and"

Page 2, line 31, strike ", and the"

Page 2, line 32, strike "Minnesota housing finance agency"

Page 3, after line 7, insert

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

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. 1293: A bill for an act relating to the Minnesota society for the prevention of cruelty; providing for the appointment of the members of the board of directors by the governor; amending Minnesota Statutes 1976, Section 343.01, 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 343.01, is amended to read:

343.01 [PURPOSES; POWERS; COUNTY ORGANIZATION.] Subdivision 1. The Minnesota society for the prevention of cruelty which may also be known or designated itself as the Minnesota humane society is hereby confirmed and continued, with all existing powers, for the purpose of inculcating humane principles, the enforcement of law, and the prevention of cruelty, especially to animals. The Minnesota humane society may make reasonable rules governing the humane care, treatment, transportation, and in extreme cases the disposition by death or sale of animals as it deems expedient to accomplish its purposes. It may appoint representatives in any county where no active county society exists, for the purpose of receiving and accounting for funds from any source, and may also appoint agents at large to carry out the work of the society throughout the state. This society and all county societies may appoint agents for the purpose of investigating or otherwise assisting lawfully empowered officials in the prosecution of persons charged with cruelty to animals. Branches of the society, consisting of not less than ten members, may be organized in any part of the state to prosecute the work of the society in their several localities under rules established by it. It may elect officers and make such rules and bylaws as are necessary to implement the provisions of this chapter.

Subd. 2. It shall be unlawful for any organization, association, firm or corporation not authorized by this chapter to refer to itself as or in any way to use the names Minnesota society for the

prevention of cruelty, the Minnesota humane society, or any combination of words or phrases using the above names which would imply that it represents, acts in behalf or is a branch of said society.

Subd. 3. The society shall be governed by a board of directors consisting of seven persons appointed by the governor. The governor, the commissioner of education and the attorney general, or their designees shall serve as ex-officio, non-voting members of the board. The membership terms, compensation, removal and filling of vacancies of board members other than ex-officio members shall be as provided in section 15.0575; provided that the terms of two initial members shall expire in each of 1979, 1980, and 1981, and the term of the seventh initial member shall expire in 1982. The members of the board shall annually elect a chairman and other officers as deemed necessary. Meetings shall be called by the chairman or at least two other members. The board may employ staff who shall serve in the unclassified civil service at the pleasure of the board. The commissioner of administration upon request of the board shall supply the board with necessary office space and administrative services, and the board shall reimburse the commissioner for the cost thereof.

Sec. 2. Minnesota Statutes 1976, Section 343.06, is amended to read:

343.06 [DUTIES.] It shall be the duty of the ~~state bureau of animal protection~~ *Minnesota humane society* to secure the enforcement of the laws for the prevention of wrongs to animals; to assist in the organization of district and county societies and the appointment of local and state agents, and give them representation in the ~~state bureau society~~ ; to aid such societies and agents in the enforcement of the laws for the prevention of wrongs to animals which may now or hereafter exist, and to promote the growth of education and sentiment favorable to the protection of animals.

Sec. 3. Minnesota Statutes 1976, Section 343.08, is amended to read:

343.08 [BIENNIAL REPORT.] *The board of directors of the state bureau of animal protection society shall make a biennial report before October 1 November 15, in each even numbered year, to the secretary of state governor and the legislature, embracing its proceedings for the preceding year biennium, and statistics showing its work.*

Sec. 4. *The terms of office of the members of the Minnesota humane society who served on June 30, 1977, shall terminate on the effective date of this act, except that those members may continue to serve until their successors are appointed. Nothing in this act shall be deemed to prohibit the governor from re-appointing any of those members of the board of directors as reconstituted by this act.*

Sec. 5. Minnesota Statutes 1976, Sections 343.02, 343.03, 343.04, 343.05, 343.07 and 343.09 are repealed.

Sec. 6. *This act is effective July 1, 1977.*"

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

"A bill for an act relating to the Minnesota humane society; restructuring its board; making miscellaneous operational changes; repealing obsolete language; amending Minnesota Statutes 1976, Sections 343.01; 343.06 and 343.08; repealing Minnesota Statutes 1976, Sections 343.02; 343.03; 343.04; 343.05; 343.07 and 343.09."

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

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

S. F. No. 1027: A bill for an act relating to the organization and operation of state government; education; changing the name and membership of the higher education coordinating board; prescribing additional duties for the board; appropriating money; amending Minnesota Statutes 1976, Sections 136A.01; 136A.02, Subdivisions 1, 1a, and 2; 136A.03; 136A.04; 136A.05; and 136A.07.

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

Page 2, line 8, after the period insert "*No member of the board or any member's spouse may be employed by, or be a member of a governing body of any institution subject to the jurisdiction of the board of governors for post-secondary and higher education.*"

Page 2, line 14, strike "3" and insert "4"

Page 3, line 12, after "*chancellor*" insert "*, with the advice and consent of the senate,*"

Page 3, line 13, after "*The*" insert "*chancellor shall serve at the pleasure of the governor for a four year term coterminous with the term of the governor. The chancellor with the approval of the*"

Page 3, line 14, strike "it" and insert "*the board*"

Page 3, line 21, after "*The*" insert "*chancellor with the approval of the*"

Page 3, line 24, strike "commensurate"

Page 3, strike line 25

Page 3, line 26, strike everything before the period and insert "*within the limits of a salary plan approved by the commissioner of personnel. The salary of the chancellor and deputy chancellor shall be as provided by law*"

Page 3, line 28, strike "officer or professional"

Page 6, line 14, after "*board*" insert "*and the governor*"

Page 6, line 24, before "*All*" insert "*Conduct*"

Page 6, line 24, strike "*by the board shall be*"

Page 6, line 25, strike "conducted" and after "finance" insert "and the governor"

Page 6, after line 25, insert:

"No later than January 1, 1979, the board shall submit to the finance and appropriations committees of the legislature for review and approval, policy guidelines to be used by the university of Minnesota, community colleges, state universities, and area vocational technical institutes in their preparation of operating and capital budget requests for the succeeding biennium. Commencing with the biennium beginning July 1, 1981, the university of Minnesota, community colleges, state universities, and area vocational technical institutes shall have employed the guidelines in developing their budget proposals. The guidelines shall provide policy direction on:

(a) size of the post-secondary and higher education physical facilities by region;

(b) size of programs by region;

(c) public financing of continuing education for adults and institutional missions with respect to continuing education programs; and

(d) tuition and financial aid policy for undergraduate students enrolled in academic and vocational/technical programs."

Page 8, line 15, strike "1" and insert "2"

Page 8, after line 29, insert:

"Sec. 12. This act is effective July 1, 1977."

Further, amend the title as follows:

Page 1, line 6, after the first semicolon insert "restricting the staff of the board;"

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

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

S. F. No. 1349: A bill for an act relating to the organization and operation of state government; regulating organization and procedures of various state departments and agencies; providing for appointment and compensation of the employees suggestion board; removing the minimum teachers' license fee; permitting the board of teaching to adopt rules; regulating state arts board grants and publicity; providing the status of part time executive secretaries; permitting joint rule making proceedings; changing the name and composition of the state board of human rights; making miscellaneous inconsequential clarifications and corrections; amending Minnesota Statutes 1976, Section 15.01; 15.059, Subdivision 6; 16.71, Subdivisions 1 and 1a; 121.02, Subdivision 1; 125.08; 125.185, by adding a subdivision; 139.10, Subdivision

1, and by adding subdivisions; 144A.19, Subdivision 2; 144A.21, Subdivision 1; 144A.251; 214.04, Subdivision 3, and by adding a subdivision; 214.06, Subdivision 1; 363.04, Subdivisions 4, 4a and 5; and Laws 1976, Chapter 222, Section 207, Subdivision 2; repealing Minnesota Statutes 1976, Sections 144A.21, Subdivisions 3 and 4; 144A.25; and 214.05.

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

Page 2, after line 26, insert:

"Sec. 3. Minnesota Statutes 1976, Chapter 15, is amended by adding a section to read:

[15.0595] [COMPENSATION AND PER DIEM; SOURCE OF FUNDS.] *The source of payment of per diems and expenses for agencies governed by sections 15.0575 and 15.058 shall be appropriations or funds otherwise available to the agencies. The source of payment of per diems and expenses for agencies governed by section 15.059 shall be appropriation or funds otherwise available to the appointing authority of agency members.*"

Page 9, after line 17, insert:

"Sec. 17. Minnesota Statutes 1976, Section 238.04, Subdivision 2, is amended to read:

Subd. 2. *Members shall be appointed by the governor with the advice and consent of the senate. No more than four members shall be from the same political party.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon insert "providing for the source of per diem and expense payments;"

Page 1, line 22, after "1;" insert "238.04, Subdivision 2;"

Page 1, line 23, after "5;" insert "Chapter 15, by adding a section;"

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. 1055: A bill for an act relating to retirement; judges' survivors' benefits; option to continue.

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

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

S. F. No. 912: A bill for an act relating to education; pro-

viding for the correction or elimination of erroneous, ambiguous, omitted and obsolete references and text; amending Minnesota Statutes 1976, Sections 120.02, Subdivision 18; 120.10, Subdivision 3; 120.17, Subdivision 5a; 120.171; 120.66; 121.02, Subdivision 1; 121.09; 121.12; 121.21, Subdivision 6; 121.212, Subdivision 1; 121.28; 121.49; 121.86; 122.34; 123.34, Subdivisions 6, 8 and 10; 123.35, Subdivision 4; 123.36, Subdivision 5; 123.37, Subdivisions 1 and 13; 123.39, Subdivision 6; 123.40, Subdivision 5; 123.58, Subdivisions 2, 4, 6 and 10; 123.581, Subdivisions 4 and 7; 123.69, Subdivision 2; 123.79, Subdivision 1; 124.09; 124.15, Subdivision 2; 124.17, Subdivision 2; 124.30, Subdivision 5; 124.38, Subdivision 10; 124.41, Subdivision 1; 124.47, Subdivision 1; 124.561, Subdivision 3; 125.05, Subdivision 3; 125.08; 125.12, Subdivisions 6b and 9; 125.183, Subdivision 5; 125.185, Subdivision 5; 136.09, Subdivision 3; 136.11, Subdivision 4; 136.141; 136.142, Subdivision 1; 136.145; 136.15; 136.31, Subdivision 2; 136A.142; 136A.17, Subdivision 1; 136A.172; 136A.173, Subdivision 1; 136A.174; 136A.175, Subdivision 4; 136A.176; 136A.177; 136A.178; 136A.179; 136A.233; 136A.28; 137.01, Subdivision 2; 275.09, Subdivision 4; 375.08; 375.14; 382.01; repealing Minnesota Statutes 1976, Sections 120.02, Subdivision 11; 121.16, Subdivision 2; 122.26; 124.562, Subdivision 6; 124.563, Subdivision 4; 136.87, Subdivision 3; Laws 1965, Chapter 705, Section 1, Subdivisions 12, 13, 14, 15, 16 and 17; Laws 1969, Chapter 699, Section 2; Laws 1969, Chapters 969 and 1110; and Laws 1971, Chapter 256.

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

Page 2, strike section 1

Page 5, line 32, strike "on the first Tuesday"

Page 12, strike section 18

Page 42 and page 43, strike section 63

Page 46, line 24, strike "*levied by a school board pursuant to*" and insert "*law*"

Page 46, line 25, strike "*section 275.125*"

Page 48, line 22, strike "969" and insert "939"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 5, strike "120.02,"

Page 1, line 6, strike "Subdivision 18;"

Page 1, line 10, strike "123.35,"

Page 1, line 11, strike "Subdivision 4;"

Page 1, line 27, strike "136A.233;"

Page 1, line 35, strike "969" and insert "939"

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

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

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

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

Page 1, strike section 1

Page 2, strike lines 7 to 26 and insert:

"Subd. 3. The community colleges shall be located at Coon Rapids, Austin, Brainerd, Fergus Falls, Hibbing, Inver Grove Heights, Grand Rapids, White Bear Lake, Virginia, Minneapolis, Bloomington, Brooklyn Park, Thief River Falls, International Falls, Rochester, Ely, Willmar, and Worthington."

Page 2, after line 26, insert:

"Sec. 3. Minnesota Statutes 1976, Section 136.602, is amended to read:

136.602 [ADDITIONAL COMMUNITY COLLEGES.] In addition to the community colleges authorized in Minnesota Statutes 1967, Sections Section 136.60 and 126.601, two community colleges are established under the jurisdiction of the state board for community colleges, one of which shall be located at Fairmont and the other at a site to be designated by the state board for community colleges at one of the sites recommended by the higher education coordinating board; namely, Alexandria, Cambridge, Hutchinson, New Ulm and Owatonna. This direction does not imply rejection of the remaining named sites, nor does it preclude legislative selection of alternative or additional sites."

Page 3, line 4, after "136.62," insert "Subdivision 1,"

Page 3, after line 12, insert

"Sec. 6. Minnesota Statutes 1976, Section 136.62, Subdivision 2, is amended to read:"

Page 3, strike all of subdivision 3

Page 3, before line 31, insert

"Sec. 7. Minnesota Statutes 1976, Section 136.62, Subdivision 4, is amended to read:"

Page 4, strike lines 7 to 19

Page 4, line 20, strike "state board for community colleges"

Page 4, strike lines 22 to 28

Page 4, before line 29, insert

"Sec. 8. Minnesota Statutes 1976, Section 136.62, Subdivision 5, is amended to read:

Page 5, line 10, strike ", Subdivisions 2, 3, 4, 5, and 6"

Page 5, line 11, strike "136.602;" and insert "136.62, subdivision 3;"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 6, strike "136.016, Subdivision 1;"

Page 1, line 7, after the semicolon, insert "136.602;"

Page 1, line 8, after "136.62" insert ", Subdivisions 1, 2, 4 and 5"

Page 1, line 9, after "136.016" strike the comma

Page 1, line 10, strike "Subdivisions 2, 3, 4, 5, and 6"

Page 1, line 11, strike "136.602;" and insert "136.62, Subdivision 3;"

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

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

S. F. No. 808: A bill for an act relating to education; authorizing certain teachers to take extended leaves of absence; providing for retirement benefits of teachers on leave; amending Minnesota Statutes 1974, Chapters 354, by adding a section; and 354A, by adding a section.

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

Page 1, line 19, after "*begins*" insert "*, unless he is discharged or placed on unrequested leave of absence or his contract is terminated pursuant to section 125.17 or 125.12, while he is on the extended leave*"

Page 2, line 6, strike "1974" and insert "1976"

Page 3, line 7, strike "1974" and insert "1976"

Further, amend the title as follows:

Page 1, line 5, strike "1974" and insert "1976"

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

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

H. F. Nos. 800, 1208 and 809 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
800	781	809	952	1208	999

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 809 be amended as follows:

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

Page 1, line 12, after "state" 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*"

Further amend the title in lines 1 and 2 by deleting "changing the boundary line between Lac qui Parle county and Big Stone county;" and inserting "relating to Lac qui Parle and Big Stone counties; changing the boundary lines between the counties;"

And when so amended, H. F. No. 809 will be identical to S. F. No. 952 and further recommends that H. F. No. 809 be given its second reading and substituted for S. F. No. 952 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 800 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 609.135, Subdivision 1, is amended to read:

609.135 [STAY OF IMPOSITION OR EXECUTION OF SENTENCE.] Subdivision 1. Except when a sentence of life imprisonment is required by law, *or when a person is convicted of one of the crimes specified under section 609.11, subdivision 1, and had in his possession a firearm or used another dangerous weapon*, any court, including a justice of the peace to the extent otherwise authorized by law, may stay imposition or execution of sentence and place the defendant on probation with or without supervision and on such terms as the court may prescribe. The court may order the supervision to be under the probation officer of the court, or, if there is none and the conviction is for a felony, by the commissioner of corrections, or in any case by some other suitable and consenting person.

Sec. 2. Minnesota Statutes 1976, Section 624.712, is amended by adding a subdivision to read:

Subd. 6. "*Transfer*" means a sale, gift, loan, assignment or other delivery to another, whether or not for consideration, of a pistol or the frame or receiver of a pistol.

Sec. 3. Minnesota Statutes 1976, Chapter 624, is amended by adding a section to read:

[624.7131] [REPORT OF TRANSFER.] Subdivision 1. *Except as provided in this section, every person who agrees to transfer a pistol shall report the following information in writing to the chief of police of the organized full-time police department of the*

municipality where the agreement is made or to the appropriate county sheriff if there is no such local chief of police:

(a) The name, residence, telephone number and driver's license number of the proposed transferee;

(b) The sex, date of birth, height, weight, color of eyes and hair and other distinguishing characteristics, if any, of the proposed transferee;

(c) A statement by the proposed transferee that he is not prohibited by section 624.713 from possessing a pistol; and

(d) The name, residence and telephone number of the transferor and the date of the agreement to transfer. If the transferor is a federally licensed firearms dealer, the address of his place of business shall be submitted in lieu of his residence.

The report shall be signed by the transferor and the proposed transferee. The report shall be delivered by the transferor to the chief of police or sheriff no later than three days after the date of the agreement to transfer, excluding weekends and legal holidays.

Subd. 2. [INVESTIGATION.] Upon receipt of a transfer report, the chief of police or sheriff shall check criminal histories, records and warrant information relating to the proposed transferee through the Minnesota crime information system.

Subd. 3. [NOTIFICATION.] The chief of police or sheriff shall notify the transferor and proposed transferee in writing as soon as possible if the chief or sheriff determines that the proposed transferee is prohibited by section 624.713 from possessing a pistol. The notification to the transferee shall specify the grounds for the disqualification of the proposed transferee and shall set forth in detail his right of appeal under subdivision 12.

Subd. 4. [DELIVERY.] No person shall deliver a pistol to a proposed transferee until 14 days after the date of the agreement to transfer as stated on the report delivered to a chief of police or sheriff in accordance with subdivision 1 unless the chief of police or sheriff waives all or a portion of the 14 day waiting period.

No person shall deliver a pistol to a proposed transferee after receiving a written notification that the chief of police or sheriff has determined that the proposed transferee is prohibited by section 624.713 from possessing a pistol.

If the transferor makes a report of transfer and receives no written notification of disqualification of the proposed transferee within 14 days of the date of the agreement to transfer, the pistol may be delivered to the transferee.

Subd. 5. [GROUNDS FOR DISQUALIFICATION] A determination by the chief of police or sheriff that the proposed transferee is prohibited by section 624.713 from possessing a pistol shall be the sole basis for a notification of disqualification under this section.

Subd. 6. [IMMEDIATE TRANSFERS.] The chief of police

or sheriff may waive all or a portion of the 14 day waiting period for a transfer.

Subd. 7. [REPORT NOT REQUIRED.] *If the transferor makes a report of transfer and receives no written notification of disqualification of the proposed transferee within 14 days of the date of the agreement to transfer, no report or investigation shall be required under this section for any additional transfers between that transferor and that transferee which are made within 30 days of the date on which delivery of the first pistol may be made under subdivision 4.*

Subd. 8. [NUMBER OF PISTOLS.] *Any number of pistols may be the subject of a single transfer agreement and report to the chief of police or sheriff. Nothing in this section shall be construed to limit or restrict the number of pistols a person may acquire.*

Subd. 9. [RESTRICTION ON RECORDS.] *If, after a determination that he is not a person prohibited by section 624.713 from possessing a pistol, a transferee requests that no record be maintained of the fact that he is the transferee of a pistol, the chief of police or sheriff shall sign the transfer report and return it to the transferee as soon as possible. Thereafter, no government employee or agency shall maintain a record of the transfer that identifies the transferee, and the transferee shall retain the report of transfer.*

Subd. 10. [FORMS; COST.] *Chiefs of police and sheriffs shall make transfer report forms available throughout the community. There shall be no charge for forms, reports, investigations, notifications, waivers or any other act performed or materials provided by a government employee or agency in connection with a pistol transfer.*

Subd. 11. [EXCLUSIONS.] *This section shall not apply to transfers of antique firearms as curiosities or for their historical significance or value, transfers to or between federally licensed firearms dealers, transfers by order of court, involuntary transfers, transfers at death or the following transfers:*

(a) *A transfer by a person other than a federally licensed firearms dealer;*

(b) *A loan to a prospective transferee if the loan is intended for a period of no more than one day;*

(c) *The delivery of a pistol to a person for the purpose of repair, reconditioning or remodeling;*

(d) *A loan by a teacher to a student in a course designed to teach marksmanship or safety with a pistol and approved by the commissioner of natural resources;*

(e) *A loan between persons at a firearms collectors exhibition;*

(f) *A loan between persons lawfully engaged in hunting or target shooting if the loan is intended for a period of no more than 12 hours;*

(g) A loan between law enforcement officers who have the power to make arrests other than citizen arrests; and

(h) A loan between employees or between the employer and an employee in a business if the employee is required to carry a pistol by reason of his employment and is the holder of a valid permit to carry a pistol.

Subd. 12. [APPEAL.] A person aggrieved by the determination of a chief of police or sheriff that the person is prohibited by section 624.713 from possessing a pistol may appeal the determination as provided in this subdivision. In Hennepin and Ramsey counties the municipal court shall have jurisdiction of proceedings under this subdivision. In the remaining counties of the state, the county court shall have jurisdiction of proceedings under this subdivision.

On review pursuant to this subdivision, the court shall be limited to a determination of whether the proposed transferee is a person prohibited from possessing a pistol by section 624.713. The matter shall be heard de novo without a jury.

Subd. 13. [TRANSFER TO UNKNOWN PARTY.] (a) No person shall transfer a pistol to another who is not personally known to the transferor unless the proposed transferee presents evidence of his identity to the transferor. A person who transfers a pistol in violation of this clause is guilty of a misdemeanor.

(b) No person who is not personally known to the transferor shall become a transferee of a pistol unless he presents evidence of his identity to the transferor. A person who becomes a transferee of a pistol in violation of this clause is guilty of a misdemeanor.

Subd. 14. [PENALTIES.] A person who does any of the following is guilty of a gross misdemeanor:

(a) Transfers a pistol in violation of subdivisions 1 to 12 of this section;

(b) Transfers a pistol to a person who has made a false statement in order to become a transferee, if the transferor knows or has reason to know the transferee has made the false statement;

(c) Knowingly becomes a transferee in violation of subdivisions 1 to 12 of this section; or

(d) Makes a false statement in order to become a transferee of a pistol knowing or having reason to know the statement is false.

Subd. 15. [LOCAL REGULATION.] This section shall be construed to supersede municipal or county regulation of the transfer of pistols except more restrictive regulation in cities of the first class."

Further, strike the title and insert

"A bill for an act relating to crimes; regulating the transfer of pistols; requiring a waiting period for certain pistol transfers; re-

quiring police checks of pistol transferees; prohibiting transfers of pistols to certain persons; prescribing penalties; amending Minnesota Statutes 1976, Sections 609.135, Subdivision 1; 624.712, by adding a subdivision; and Chapter 624, by adding a section."

And when so amended, H. F. No. 800 will be identical to S. F. No. 781 and further recommends that H. F. No. 800 be given its second reading and substituted for S. F. No. 781 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1208 be amended as follows:

In the title, line 2, delete "commerce" and insert "mobile homes"

In line 3, delete "specifying"

Delete line 4 and insert "providing for termination of land leases;"

And when so amended, H. F. No. 1208 will be identical to S. F. No. 999 and further recommends that H. F. No. 1208 be given its second reading and substituted for S. F. No. 999 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. 1382, 1384, 1369, 1055 and 753 were read the second time.

S. F. Nos. 1467, 1051, 823, 1309, 1068, 646, 1423, 1336, 683, 1362, 544, 1070, 1179, 1086, 1249, 1410, 559, 1082, 645, 73, 330, 1339, 1293, 1349, 912, 913, 808 and 978 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 61, 541, 103, 800, 809, 1208 and 763 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Sikorski moved that the name of Mr. Stokowski be added as co-author to S. F. No. 1096. The motion prevailed.

Mr. Johnson moved that the name of Mr. Sikorski be added as co-author to S. F. No. 1411. The motion prevailed.

Mr. Milton moved that the name of Mr. Sikorski be added as co-author to S. F. No. 1461. The motion prevailed.

Mr. Solon moved that the name of Mr. Lessard be added as co-author to S. F. No. 356. The motion prevailed.

Mr. Tennessen moved that the name of Mr. Nelson be added as co-author to S. F. No. 811. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the Senate Calendar and waive the lie-over requirement except for S. F. No. 109. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 411: A bill for an act relating to peace officers; providing for training and licensing of all peace officers in the state; renaming the peace officer training board; giving the board additional responsibilities; amending Minnesota Statutes 1976, Sections 214.01, Subdivision 3; 626.841; 626.842; 626.843, Subdivision 1; 626.845; 626.846, Subdivision 1 and by adding subdivisions; 626.848; 626.85, Subdivision 1; 626.851, Subdivision 2; 626.854; Chapter 626, by adding a section; repealing Minnesota Statutes 1976, Sections 626.843, Subdivision 4; 626.844; 626.846, Subdivision 2; 626.847; and 626.853.

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 45 and nays 14, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Lessard	Penny	Sillers
Benedict	Hughes	Lewis	Perpich	Solon
Borden	Johnson	Luther	Peterson	Spear
Brataas	Keefe, J.	McCutcheon	Pillsbury	Staples
Chenoweth	Keefe, S.	Merriam	Schaaf	Stokowski
Coleman	Kleinbaum	Milton	Schmitz	Stumpf
Davies	Knoll	Nelson	Setzepfandt	Tennessen
Dieterich	Knutson	Nichols	Sieloff	Ulland, J.
Dunn	Laufenburger	Ogdahl	Sikorski	Vega

Those who voted in the negative were:

Bernhagen	Frederick	Menning	Renneke	Ueland, A.
Chmielewski	Gunderson	Moe	Schrom	Willet
Engler	Jensen	Olhoft	Strand	

So the bill passed and its title was agreed to.

S. F. No. 541: A bill for an act relating to the operation of state government; authorizing value analysis of certain department of transportation construction projects; establishing procedures for implementing value analysis change proposals.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 368: A bill for an act relating to health care; providing conversion privileges under certain accident and health insurance policies, health service plan subscriber contracts and health maintenance contracts, for spouses whose marriage is dissolved; amending Minnesota Statutes 1976, Chapters 62A, by adding a section; 62C, by adding a section; and 62D, by adding a section.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 616: A bill for an act relating to the disposition of unclaimed property; changing certain definitions; changing the length of time unclaimed property must be held before disposition; changing certain disposition procedures; amending Minnesota Statutes 1976, Sections 345.31, Subdivisions 3 and 6, 345.32; 345.33; 345.35; 345.37; 345.39; 345.41; 345.43; 345.47; and Chapter 345, by adding sections; repealing Minnesota Statutes 1976, Section 55.14.

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 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 181: A bill for an act relating to retirement; increasing the size of the boards of trustees of the public employees retirement association, Minnesota state retirement system, teachers retirement system and Minneapolis municipal employees retirement board; providing for election processes; amending Minnesota Statutes 1976, Sections 352.03, Subdivisions 1, 2, and by adding a subdivision; 353.03, Subdivision 1; 354.05, by adding a subdivision; 354.06, Subdivision 1; 422A.02; 422A.03, Subdivision 1; repealing Minnesota Statutes 1976, Section 353.03, Subdivision 2a.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 558: A bill for an act relating to game and fish; authorizing the trapping of the great horned owl in certain instances; amending Minnesota Statutes 1976, Section 100.29, Subdivision 32.

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 42 and nays 15, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	McCutcheon	Renneke	Strand
Bang	Frederick	Menning	Schmitz	Tennessen
Benedict	Gearty	Moe	Schrom	Ueland, A.
Bernhagen	Johnson	Nelson	Setzepfandt	Ulland, J.
Brataas	Keefe, J.	Nichols	Sieloff	Vega
Chmielewski	Kleinbaum	Olhoft	Sillers	Willet
Coleman	Knutson	Penny	Solon	
Davies	Laufenburger	Peterson	Staples	
Dunn	Lessard	Pillsbury	Stokowski	

Those who voted in the negative were:

Dieterich	Jensen	Luther	Ogdahl	Sikorski
Gunderson	Keefe, S.	Merriam	Perpich	Spear
Hughes	Lewis	Milton	Schaaf	Stumpf

So the bill passed and its title was agreed to.

S. F. No. 833: A bill for an act relating to highways; state-aid system; contracts for construction and improvement of county state-aid highways and municipal state-aid streets; requiring percentage payments thereunder, and requiring payment of interest on money due and not paid in accordance with the contract; amending Minnesota Statutes 1976, Sections 162.04 and 162.10.

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 57 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Dieterich voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 796: A bill for an act relating to health; prohibiting the operation of professional nursing business without a license; amending Minnesota Statutes 1976, Sections 148.271; 148.281, by adding a subdivision; and 319A.02, 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 825: A bill for an act relating to eminent domain; court appointed commissioners; disqualifying certain attorneys from acting as a commissioner; amending Minnesota Statutes 1976, Section 117.075.

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 48 and nays 8, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Luther	Penny	Stokowski
Benedict	Gunderson	McCutcheon	Peterson	Strand
Bernhagen	Hughes	Menning	Pillsbury	Stumpf
Brataas	Jensen	Merriam	Renneke	Tennessen
Chmielewski	Johnson	Milton	Schaaf	Ueland, A.
Coleman	Keefe, S.	Moe	Schmitz	Ulland, J.
Davies	Kleinbaum	Nelson	Schrom	Vega
Dieterich	Knutson	Nichols	Setzepfandt	Willet
Dunn	Laufenburger	Ogdahl	Solon	
Engler	Lewis	Olhoff	Spear	

Those who voted in the negative were:

Bang	Keefe, J.	Perpich	Sillers	Staples
Gearty	Lessard	Sieloff		

So the bill passed and its title was agreed to.

S. F. No. 760: A bill for an act relating to natural resources; establishing a season for taking deer and bear with muzzle loading firearms; amending Minnesota Statutes 1976, Section 100.27, Subdivisions 2 and 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 42 and nays 16, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Luther	Peterson	Strand
Bernhagen	Gearty	McCutcheon	Pillsbury	Stumpf
Borden	Gunderson	Menning	Renneke	Tennessen
Brataas	Jensen	Merriam	Schaaf	Ueland, A.
Coleman	Keefe, J.	Moe	Setzepfandt	Ulland, J.
Davies	Kleinbaum	Nelson	Sieloff	Willet
Dieterich	Knutson	Nichols	Sillers	
Dunn	Laufenburger	Olhoft	Solon	
Engler	Lessard	Penny	Stokowski	

Those who voted in the negative were:

Bang	Johnson	Milton	Schmitz	Spear
Benedict	Keefe, S.	Ogdahl	Schrom	Staples
Chmielewski	Lewis	Perpich	Sikorski	Vega
Hughes				

So the bill passed and its title was agreed to.

S. F. No. 963: A bill for an act relating to public safety; permitting only owners of gas containers to fill them with industrial gases; amending Minnesota Statutes 1976, Section 299F.40.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 426: A bill for an act relating to motor vehicles; providing for limiting licenses to attend chemical dependency programs; amending Minnesota Statutes 1976, Section 171.30, 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 55 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Dunn, Knutson and Ogdahl voted in the negative.

So the bill passed and its title was agreed to.

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

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:

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

Messrs. Dieterich and Luther voted in the negative.

So the bill passed and its title was agreed to.

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

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:

Ashbach	Chenoweth	Dunn	Hughes	Laufenburger
Bang	Chmielewski	Engler	Jensen	Lessard
Benedict	Coleman	Frederick	Keefe, J.	Lewis
Bernhagen	Davies	Gearty	Keefe, S.	Luther
Borden	Dieterich	Gunderson	Kleinbaum	McCutcheon

Menning	Ogdahl	Schrom	Spear	Ueland, A.
Merriam	Olhoft	Setzepfandt	Staples	Ulland, J
Milton	Penny	Sieloff	Stokowski	Vega
Moe	Pillsbury	Sikorski	Strand	Willet
Nelson	Renneke	Sillers	Stumpf	
Nichols	Schmitz	Solon	Tennessen	

Those who voted in the negative were:

Brataas	Knutson	Perpich	Peterson	Schaaf
Johnson				

So the bill passed and its title was agreed to.

S. F. No. 356: A bill for an act relating to veterans; authorizing a memorial plaque; providing a property tax credit for veterans awarded the congressional medal of honor; amending Minnesota Statutes 1976, Section 273.13, Subdivision 15a, and by adding a subdivision; and Chapter 196, 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 54 and nays 6, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Gunderson	Nichols	Ogdahl	Spear	Stumpf
Keefe, S.				

So the bill passed and its title was agreed to.

S. F. No. 39: A bill for an act relating to peace officer training courses; providing for conduct of minimum basic training at approved post-secondary institutions or accredited institutions of higher learning; amending Minnesota Statutes 1976, Section 626.-851, Subdivision 2.

With the unanimous consent of the Senate, Mr. Kleinbaum moved to amend S. F. No. 39 as follows:

Page 2, line 5, after "and" insert "*after meeting all other eligibility requirements,*"

The motion prevailed. So the amendment was adopted.

S. F. No. 39 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:

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

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

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

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 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Ashbach, Knutson, Perpich and Renneke voted in the negative.

So the bill passed and its title was agreed to.

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

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:

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

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.

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 40 and nays 19, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Knoll	Olhoft	Spear
Benedict	Gearty	Lessard	Penny	Staples
Borden	Hughes	Lewis	Perpich	Stokowski
Chenoweth	Jensen	Luther	Peterson	Stumpf
Chmielewski	Johnson	McCutcheon	Schaaf	Tennessen
Coleman	Keefe, J.	Merriam	Sieloff	Ulland, J.
Davies	Keefe, S.	Nelson	Sikorski	Vega
Dieterich	Kleinbaum	Nichols	Solon	Willet

Those who voted in the negative were:

Bang	Frederick	Menning	Renneke	Sillers
Bernhagen	Gunderson	Moe	Schmitz	Strand
Brataas	Knutson	Ogdahl	Schrom	Ueland, A.
Engler	Laufenburger	Pillsbury	Setzepfandt	

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 Consent Calendar. The motion prevailed.

CONSENT CALENDAR

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

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:

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

So the bill passed and its title was agreed to.

S. F. No. 1381: A bill for act relating to the city of Saint Paul; authorizing the city council to adopt rules permitting payroll deductions for nonprofit entities.

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:

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

Mr. Davies voted in the negative.

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 and waive the lie-over requirement. 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. 903, 572, 932, 882, 881, 968, 970, 971, 1175, 1138, 875, 1310, 1096, 973, 1014, 836, 997 and 397, which the committee recommends to pass.

S. F. No. 1118 which the committee recommends to pass, after the following motion:

The question was taken on the recommendation to pass S. F. No. 1118.

The roll was called, and there were yeas 27 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Menning	Pillsbury	Ueland, A.
Bernhagen	Gunderson	Nelson	Renneke	Ulland, J.
Brataas	Jensen	Ogdahl	Schmitz	Vega
Dieterich	Kleinbaum	Olhoff	Schrom	
Dunn	Knutson	Penny	Setzepfandt	
Engler	Laufenburger	Peterson	Sillers	

Those who voted in the negative were:

Benedict	Humphrey	Luther	Sikorski	Stokowski
Chenoweth	Johnson	McCutcheon	Solon	Strand
Coleman	Keefe, S.	Merriam	Spear	Stumpf
Davies	Knoll	Moe	Staples	Tennessee

The motion prevailed. So S. F. No. 1118 was recommended to pass.

S. F. No. 1150, which the committee recommends to pass with the following amendment offered by Mr. Keefe, S.:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 207.03, is amended to read:

207.03 [APPLICATION FOR BALLOTS.] *Subdivision 1.* At any time not more than 45 days or less than one day before the day of holding any election, any person may make application in writing subscribed by him to: (a) the auditor of the county in which the applicant is a resident; (b) the full time clerk of a municipality designated by the county auditor if the applicant is a resident of that municipality; or (c) the full time clerk of a municipality which has requested designation by the county auditor if the applicant is a resident of that municipality, for ballots and envelopes, by mailing to or filing with such auditor or such clerk an application substantially in the following form:

"APPLICATION FOR BALLOTS

The undersigned, a duly qualified voter in the County of, State of Minnesota, residing at..... (here insert street and number) in said city, or town, because of (absence from home)....., (illness)....., (physical disability)....., (because of religious discipline or observance of a religious holiday) hereby makes application for the ballots to be voted upon in said precinct at the next election. Please mail said ballots and accompanying envelope to me at..... (insert post office address to which to be sent).....

Dated....., 19.....

(Signature of Applicant)"

An application need not be on an official or standard form. ~~It must~~ *An application submitted by mail shall be accepted if it contains the information above.*

If a person applies in person for an absentee ballot and must register by enclosing a completed registration card with his ballot, his application shall not be accepted unless he shall present, at the time of his application, proof of residence as required by section 201.061, subdivision 3.

Subd. 2. An eligible voter may apply for an absentee ballot on election day if he becomes a resident or patient on the day before election or on election day in a health care facility or hospital located in the municipality or county to which he applies. The voter may request an absentee ballot application directly from the judges engaged in delivering ballots pursuant to section 2 or by telephone to the municipal clerk or county auditor not later than noon on election day. An application shall be delivered to any such voter by the judges designated to deliver ballots pursuant to section 2.

Subd. 3. Any person who shall wilfully make or sign any false certificates specified herein; any person who shall wilfully make any false or untrue statement in any "Application for Ballots"; any person who shall wilfully exhibit to any other person any ballot marked by him; any person who shall in any way wilfully do any act contrary to the terms and provisions of this chapter with intent to cast an illegal vote in any precinct or to aid another in so doing shall be guilty of a felony. If the person applying for a ballot resides in a political subdivision which does not accept registration other than on election day and the individual is not registered in that political subdivision, the county auditor shall send a registration card and instructions for completing the registration card along with the ballots and envelopes. For the purposes of this chapter, "municipal clerk" shall mean the clerk designated pursuant to this section.

Sec. 2. Minnesota Statutes 1976, Chapter 207, is amended by adding a section to read:

[207.31] [HOSPITAL PATIENTS AND HEALTH CARE FACILITY RESIDENTS.] *Subdivision 1. [DELIVERY AND RETURN OF BALLOTS.] Each municipal clerk and county auditor shall designate election judges to deliver absentee ballots to any eligible voter who has applied for an absentee ballot as provided in section 207.03 and who is a resident or patient in a health care facility or hospital located in the municipality or county to which the application has been submitted. The ballots shall be delivered to any such voter by two election judges, each of whom is affiliated with a different political party. When the judges are engaged in delivering or returning ballots as provided in this section, they shall travel together in the same vehicle. Both judges shall be present when an applicant completes his voter's certificate and casts his absentee ballot, and may assist an applicant to mark his ballot in the manner provided in section 204A.34. The judges shall deposit the return envelopes containing the voted absentee*

ballots in a sealed container and deliver them to the clerk on the same day that they are delivered and cast. Except as provided in subdivision 2, the judges shall deliver absentee ballots to the applicant during the ten days preceding an election.

Subd. 2. [EXCEPTIONS TO TIME FOR DELIVERY.] *If an applicant as described in subdivision 1 notifies the municipal clerk or county auditor that he will not be available at the health care facility or hospital at any time during the ten day period preceding the election but will be available at an earlier time, the judges shall deliver the ballots to the applicant at an appropriate time prior to that ten day period. If an application is made pursuant to section 207.03, subdivision 2, the judges may deliver the ballots on election day.*

Sec. 3. Minnesota Statutes 1976, Section 207.05, Subdivision 1, is amended to read:

207.05 [APPLICATIONS FILED WITH AUDITOR OR MUNICIPAL CLERK; DELIVERY OF BALLOT.] Subdivision 1. [APPLICATION, DELIVERY.] *If any application is made either in person or by mail more than 30 days before election, the auditor or the municipal clerk shall file the same and forthwith on the delivery to him of the ballots, shall mail to the applicant without charge, at the address specified in the application one each of the several ballots the applicant is entitled to vote upon at the next election; also the envelope hereinafter specified. If the application is made within 30 days of the election, he shall forthwith upon receipt of such application or as soon thereafter as ballots are available, mail, or deliver to the applicant, without charge, if he apply therefor in person, and fill out and sign the application blank specified in the manner provided in section 207.03, one each of the several ballots the applicant is entitled to vote upon at the next election; also the envelopes hereinafter specified. The provisions of this subdivision shall not be construed to require mailing of absentee ballots to applicants to whom delivery by election judges is required pursuant to section 2.*

Sec. 4. Minnesota Statutes 1976, Section 207.10, is amended to read:

207.10 [VOTER TO MAIL BALLOT.] *Any qualified voter of any precinct of this state to whom ballots have been delivered by the county auditor or by the municipal clerk, may mark and mail the ballots so delivered to him at any place, the same to be marked and mailed in the manner specified in the directions to voters, set forth in section 207.08, and before an attesting witness belonging to one of the classes specified in the directions to voters. Ballots delivered to qualified voters pursuant to section 2 may be returned in person to the municipal clerk or county auditor by the judges who delivered the ballots. The municipal clerk or county auditor shall forthwith deliver those ballots to the judges of the appropriate precincts either by mail or in person.*

Sec. 5. Minnesota Statutes 1976, Section 207.101, is amended to read:

207.101 [CLERK OF MUNICIPALITY TO DELIVER

BALLOTS IN CERTAIN CASES.] Any clerk of a municipality who receives "Return Envelopes" as provided for in sections 207.08 and 207.20, subdivision 1 by mail, *or by delivery in person by election judges pursuant to section 2*, before the closing hours of the polls shall forthwith deliver them to the judges of election of the appropriate precincts in his municipality. "Return Envelopes" not delivered as provided herein shall promptly be sent to the county auditor by the clerk with a notation on the "Return Envelope" of the reason for nondelivery. "

Amend the title as follows:

Page 1, strike lines 2 and 3 and insert

"relating to elections; requiring proof of residence for certain applicants for absentee ballots; permitting certain application for absentee ballot on the day before an election and on election day; directing delivery and return of certain absentee ballots by election judges;"

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

Page 1, line 4, after the semicolon, insert "207.05, Subdivision 1; 207.10; 207.101;"

S. F. No. 116 which the committee reports progress, after the following motion:

The question was taken on the recommendation to pass S. F. No. 116.

The roll was called, and there were yeas 25 and nays 31, as follows:

Those who voted in the affirmative were:

Benedict	Dieterich	Milton	Moe	Spear
Borden	Gearty	Knoll	Nelson	Staples
Chenoweth	Hughes	Luther	Schaaf	Stokowski
Coleman	Humphrey	McCutcheon	Sikorski	Tennessee
Davies	Johnson	Merriam	Solon	Vega

Those who voted in the negative were:

Ashbach	Frederick	Menning	Pillsbury	Ueland, A.
Bang	Gunderson	Nichols	Renneke	Ulland, J.
Bernhagen	Jensen	Olhoft	Schmitz	Willet
Brataas	Kleinbaum	Olson	Schrom	
Chmielewski	Knutson	Penny	Setzepfandt	
Dunn	Laufenburger	Perpich	Sillers	
Engler	Lessard	Peterson	Strand	

The motion did not prevail. S. F. No. 116 was then progressed.

S. F. No. 557, which the committee recommends to pass with the following amendment offered by Mr. Sieloff:

Page 2, line 11, after the period insert "*This section shall not apply to any insurance purchased or carried for the purpose of*

buying or selling any part of employer, its shares, its assets or its business. This section shall not apply to any insurance purchased or carried by any pension, profit-sharing or other retirement plan or trust."

S. F. No. 922, which the committee recommends to pass with the following amendment offered by Mr. Benedict:

Page 2, line 19, after the period insert "A handicapped person charged with violating subdivision 1 because he parked in a handicapped parking space without the required certificate or insignia shall not be convicted if he produces in court or prior to the court appearance the required certificate or insignia and demonstrates that he was entitled to the certificate or insignia at the time of arrest or tagging."

S. F. No. 969, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 3, line 28, strike "*in a district court*"

S. F. No. 967, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 2, line 13, strike "*in a district court*"

S. F. No. 1196, which the committee recommends to pass with the following amendment offered by Mr. Sillers:

Page 1, line 12, strike "EQUAL"

Page 1, line 12, after "TREATMENT" insert "UNDER CHAPTER 360"

Page 1, line 18, after the period, insert "*The commissioner shall not expend state money to pay the cost of any project at any such airport except to assist a municipality in this state to pay its share of the costs of the project as set forth in a joint agreement.*"

S. F. No. 626, which the committee recommends to pass with the following amendments offered by Mr. Willet:

Mr. Willet moved to amend S. F. No. 626 as follows:

Page 3, line 23, strike "or"

Page 3, line 24, strike "*similar structure*"

Mr. Willet then moved to amend S. F. No. 626 as follows:

Page 3, line 26, after "*parcel*" insert "*and all buildings except residential cabins*"

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 Messages From the House, First Reading of House Bills and Reports of Committees.

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. No. 1510.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 26, 1977

FIRST READING OF HOUSE BILLS

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

H. F. No. 1510: A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes with certain conditions, including the department of education, aids to libraries, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals; amending Minnesota Statutes 1976, Sections 120.17, Subdivision 7a; 128A.02, Subdivision 3; 128A.06, Subdivision 1; 128A.07; 136A.121, Subdivision 3; 141.24; 141.36; 179.69, Subdivisions 4 and 5; and 197.78; repealing Minnesota Statutes 1976, Section 128A.08.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1452 now on General Orders.

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. 579, 928, 767, 1116, 1113, 399, 311, 1166, 1390, 830, 1300, 947, 603, 713, 787, 1183, 337, 1258, 1334, 798, 1120, 977, 627, 930, 1165, 1350, 1135, 403, 1311, 583, 1290, 1291, 442, 1029, 101, 1172, 497, 1338, 494, 832, 566, 734, and H. F. No. 229, makes the following report:

That S. F. Nos. 579, 928, 767, 1116, 1113, 399, 311, 1166, 1390, 830, 1300, 603, 713, 787, 1183, 337, 1258, 798, 1120, 977, 930, 1165, 1350, 1135, 403, 1311, 583, 1290, 1291, 442, 101, 1172, 497, 1338, 494, 832, 566, 734 and H. F. No. 229 be placed on the General Orders Calendar in the order indicated.

That S. F. No. 947 be re-referred to the Committee on Finance.

That S. F. Nos. 1334, 627 and 1029 be retained in the subcommittee.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 7:30 o'clock p.m., Wednesday, April 27, 1977. The motion prevailed,

Patrick E. Flahaven, Secretary of the Senate