

FORTY-FIFTH DAY

St. Paul, Minnesota, Monday, May 2, 1977

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

CALL OF THE SENATE

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

Bang	Gunderson	Luther	Penny	Stokowski
Benedict	Hanson	McCutcheon	Perpich	Strand
Bernhagen	Humphrey	Menning	Peterson	Stumpf
Chmielewski	Jensen	Merriam	Pillsbury	Tennessee
Coleman	Johnson	Milton	Purfeerst	Ueland, A.
Davies	Keefe, S.	Moe	Schmitz	Ulland, J.
Dunn	Kirchner	Nelson	Setzepfandt	Vega
Engler	Kleinbaum	Nichols	Sikorski	Wegener
Gearty	Lewis	Olhoft	Sillers	Willet

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

Prayer was offered by the Chaplain, Rev. Allan A. Grundahl.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Mr. Borden was excused from the Session of today. Mr. Olson

was excused from the Session of today until 10:45 o'clock a.m.
Mr. Lessard was excused from the Session of today at 11:30 o'clock a.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 27, 1977

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the Minnesota Board of Aging are hereby respectfully submitted to the Senate for confirmation as required by law:

Sharon Roe Anderson, 5701 Bryant Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1979.

William Brummer, 114 South Main Street, Crookston, Polk County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1979.

Dr. Virgil Christensen, 239 West Skyline, Mankato, Blue Earth County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1979.

Nathaniel Chumley, Route One, Tenstrike, Beltrami County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1979.

Mrs. William Fenelon, 859 Linwood Avenue, St. Paul, Ramsey County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1979.

Father Alcuin Henger, Madonna Towers, Rochester, Olmstead County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1979.

Helga Neilsen, 635 Harmony, Hutchinson, McLeod County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1979.

Erma St. George, Bagley, Clearwater County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1979.

Leo Skarda, Route 2, Box 224, Lindstrom, Isanti County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1979.

Harold Windingstad, Jr., Dawson, Lac qui Parle County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1979.

Referred to the Committee on Health, Welfare and Corrections.

April 27, 1977

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the Minnesota Environmental Education Board are hereby respectfully submitted to the Senate for confirmation as required by law:

Thomas A. Powell, 284 Jansa Drive, St. Paul, Ramsey County, has been appointed by me, effective January 3, 1977, for a term expiring January 1, 1979.

Dorothy Fleming, 5633-40th Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective January 3, 1977, for a term expiring January 1, 1979.

Merrill Fellger, 287 Glenmore Road, Long Lake, Hennepin County, has been appointed by me, effective January 3, 1977, for a term expiring January 1, 1979.

Dr. Paul O. Walker, 2426 Galtier, Roseville, Ramsey County, has been appointed by me, effective January 3, 1977, for a term expiring January 1, 1979.

Referred to the Committee on Agriculture and Natural Resources.

April 27, 1977

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the Gillette Hospital Board are hereby respectfully submitted to the Senate for confirmation as required by law:

Harold W. Schultz, 1176 East Hawthorne Avenue, St. Paul, Ramsey County, has been appointed by me, effective January 3, 1977, for a term expiring January 1, 1983.

Clifford Retherford, 7007 West Shore Drive, Edina, Hennepin County, has been appointed by me, effective January 3, 1977, for a term expiring January 1, 1983.

Referred to the Committee on Health, Welfare and Corrections.

Sincerely,
Rudy Perpich, Governor

April 28, 1977

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

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Act

of the 1977 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1977	Date Filed 1977
	57	37	April 28	April 28

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. Strand, Lessard, Nichols and Penny introduced—

S. F. No. 1491: A bill for an act relating to deaf or mute persons; requiring appointment of interpreters in certain judicial and administrative proceedings; providing for selection and appointment of the interpreters; providing for their compensation.

Referred to the Committee on Judiciary.

Messrs. Strand, Peterson, Schmitz, Renneke and Stokowski introduced—

S. F. No. 1492: A bill for an act relating to local firefighting organizations and retirement of police and firefighters; providing for state firefighters' aid to be paid first to municipalities and subsequently to relief associations; amending Minnesota Statutes 1976, Sections 69.011; 69.021, Subdivisions 4, 5, 6, 7 and 9; 69.031, Subdivisions 4, 5 and 6; 69.051; 69.06; 69.772, Subdivision 2; and Chapter 69, by adding sections; repealing Minnesota Statutes 1976, Sections 69.04; 69.691; 69.774; 424.26; 424.30 and 424.31.

Referred to the Committee on Governmental Operations.

Messrs. Stumpf, Hughes, Mrs. Staples, Messrs. Nichols and Ueland, A. introduced—

S. F. No. 1493: A bill for an act relating to education; libraries; authorizing cooperation between certain public libraries and school media centers; appropriating money.

Referred to the Committee on Education.

Mr. Davies introduced—

S. F. No. 1494: A bill for an act relating to insurance; requiring certain insurance companies to establish policyholder security ac-

counts; prescribing terms and conditions for their maintenance; providing improved security for claimants and policyholders; amending Minnesota Statutes 1976, Chapter 60C, by adding sections.

Referred to the Committee on Commerce.

Messrs. Wegener, Stokowski and Ogdahl introduced—

S. F. No. 1495: A bill for an act relating to municipal obligations; revising provisions relating to advance refunding; amending Minnesota Statutes 1976, Section 475.67.

Referred to the Committee on Local Government.

Messrs. Dieterich, Stumpf and Coleman introduced—

S. F. No. 1496: A bill for an act relating to Ramsey county; providing for additional membership on its civil service commission; further prescribing and clarifying the duties of the commission; eliminating per diem payments for library board members; amending Laws 1974, Chapter 435, Section 3.02; repealing Laws 1974, Chapter 435, Section 1.0208.

Referred to the Committee on Local Government.

Messrs. Dieterich, Stumpf, Hughes, McCutcheon and Chenoweth introduced—

S. F. No. 1497: A bill for an act relating to Ramsey county; providing office and clerical help for the court commissioner; providing for an imprest cash fund; removing redundant provisions relating to tort liability and the retirement of public employees; amending Laws 1974, Chapter 435, Section 1.0214; repealing Laws 1974, Chapters 67; 222; and 435, Section 3.17.

Referred to the Committee on Governmental Operations.

Messrs. Milton, Hughes, McCutcheon and Chenoweth introduced—

S. F. No. 1498: A bill for an act relating to Ramsey county; inserting the county ditch law into the Ramsey county code; amending Laws 1974, Chapter 435, by adding a section; repealing Laws 1974, Chapter 180.

Referred to the Committee on Local Government.

Messrs. Stumpf, Hughes, Sieloff and McCutcheon introduced—

S. F. No. 1499: A bill for an act relating to Ramsey county; deleting obsolete provisions in the Ramsey county code relating to parks and recreation; amending Laws 1974, Chapter 435, Section 1.0205.

Referred to the Committee on Local Government.

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. 1381 and 70.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 29, 1977

Mr. President:

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

S. F. No. 813: A bill for an act relating to the county of Carlton; authorization of certain payments to the city of Cloquet.

Senate File No. 813 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 28, 1977

CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate concur in the amendments by the House to S. F. No. 813 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 813 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

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

Senate File No. 1034 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 28, 1977

Mr. Solon moved that the Senate do not concur in the amendments by the House to S. F. No. 1034, 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 to be appointed on the part of the House. The motion prevailed.

Mr. President:

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

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

Senate File No. 362 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 29, 1977

CONCURRENCE AND REPASSAGE

Mr. Stokowski moved that the Senate concur in the amendments by the House to S. F. No. 362 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 362: A bill for an act relating to retirement; miscellaneous amendments to the teachers retirement law; amending Minnesota Statutes 1976, Sections 354.05, Subdivision 2; 354.06, Subdivision 2, and by adding a subdivision; 354.07, by adding a subdivision; 354.10; 354.41, Subdivision 6; 354.43, Subdivision 4; 354.44, Subdivision 1a; 354.49, Subdivision 5; 354.50, Subdivision 2; 354.53, Subdivision 1; and 354.58.

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

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

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

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

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

Senate File No. 32 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 29, 1977

Mr. Humphrey moved that the Senate do not concur in the amendments by the House to S. F. No. 32 and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 550, 970, 320, 888, 1017, 1172, 157, 192, 456 and 1180.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 29, 1977

FIRST READING OF HOUSE BILLS

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

H. F. No. 550: A bill for an act relating to the operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; providing additional aids and levies for school districts with declining enrollment; eliminating foundation aid for summer programs for non-handicapped children; changing the method of distributing the agricultural tax credit; eliminating state aid for community education; establishing formulas for current funding of adult and secondary vocational education; creating a legislative school finance study commission; providing special retirement privileges for experienced teachers who teach part time or take an extended leave of absence; appropriating money; amending Minnesota Statutes 1976, Sections 120.10, Subdivision 1; 120.17, Subdivisions 1a and 5a; 121.11, Subdivision 5; 121.902; 121.914, Subdivisions 1, 2, 3 and 4; 121.917, Subdivisions 1 and 2; 123.335, Subdivision 2; 123.39, Subdivision 5; 123.351, Subdivision 5; 123.581, Subdivision 1, 2, 3 and 6; 123.71, Subdivisions 1 and 2; 123.742, Subdivision 1; 124.11; 124.14, Subdivision 1; 124.17, Subdivisions 1, 2, and by adding a subdivision; 124.19, Subdivision 1; 124.20; 124.212, Subdivisions 1, 3a, 6b, 7b and 8a, and by adding a subdivision; 124.213; 124.222, Subdivisions 1a, 1b, 2a, 3, 6, and by adding a subdivision; 124.223; 124.26, Subdivisions 1 and 4; 124.271, Subdivisions 2 and 5; 124.30, Subdivision 5; 124.32; 124.38, Subdivision 7; 124.562, Subdivision 1; 124.565, Subdivisions 1 and 3; 124.57; 124.572; 124.573; 128A.02, Subdivisions 2 and 3; 128A.06; 273.132; 273.138, Subdivision 3; 275.125, Subdivisions 2a, 8, 9, 9a, and 13; and 475.61, Subdivision 4; amending Minnesota Statutes 1976, Chapter 136A, by adding a section; Chapter 354, by adding sections and Chapter 354A, by adding sections; amending Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended; Laws 1969, Chapter 1060, Section 7, as amended; and Laws 1976, Chapter 271, Section 94; repealing Minnesota Statutes 1976, Sections 124.215, Subdivision 2a; 124.222, Subdivisions 4 and 5; 124.25; 124.271, Subdivisions 1, 2, 3, 4 and 5; 124.30; 124.562, Subdivision 6; 124.563, Subdivision 4; 124.565, Subdivision 2; 124.57, Subdivisions 1 and 3, as added; 473.633; and 473.635.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 481 now on General Orders.

H. F. No. 970: A bill for an act relating to natural resources; amending certain laws concerning minnows; amending Minnesota Statutes 1976, Sections 97.40, Subdivision 27; 97.45, Subdivision 15; 97.55, Subdivision 13; 98.46, Subdivisions 5 and 17; and 101.42, Subdivision 5.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 822 now on General Orders.

H. F. No. 320: A bill for an act relating to labor; providing for

reduction of the tip credit in computing minimum wage; amending Minnesota Statutes 1976, Sections 177.23, Subdivision 9; 177.24; 177.28, Subdivision 4.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 297 now on the Calendar.

H. F. No. 888: A bill for an act relating to education; authorizing school boards to appoint a student advisory member.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1168 now on General Orders.

H. F. No. 1017: A bill for an act relating to consumer protection; regulating invention development services; prescribing contract terms and disclosures to customers; defining terms; requiring invention developers to file a bond; providing penalties.

Referred to the Committee on Commerce.

H. F. No. 1172: 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.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1082 now on General Orders.

H. F. No. 157: A bill for an act relating to public utilities; providing for refund of overcharges if certain rates become effective before approval by the public service commission; removing construction in progress from rate bases; prohibiting approval of rates which make allowances for certain advertising expenses; delaying implementation of certain rate schedules; restricting approval of rates which make allowances for charitable contributions; regulating telephone company rates; amending Minnesota Statutes 1976, Section 216B.16, Subdivisions 1, 2, and 6, and by adding subdivisions; and Chapter 237, by adding a section; repealing Minnesota Statutes 1976, Section 237.08.

Referred to the Committee on Commerce.

H. F. No. 192: A bill for an act relating to employment services; administration; eliminating certain provisions relating to political activity of employees; amending Minnesota Statutes 1976, Section 268.12, Subdivision 5.

Referred to the Committee on Governmental Operations.

H. F. No. 456: A bill for an act relating to the operation of state government; providing for the purchase of certain motor vehicles for use by investigative and undercover agents of the department

of public safety; amending Minnesota Statutes 1976, Section 16.07, by adding a subdivision.

Referred to the Committee on Governmental Operations.

H. F. No. 1180: A bill for an act relating to financial institutions; permitting the establishment and operation of electronic funds transfer facilities; prescribing the powers and duties of the commissioner of banks in relation to funds transfer facilities; protecting the privacy and security of customers of financial institutions who use electronic funds transfer facilities; prescribing penalties.

Referred to the Committee on Commerce.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the report pertaining to appointments. The motion prevailed.

Mr. Hughes from the Committee on Education, to which was referred the following appointment as reported in the Journal for January 6, 1977:

STATE BOARD FOR COMMUNITY COLLEGES

Mrs. Kathryn C. Vander Kooi

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

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

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

H. F. No. 1006: A bill for an act relating to agriculture; transferring certain functions relating to county agricultural societies from the state auditor and the commissioner of finance to the commissioner of agriculture; providing for the reimbursement of expenses of the commissioner of agriculture incurred in examining the records and accounts of county agricultural societies and certain other agricultural related societies or associations; amending Minnesota Statutes 1976, Sections 17.07; 38.02, Subdivisions 1, 2 and 3; 38.04; and 38.13.

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

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

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

H. F. No. 691: A bill for an act relating to state lands; directing the exchange of certain public lands bordering on public waters in Lincoln county.

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

Page 1, line 19, strike "upon approval of the Minnesota land exchange board,"

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

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

H. F. No. 129: A bill for an act relating to education; encouraging post-secondary institutions to grant comparable credit for comparable work at another institution; directing the higher education coordinating board to perform certain duties.

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 136A.04, is amended to read:

136A.04 [DUTIES.] The higher education coordinating board shall:

(a) Continuously study and analyze all phases and aspects of higher education, both public and private, and develop necessary plans and programs to meet present and future needs of the people of the state in respect thereto;

(b) Continuously engage in long range planning of the needs of higher education and, if necessary, cooperatively engage in such

planning with neighboring states and agencies of the federal government;

(c) Act as successor to any committee or commission heretofore authorized to engage in exercising any of the powers and duties prescribed by sections 136A.01 to 136A.07;

(d) Review, make recommendations and identify priorities with respect to all plans and proposals for new or additional programs of instruction or substantial changes in existing programs to be established in or offered by, the University of Minnesota, the state universities, the community colleges, and public area vocational-technical institutes, and private collegiate and non-collegiate institutions offering post-secondary education, and periodically review existing programs offered in or by the above institutions and recommend discontinuing or modifying any existing program, the continuation of which is judged by the board as being unnecessary or a needless duplication of existing programs;

(e) Develop in cooperation with the post-secondary systems, committee on appropriations of the house of representatives, committee on finance of the senate, and the departments of administration and finance a compatible budgetary reporting format designed to provide data of a nature to facilitate systematic review of the budget submissions of the University of Minnesota, the state university system, the state community college system and the public vocational technical schools; and which includes the relating of dollars to program output;

(f) Review budget requests, including plans for construction or acquisition of facilities, of the University of Minnesota, the state colleges, the state community colleges, and public vocational-technical schools for the purpose of relating present resources and higher educational programs to the state's present and long range needs; and conduct a continuous analysis of the financing of post-secondary institutions and systems, including the assessments as to the extent to which the expenditures and accomplishments are consistent with legislative intent;

(g) Obtain from private post-secondary institutions receiving state funds a report on their use of those funds;

(h) Continuously monitor and study the transferability between Minnesota post-secondary and higher education institutions of credits earned for equal and relevant work at those institutions, the degree to which credits earned at one institution are accepted at full value by the other institutions, and the policies of these institutions concerning the placement of these transferred credits on transcripts.

Sec. 2. Minnesota Statutes 1976, Chapter 136A, is amended by adding a section to read:

[136A.042] [CREDIT TRANSFERABILITY.] *The higher*

education coordinating board shall recommend to the various post-secondary and higher education systems and to the legislature measures which will increase transferability of credits between the institutions and which will improve student awareness of the credit transfer policies of each system or institution.

Sec. 3. Prior to January 1, 1978 and January 1, 1979, the higher education coordinating board shall make reports to the appropriate committees of the legislature on its progress in accomplishing the purposes of sections 1 and 2 of this act and on its recommendations for further accomplishing these purposes.

Sec 4. This act shall be effective the day following final enactment."

Further, amend the title as follows:

Page 1, line 2, strike "encouraging post-secondary"

Page 1, strike line 3

Page 1, line 4, strike "comparable work at another institution;"

Page 1, line 5, strike "perform" and insert "monitor and study credit transferability, the acceptance of credits at full value, and the placing of certain credits on transcripts"

Page 1, line 6, strike "certain duties" and insert "; amending Minnesota Statutes 1976, Section 136A.04; and Chapter 136A, by adding a section"

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

H. F. No. 1107: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in Itasca county; appropriating money.

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

H. F. No. 45: A bill for an act relating to environmental protection; prohibiting retail sale of milk in nonreturnable, nonrefillable plastic containers; prescribing penalties.

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

Page 1, strike section 1

Page 2, after line 4, insert:

"Subd. 2. After January 1, 1980, all containers of more than one-half gallon capacity containing milk sold at retail or offered for sale at retail in this state shall be returnable, refillable containers approved by the pollution control agency."

Page 2, line 5, strike "2" and insert "3"

Page 2, line 5, strike "subdivision" and insert "subdivisions"

Page 2, line 5, after "1" insert "or 2"

Page 2, line 7, strike "1977" and insert "1978"

Renumber the sections accordingly.

Amend the title as follows:

Line 4, strike "plastic"

Line 4, after "containers" insert "with more than one-half gallon capacity"

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

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.

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

Page 5, line 15, strike "April" and insert "July"

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

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

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

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

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

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

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

H. F. No. 445: A bill for an act relating to natural resources; acquisition, development, and maintenance of recreational sites along designated canoe and boating routes; amending Minnesota Statutes 1976, Section 85.32, Subdivision 2.

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

Page 1, line 16, after "portages" insert a period

Page 1, line 18, strike ", providing that such" and insert "*The acquisition of any*"

Page 1, line 18, reinstate the stricken words "parcel of land" and after "land" insert "*pursuant to this subdivision*"

Page 1, line 19, strike "*site*" and strike "the acquisition of"

Page 1, line 20, strike "*a parcel*"

Page 1, line 20, strike "*or parcels for said site*" and insert "*it*"

Page 1, line 21, strike the comma and strike "*that the acquisition of*"

Page 2, line 2, strike "*for such site*"

Page 2, line 6, strike "*such*" and insert "*the*"

Amend the title as follows:

Line 2, after the semicolon insert "clarifying procedures for"

Line 2, delete the comma

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. 163, 686, 685 and 1248 for comparison to companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their Second Readings and substituted for 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.
685	500	163	117		
1248	1191	686	1055		

and that the above Senate Files 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 was referred

H. F. No. 1038 for comparison to companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
1038	1018				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1038 be amended as follows:

Page 1, line 9, delete everything after "COUNTY.]"

Delete lines 10 to 15

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

And when so amended, H. F. No. 1038 will be identical to S. F. No. 1018 and further recommends that H. F. No. 1038 be given its second reading and substituted for S. F. No. 1018 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. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 414, 525 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.
414	337				
525	566				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 414 be amended as follows:

Page 3, after line 10, insert

"Sec. 8. Notwithstanding the provisions of Laws 1963, Chapter 423, Section 1, relating to service pensions for policemen, a policeman whose years of service exceed 20 years shall, upon separation from active service and attainment of the age of at least 50 years, be entitled to receive an additional two percent of the current maximum monthly pay of a patrolman for each full year of service in excess of 20 years of service; provided, however, that additional credit shall not be granted for service in excess of 25 years of service or for service after the attainment of the age of 55 years."

Renumber the remaining section

And when so amended, H. F. No. 414 will be identical to S. F. No. 337 and further recommends that H. F. No. 414 be given its second reading and substituted for S. F. No. 337 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 525 be amended as follows:

Page 1, line 14, strike "such" and insert "the"

Page 1, line 19, strike "Such" and insert "The"

Page 1, line 22, strike "such" and insert "the"

Page 2, line 2, strike "such" before "creating" and insert "the" and strike "such" before "until" and insert "the"

Page 2, line 5, strike "Such" and insert "The" and strike "so"

Page 2, line 15, after "transfer" insert "*from the ditch fund*" and delete "*in the ditch*"

Page 2, line 16, delete "*fund credited to that drainage system*"

Further amend the title in line 2 by deleting "natural resources;"

And when so amended, H. F. No. 525 will be identical to S. F. No. 566 and further recommends that H. F. No. 525 be given its second reading and substituted for S. F. No. 566 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 HOUSE BILLS

H. F. Nos. 685, 1248, 163, 686, 1038, 414 and 525 were read the second time.

H. F. Nos. 1006, 777, 691, 129, 1107, 45, 1079, 56, 188 and 445 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Sikorski moved that the name of Mr. Humphrey be added as co-author to S. F. No. 786. The motion prevailed.

Mr. Hanson moved that H. F. No. 1005 be withdrawn from the Committee on Agriculture and Natural Resources and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1297 now on General Orders. The motion prevailed.

Mr. Stumpf moved that H. F. No. 1161 be withdrawn from the Committee on Education and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 913 now on General Orders. The motion prevailed.

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

THIRD READING OF SENATE BILLS

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

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 47 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knoll	Olhoft	Staples
Ashbach	Gunderson	Laufenburger	Penny	Stokowski
Bang	Hanson	Lessard	Pillsbury	Stumpf
Benedict	Hughes	Luther	Purfeerst	Ueland, A.
Bernhagen	Humphrey	Menning	Renneke	Ulland, J.
Chenoweth	Jensen	Milton	Schaaf	Vega
Chmielewski	Johnson	Moe	Schmitz	Wegener
Dunn	Keefe, J.	Nelson	Setzepfandt	
Engler	Keefe, S.	Nichols	Sieloff	
Frederick	Kirchner	Ogdahl	Solon	

Those who voted in the negative were:

Brataas	Dieterich	Perpich	Sikorski	Tennessen
Coleman	Lewis	Peterson	Strand	Willet
Davies	Merriam	Schrom		

So the bill passed and its title was agreed to.

S. F. No. 1093: A bill for an act relating to taxation; providing for county treasurer to certify taxes prior to certification by county auditor; amending Minnesota Statutes 1976, Chapter 272, 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 38 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	McCutcheon	Renneke	Stokowski
Bang	Gunderson	Menning	Schmitz	Stumpf
Benedict	Hanson	Moe	Schrom	Ueland, A.
Bernhagen	Jensen	Nichols	Setzepfandt	Vega
Chmielewski	Keefe, J.	Ogdahl	Sieloff	Wegener
Dunn	Kirchner	Penny	Sillers	Willet
Engler	Kleinbaum	Pillsbury	Solon	
Frederick	Laufenburger	Purfeerst	Staples	

Those who voted in the negative were:

Ashbach	Dieterich	Knoll	Nelson	Spear
Brataas	Hughes	Lewis	Olhoff	Strand
Chenoweth	Humphrey	Luther	Perpich	Tennessee
Coleman	Johnson	Merriam	Peterson	Ulland, J.
Davies	Keefe, S.	Milton	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 109: A bill for an act relating to the organization of state government; providing that heads of certain departments and other governmental units of the state shall be appointed by and shall serve at the pleasure of the appointing authority; providing for the succession of commissioners; limiting the ability of former commissioners and former deputy commissioners to appear before their former agencies; defining position and duties of deputy department heads; standardizing the format and procedures relating to executive orders and reorganization orders; prescribing uses for executive orders; limiting the scope of reorganization orders; eliminating obsolete language; amending Minnesota Statutes 1976, Sections 15.051, Subdivisions 1 and 3; 15.06; 16.01; 16.125; 16A.01, Subdivisions 2 and 3; 17.01; 43.001, Subdivisions 2 and 3; 45.02; 45.15; 84.01, Subdivision 2; 116.03, Subdivision 1; 116H.03, Subdivisions 2 and 3; 121.09; 121.16, Subdivision 1; 129A.02, Subdivision 2; 144.02; 174.02, Subdivision 1; 175.001, Subdivision 1; 179.02; 196.02, Subdivision 1; 216A.06, Subdivision 1; 241.01, Subdivisions 1 and 2; 245.03; 268.12, Subdivision 1; 270.02, Subdivision 2; 298.22, Subdivision 1; 299A.01, Subdivisions 1 and 2; 362.09, Subdivision 1; 363.04, Subdivision 1; 462A.04, Subdivision 8; and Chapter 144, by adding a section; repealing Minnesota Statutes 1976, Sections 16.13; 121.07; 121.08; 121.10; 121.16, Subdivision 2; 144.03; 144.04; 175.001, Subdivision 4; and 216A.06, Subdivision 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 42 and nays 22, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ashbach	Engler	Kleinbaum	Sieloff	Ueland, A.
Bang	Frederick	Olhoft	Sillers	Ulland, J.
Bernhagen	Hughes	Pillsbury	Solon	
Brataas	Keefe, J.	Purfeerst	Stumpf	
Dunn	Kirchner	Renneke	Tennessee	

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Dunn, Renneke, Schaaf, and Willet voted in the negative.

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Gunderson, Merriam and Strand voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1140: A bill for an act relating to agriculture; food licensing; defining a custom processor and providing for a custom processing permit; amending Minnesota Statutes 1976, Sections 28A.03; 28.04; and 28A.13.

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 8, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Brataas	Merriam	Perpich	Ueland, A.	Ulland, J.
Keefe, J.	Milton	Peterson		

So the bill passed and its title was agreed to.

S. F. No. 143: A bill for an act relating to crimes and criminals; prohibiting certain acts against railroad employees and railroad property; prescribing penalties; amending Minnesota Statutes 1976, Chapter 609, by adding a section.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Keefe, J. voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1234: A bill for an act relating to education; authorizing the state board of education to create additional advisory task forces; amending Minnesota Statutes 1976, Section 15.014, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Perpich voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 324: A bill for an act relating to drivers licenses; increasing the fee for driver's licenses, and establishing a fee for Minnesota identification cards; providing for uniform application fees; amending Minnesota Statutes 1976, Sections 171.06, Subdivisions 1, 2, and 4; and 171.07, Subdivisions 3, 4, and 5.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 54 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Luther	Penny	Staples
Bang	Hughes	McCutcheon	Perpich	Stokowski
Benedict	Humphrey	Menning	Peterson	Strand
Chenoweth	Jensen	Merriam	Pillsbury	Stumpf
Chmielewski	Johnson	Milton	Purfeerst	Tennessen
Davies	Keefe, J.	Moe	Schaaf	Ueland, A.
Dieterich	Keefe, S.	Nelson	Schmitz	Ulland, J.
Dunn	Kirchner	Nichols	Setzepfandt	Vega
Engler	Kleinbaum	Ogdahl	Sillers	Wegener
Gearty	Knoll	Olhoft	Solon	Willet
Gunderson	Laufenburger	Olson	Spear	

Those who voted in the negative were:

Ashbach	Brataas	Lessard	Renneke	Sieloff
Bernhagen	Frederick	Lewis	Schram	

So the bill passed and its title was agreed to.

S. F. No. 1302: A bill for an act relating to transportation; providing for certain permitted advertising signs on federal primary aid highways; amending Minnesota Statutes 1976, Sections 173.03; 173.08; 173.13, Subdivision 1; and 173.16, 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 58 and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Keefe, J.	Laufenburger	Penny	Perpich	Purfeerst
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So the bill passed and its title was agreed to.

S. F. No. 1208: A bill for an act relating to elections; providing that polling places be accessible to the elderly and physically handicapped; providing assistance to voters unable to enter the polling place; amending Minnesota Statutes 1976, Sections 204A.09, by adding a subdivision; and 204A.34, Subdivision 2; repealing Minnesota Statutes 1976, Section 204A.11, Subdivision 4.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Dunn voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 579: A bill for an act relating to taxation; changing computation of certain income tax credits for contributions; providing that certain income tax credits for contributions may be carried forward; amending Minnesota Statutes 1976, Section 290.21, 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 50 and nays 13, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Kleinbaum	Ogdahl	Sillers
Bang	Gunderson	Laufenburger	Olhoff	Solon
Benedict	Hanson	Lessard	Olson	Spear
Bernhagen	Hughes	Lewis	Pillsbury	Staples
Brataas	Humphrey	Luther	Renneke	Stokowski
Chenoweth	Jensen	McCutcheon	Schaaf	Ueland, A.
Chmielewski	Johnson	Menning	Schmitz	Ulland, J.
Davies	Keefe, J.	Milton	Schrom	Vega
Engler	Keefe, S.	Moe	Sieloff	Wegener
Frederick	Kirchner	Nichols	Sikorski	Willet

Those who voted in the negative were:

Anderson	Merriam	Perpich	Setzepfandt	Stumpf
Dieterich	Nelson	Peterson	Strand	Tennessen
Dunn	Penny	Purfeerst		

So the bill passed and its title was agreed to.

S. F. No. 928: A bill for an act relating to taxation; altering the requirements for claiming withholding exemptions; amending Minnesota Statutes 1976, Section 290.92, Subdivision 5.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 767: A bill for an act relating to mortgages; authorizing appointment of a receiver upon foreclosure and upon a showing that a mortgagor has breached certain covenants in the mortgage; amending Minnesota Statutes 1976, Sections 559.17; and 576.01.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1116: A bill for an act relating to plats; authorizing plats to be prepared by photographic process in counties having microfilm capabilities; amending Minnesota Statutes 1976, Sections 505.08, by adding a subdivision; 505.1792, Subdivision 2; and 508.47, Subdivision 4.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1166: A bill for an act relating to administrative procedures; providing for water resource and conservation hearings to be held in accordance with the administrative procedure act; amending Minnesota Statutes 1976, Sections 105.44, Subdivisions 3, 5, 6, 7 and 8; 105.45; and 105.461; repealing Minnesota Statutes 1976, Section 105.47.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 830: A bill for an act relating to the city of Duluth; authorizing the imposition of an additional tax on certain sales of food and drink; amending Laws 1973, Chapter 461, Section 1.

Mr. Merriam moved that S. F. No. 830, No. 19 on the Calendar, be stricken and placed on General Orders. The motion did not prevail.

S. F. No. 830 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 41 and nays 25, as follows:

Those who voted in the affirmative were:

Ashbach	Gearity	Lessard	Perpich	Stokowski
Bang	Gunderson	Lewis	Purfeerst	Ueland, A.
Benedict	Hanson	Menning	Renneke	Ulland, J.
Brataas	Humphrey	Milton	Schmitz	Vega
Chmielewski	Keefe, S.	Moe	Schrom	Wegener
Coleman	Kirchner	Nelson	Sieloff	
Dieterich	Kleinbaum	Nichols	Solon	
Engler	Knutson	Ogdahl	Spear	
Frederick	Laufenburger	Olson	Staples	

Those who voted in the negative were:

Anderson	Hughes	Luther	Peterson	Sillers
Bernhagen	Jensen	McCutcheon	Pillsbury	Strand
Chenoweth	Johnson	Merriam	Schaaf	Stumpf
Davies	Keefe, J.	Olhoft	Setzepfandt	Tennessen
Dunn	Knoll	Penny	Sikorski	Willet

So the bill passed and its title was agreed to.

S. F. No. 603: A bill for an act relating to the public service commission; confining appeals from its decisions to the record; allowing the commission to appeal adverse decisions of the district court to the supreme court; amending Minnesota Statutes 1976, Section 216.25.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Lessard voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 713: A bill for an act relating to the city of Fridley; membership of new police officers in the public employees retirement association; benefits and contributions for remaining members of the Fridley police pension association.

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 787: A bill for an act relating to shade tree disease; providing for a study by the commissioner of agriculture of the need for regulation of tree disease and removal specialists; requiring a report to the legislature.

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 10, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Kleinbaum	Olhoff	Solon
Bang	Frederick	Knoll	Olson	Spear
Benedict	Gearty	Laufenburger	Penny	Staples
Bernhagen	Hanson	Lessard	Pillsbury	Stokowski
Brataas	Hughes	Lewis	Purfeerst	Stumpf
Chenoweth	Humphrey	Luther	Renneke	Tennessee
Chmielewski	Jensen	McCutcheon	Schaaf	Ueland, A.
Coleman	Johnson	Menning	Schmitz	Ulland, J.
Davies	Keefe, J.	Moe	Setzepfandt	Vega
Dieterich	Keefe, S.	Nelson	Sieloff	Wegener
Dunn	Kirchner	Ogdahl	Sikorski	Willet

Those who voted in the negative were:

Ashbach	Knutson	Nichols	Peterson	Sillers
Gunderson	Merriam	Perpich	Schrom	Strand

So the bill passed and its title was agreed to.

S. F. No. 1258: A bill for an act relating to the uniform commercial code; providing for the appropriation of the proceeds of bulk transfers; providing for the payment of creditors; amending Minnesota Statutes 1976, Sections 336.6-107; 336.6-108; and 336.6-109; and Chapter 336 by adding a section.

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Luther voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1120: A bill for an act relating to public waters; their classification and drainage; providing for venue of certain actions involving the commissioner of natural resources; amending Minnesota Statutes 1976, Chapter 105, by adding a section.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 977: A bill for an act relating to marriage; requiring certain information to be included on an application for a marriage license; amending Minnesota Statutes 1976, Sections 517.08, Subdivision 1; and 517.10.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 34 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knoll	Peterson	Stokowski
Benedict	Hanson	Luther	Pillsbury	Strand
Chenoweth	Hughes	McCutcheon	Schaaf	Stumpf
Chmielewski	Humphrey	Merriam	Sikorski	Ulland, J.
Coleman	Keefe, S.	Milton	Solon	Vega
Dieterich	Kirchner	Nelson	Spear	Willet
Dunn	Kleinbaum	Olhoft	Staples	

Those who voted in the negative were:

Ashbach	Gunderson	Lewis	Perpich	Sillers
Bang	Jensen	Menning	Purfeerst	Tennessee
Bernhagen	Johnson	Moe	Renneke	Ueland, A.
Brataas	Keefe, J.	Nichols	Schmitz	Wegener
Davies	Knutson	Ogdahl	Schrom	
Engler	Laufenburger	Olson	Setzepfandt	
Frederick	Lessard	Penny	Sieloff	

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. 753: A bill for an act relating to motor vehicles;

licensing and taxation; providing for biennial payment of the tax assessed on certain trailers; dimensional specifications for trailer number plates; amending Minnesota Statutes 1976, Sections 168.013, Subdivision 1d; and 168.12.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

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. 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.

CALL OF THE SENATE

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

Bang	Gunderson	Merriam	Peterson	Strand
Benedict	Hughes	Menning	Schaaf	Stumpf
Chmielewski	Johnson	Milton	Schmitz	Tennessee
Coleman	Keefe, S.	Nelson	Schrom	Ulland, J.
Davies	Kirchner	Ogdahl	Setzepfandt	Vega
Dunn	Knoll	Olhoff	Sieloff	Wegener
Engler	Luther	Olson	Spear	Willet
Gearty	McCutcheon	Penny	Staples	

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

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

GENERAL ORDERS

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

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

S. F. Nos. 930, 403, 1290, 1291, 583, 442, 101, 734, 683, 797, 912, 1338, 1086, 1068, 823, 1423, 962, 1362, 1029, 1293, 627, 1349 and H. F. Nos. 218, 54 and 946 which the committee recommends to pass.

S. F. No. 1135, which the committee recommends to pass with the following amendments offered by Mr. Sieloff:

Mr. Sieloff moved to amend S. F. No. 1135 as follows:

Page 2, line 14, after "satisfactory." insert "*The*"

Page 2, line 16, after the stricken word "void" insert "*, two days after dispatch by the commissioner by certified or registered mail of notice of such suspension, addressed to the last known address of the motor carrier,*"

Mr. Sieloff then moved to amend S. F. No. 1135 as follows:

Page 2, line 18, strike "*The*"

Page 2, strike lines 19 to 21

Page 2, line 22, delete the new language.

S. F. No. 581, which the committee recommends to pass with the following amendment offered by Mr. Kleinbaum:

Page 4, line 27, strike "*licenses or*"

S. F. No. 808, which the committee recommends to pass with the following amendment offered by Mr. Anderson:

Page 1, line 10, after the period insert "*Subdivision 1.*"

Page 1, line 11, after "*time*" insert "*elementary or secondary school*"

Page 1, line 12, delete "*15 years*" and insert "*at least ten but no more than 20 years of allowable service and who has not attained the age of 55 years or over*"

Page 1, line 13, delete "*or more*"

Page 1, line 13, after "*absence*" insert "*pursuant to this section*"

Page 1, line 14, after "*absence*" insert "*pursuant to this section*"

Page 1, line 15, after "*teacher*" insert "*and may be granted only once*"

Page 1, line 16, delete "*Sec. 2*" and insert "*Subd. 2*"

Page 1, line 16, after "*absence*" insert "*pursuant to this section*"

Page 1, line 17, delete "his" and insert "a"

Page 1, line 17, after "position" insert "for which he is licensed"

Page 2, line 2, delete "March" and insert "February"

Page 2, line 3, after the period insert

"Subd. 3."

Page 2, line 5, strike "act" and insert "section"

Page 2, after line 8, insert:

"Subd. 4. The years spent by a teacher on an extended leave of absence pursuant to this section shall not be included in the determination of his salary upon his return to teaching in the district. The credits earned by a teacher on an extended leave of absence pursuant to this section shall not be included in the determination of his salary upon his return to teaching in the district for a period equal to the time of the extended leave of absence."

Renumber section 3 as section 2

Page 2, line 12, delete "sections 1 and 2" and insert "section 1"

Page 2, line 32, after "leave" insert "of absence pursuant to section 1 of this act"

Page 3, line 9, after the period insert *"The provisions of this section shall not apply to a member who is placed on unrequested leave of absence or whose contract is terminated pursuant to section 125.12 while he is on an extended leave of absence pursuant to section 1 of this act. A teacher who pays employee contributions and receives allowable service credit in the fund pursuant to this section may not pay employee contributions or receive allowable service credit for the same fiscal year in any other Minnesota public employee pension plan, except a volunteer firefighters' relief association governed by sections 69.771 to 69.776."*

Page 3, delete lines 10 to 18 and insert:

"Sec. 3. Minnesota Statutes 1976, Chapter 354A, is amended by adding a section to read:

[354A.091] [TEACHERS ON EXTENDED LEAVE.] *Notwithstanding any provision of chapter 354A or the bylaws of an association relating to salary for contribution purposes or accrual of service credit to the contrary, an elementary or secondary school teacher in the public schools of a city of the first class who is granted an extended leave of absence pursuant to section 1 of this act may receive allowable service credit toward annuities and other benefits under chapter 354A for each year of his leave by paying into the fund employee contributions during the period of the leave which shall not exceed five years. The employing district shall pay employer contributions into the fund for each year for which a member who is on extended leave pays employee contributions into the fund. The employee and employer contributions shall be based upon the rates of contribution prescribed by section 354A.12, for the salary received during the year im-*

mediately preceding the leave. Payments for the years for which a member is receiving service credit while on extended leave shall be made on or before June 30 of each fiscal year for which service credit is received. A member on extended leave who pays employee contributions into the fund shall retain membership in the association for as long as he continues to pay employee contributions, under the same terms and conditions as if he had continued to teach in the district. A member on extended leave of absence pursuant to section 1 of this act who does not pay employee contributions into the fund in any year shall be deemed to cease to render teaching services beginning in that year for purposes of chapter 354A and the bylaws of the retirement association. If a member who paid employee contributions into the fund for five years while on extended leave does not resume teaching in the sixth school year after the beginning of his extended leave, he shall be deemed to cease to render teaching services beginning in that year for purposes of chapter 354A and the bylaws of the retirement association. The provisions of this section shall not apply to a teacher who is discharged pursuant to section 125.17 while he is on an extended leave of absence pursuant to section 1 of this act. A teacher who pays employee contributions and receives allowable service credit in the fund pursuant to this section may not pay employee contributions or receive allowable service credit for the same fiscal year in any other Minnesota public employee pension plan, except a volunteer firefighters' relief association governed by sections 69.771 to 69.776."

S. F. No. 1309, which the committee recommends to pass with the following amendment offered by Mr. Keefe, J.:

Page 8, line 25, strike "four" and insert "ten"

S. F. No. 645, which the committee recommends to pass with the following amendment offered by Mr. Merriam:

Page 13, line 20, before the period, insert ", and shall be accessible to the public pursuant to section 15.17, subdivision 4"

S. F. No. 646, which the committee recommends to pass with the following amendment offered by Mr. Olson:

Page 1, line 14, strike "county" and insert "counties"

Mr. Coleman moved to adopt the report of the Committee of the Whole, as kept by the Secretary.

Mr. Merriam requested that the report on S. F. No. 1029 be divided out.

Mr. Coleman moved to adopt the balance of the report of the Committee of the Whole. The motion prevailed.

Mr. Coleman moved to adopt the report on S. F. No. 1029. The motion did not prevail.

MOTIONS AND RESOLUTIONS—CONTINUED RECONSIDERATION

Mr. Johnson moved that the vote whereby S. F. No. 753 was

passed by the Senate on May 2, 1977, be now reconsidered. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of Reports of Committees and Second Reading of Senate Bills.

REPORTS OF COMMITTEES

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

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was re-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 and annual payments 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; providing for 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 17, line 14, after "proceedings" insert "or voluntary purchase"

Page 17, line 20, strike "petitioner" and insert "utility"

Page 17, after line 30, insert:

"Subd. 5. A utility shall notify by certified mail each person who has transferred any interest in real property to the utility after July 1, 1974, but prior to the effective date of this act, for the purpose of a site or route that he may elect in writing within 90 days after receipt of notice to require the utility to acquire any remaining contiguous parcel of land pursuant to section 17 or to return any payment to the utility and require it to make installment payments pursuant to section 17."

Page 24, strike lines 21 to 32 and insert:

"tax to be paid on land subject to property taxation over which runs a high voltage transmission line with a design of 200 kilo-

volts or more shall be reduced by an amount equal to the credit for which it is eligible pursuant to subdivision 2.

Subd. 2. [COMPUTATION.] *The credit due against the property tax on each parcel lying under a particular line shall be determined by multiplying a fraction, the numerator of which is the length of transmission line with a design of 200 kilovolts or more which runs over that parcel and the denominator of which is the total length of that particular line running over all property within the county, by that portion of the transmission and distribution line tax which is provided in section 2 for that purpose. Where a right of way width is shared by more than one property owner, the numerator shall be adjusted by multiplying the length of line on the parcel by the proportion of the total width on the parcel owned by each property owner. The amount of credit for which the property qualifies pursuant to this subdivision shall not exceed 25 percent of the total gross tax on the property prior to deduction of the state paid agricultural credit and the state paid homestead credit."*

Page 25, strike lines 1 to 4

Page 25, line 22, strike "subject to property tax"

Page 26, line 30, strike "1" and insert "25"

Page 28, line 2, strike "It shall"

Page 28, strike lines 3 and 4

Page 28, line 5, strike "section 117.105."

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

SECOND READING OF SENATE BILLS

S. F. No. 896 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:30 o'clock p.m. The motion prevailed.

The hour of 7:30 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

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

Anderson	Gunderson	Lewis	Penny	Strand
Benedict	Hanson	Luther	Perpich	Stumpf
Borden	Hughes	Menning	Purfeerst	Tennessen
Chenoweth	Humphrey	Merriam	Schaaf	Ueland, A.
Chmielewski	Keefe, S.	Milton	Schmitz	Ulland, J.
Coleman	Kirchner	Moe	Sikorski	Vega
Davies	Knoll	Nelson	Spear	Wegener
Gearty	Laufenburger	Nichols	Staples	Willet

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

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

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk with the exception of S. F. No. 958 be now adopted. The motion prevailed.

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

H. F. No. 90: A bill for an act relating to intoxicating liquor; authorizing cities to issue additional on-sale licenses by referendum; amending Minnesota Statutes 1976, Section 340.11, Subdivision 18.

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

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

H. F. No. 337: A bill for an act relating to public utilities; customers service option on electric service in certain instances; amending Minnesota Statutes 1976, Section 216B.40; and Chapter 216B, by adding a section.

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

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

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

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

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

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

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

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

H. F. No. 146: A bill for an act relating to cities of the first class; establishing procedures for refunds of certain special assessments; amending Minnesota Statutes 1976, Section 430.07.

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

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

H. F. No. 502: A bill for an act relating to Hennepin county; authorizing compensation for Hennepin county park reserve district commissioners and Hennepin county library board members.

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

Page 1, line 11, strike "Section" and insert "Sections"

Page 1, line 11, after "398.05," insert "134.10,"

Page 1, line 14, after "day" strike "and" and insert a period

Page 1, line 15, strike "shall" and insert "may in addition"

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

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

H. F. No. 979: A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in St. Louis county.

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

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

H. F. No. 465: A bill for an act relating to redevelopment; providing for membership on regional development commissions; amending Minnesota Statutes 1976, Section 462.388, Subdivision 1.

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

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

H. F. No. 425: A bill for an act relating to municipalities; authorizing appropriations for historical work; amending Minnesota Statutes 1976, Section 471.93.

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

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

H. F. No. 62: A bill for an act relating to towns; annual audit report; eliminating the requirement that a copy of the report be furnished to the state auditor; amending Minnesota Statutes 1976, Section 366.22.

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

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

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

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

Page 2, reinstate the stricken language in line 32

Page 3, reinstate the stricken language in lines 1 to 7

Page 3, line 23, strike "*December 31*" and insert "*September 7*"

Page 3, line 23, strike "*The governing bodies of*"

Page 3, strike lines 24 to 31, and insert "*No county turnback funds shall be disbursed until a plan is approved by the department of transportation.*"

Page 4, line 5, strike "*bodies*" and insert "*body*"

Page 4, line 5, strike "*the cities of Arden*"

Page 4, line 6, strike "*Hills, Roseville and Shoreview and of*"

Amend the title as follows:

Page 1, line 2, strike "*cities of Arden*"

Page 1, line 3, strike "*Hills, Roseville, Saint Paul and Shoreview*" and insert "*city of St. Paul*"

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

APPOINTMENTS

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

S. F. No. 1416, pursuant to the request of the Senate:

Messrs. Lewis, Perpich, Milton, Moe, and Kirchner.

H. F. No. 1510, pursuant to the request of the House:

Messrs. Moe, Tennesen, Stumpf, Ogdahl, and Keefe, J.

S. F. No. 32, pursuant to the request of the Senate:

Messrs. Humphrey, Willet, Keefe, S; Mrs. Staples, and Mr. Dunn.

S. F. No. 1034, pursuant to the request of the Senate:

Messrs. Solon, Setzepfandt and Dunn.

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

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

S. F. Nos. 1070, 1339, 1249, 1065, 441, 330, 559, 347, 544, 157, 158, 1489, 1490, 1, 556, 1334, 784, 1106, 65, and H. F. Nos. 107, 140, 922, 920, 105, 439, makes the following report:

That S. F. Nos. 1070, 1339, 1249, 441, 330, 559, 347, 544, 157, 158, 1489, 1490, 1, 556, 784, 1106, 65 and H. F. Nos. 140, 922, 439 and 920 be placed on the General Orders Calendar in the order indicated.

That S. F. No. 1065 and H. F. No. 105 be retained in the subcommittee.

That H. F. No. 107 be placed on the Consent Calendar.

That S. F. No. 1334 be re-referred to the Committee on Finance.

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

Mr. Tennesen questioned whether the report of the Bill Scheduling Subcommittee as to S. F. No. 1334 was in order.

The President ruled that the report was in order.

Mr. Tennesen appealed the decision of the President.

Mr. Tennesen moved to lay the appeal on the table.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 51 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Lessard	Purfeerst	Stumpf
Ashbach	Gunderson	Luther	Schaaf	Tennesen
Bang	Hanson	Menning	Schmitz	Ueland, A.
Benedict	Hughes	Merriam	Schrom	Ulland, J.
Bernhagen	Humphrey	Milton	Setzepfandt	Vega
Borden	Jensen	Moe	Sieloff	Wegener
Brataas	Keefe, S.	Nelson	Sikorski	Willet
Chenoweth	Kirchner	Nichols	Sillers	
Chmielewski	Kleinbaum	Ogdahl	Spear	
Coleman	Knoll	Penny	Staples	
Davies	Laufenburger	Perpich	Strand	

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

The motion prevailed.

SECOND READING OF HOUSE BILLS

H. F. Nos. 146, 502, 979, 465, 425 and 62 were read the second time.

H. F. Nos. 90, 337, 882 and 531, were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 1350 a Special Order to be heard immediately.

S. F. No. 1350: A bill for an act relating to nursing assistant training; providing for a report to the legislature by the state board of health; delaying implementation of certain training requirements; amending Minnesota Statutes 1976, Section 144A.61, Subdivision 6.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 1467 a Special Order to be heard immediately.

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

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

Messrs. Knutson and Sieloff voted in the negative.

So the bill passed and its title was agreed to.

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

REPORTS OF COMMITTEES

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

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

H. F. No. 550 for comparison to companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
550	481				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 550 be amended as follows:

Strike everything after the enacting clause and insert the language of S. F. No. 481 as shown in the reports from the Committee on Education (Senate Journal, April 21, 1977) and the Committee on Finance (Senate Journal, April 25, 1977). (H. F. No. 550 will be identical to S. F. No. 481, third engrossment.)

And when so amended, H. F. No. 550 will be identical to S. F. No. 481 and further recommends that H. F. No. 550 be given its second reading and substituted for S. F. No. 481 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.

SUSPENSION OF RULES

Mr. Merriam moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 550 and that the rules of the Senate be so far suspended as to give H. F. No. 550 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 550 was read the second time.

H. F. No. 550: A bill for an act relating to the operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; providing additional aids and levies for school districts with declining enrollment; eliminating foundation aid for summer programs for non-handicapped children; changing the method of distributing the agricultural tax credit; eliminating state aid for community education; establishing formulas for current funding of adult and secondary vocational education; creating a legislative school finance study commission; providing special retirement privileges for experienced teachers who teach part time or take an extended leave of absence; appropriating money; amending Minnesota Statutes 1976, Sections 120.10, Subdivision 1; 120.17, Subdivisions 1a and 5a; 121.11, Subdivision 5; 121.902; 121.914, Subdivisions 1, 2, 3 and 4; 121.917, Subdivisions 1 and 2; 123.335, Subdivision 2; 123.39, Subdivision 5; 123.351, Subdivision 5; 123.581, Subdivisions 1, 2, 3 and 6; 123.71, Subdivisions 1 and 2; 123.742, Subdivision 1; 124.11; 124.14, Subdivision 1; 124.17, Subdivisions 1, 2, and by adding a subdivision; 124.19, Subdivision 1; 124.20; 124.212, Subdivisions 1, 3a, 6b, 7b and 8a, and by adding a subdivision; 124.213; 124.222, Subdivisions 1a, 1b, 2a, 3, 6, and by adding a subdivision; 124.223; 124.26, Subdivisions 1 and 4; 124.271, Subdivisions 2 and 5; 124.30, Subdivision 5; 124.32; 124.38, Subdivision 7; 124.562, Subdivision 1; 124.565, Subdivisions 1 and 3; 124.57; 124.572; 124.573; 128A.02, Subdivisions 2 and 3; 128A.06; 273.132; 273.138, Subdivision 3; 275.125, Subdivisions 2a, 8, 9, 9a, and 13; and 475.61, Subdivision 4; amending Minnesota Statutes 1976, Chapter 136A, by adding a section; Chapter 354, by adding sections and Chapter 354A, by adding sections; amending Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended; Laws 1969, Chapter 1060, Section 7, as amended; and Laws 1976, Chapter 271, Section 94; repealing Minnesota Statutes 1976, Sections 124.215, Subdivision 2a; 124.222, Subdivisions 4 and 5; 124.25; 124.271, Subdivisions 1, 2, 3, 4 and 5; 124.30; 124.562, Subdivision

6; 124.563, Subdivision 4; 124.565, Subdivision 2; 124.57, Subdivisions 1 and 3, as added; 473.633; and 473.635.

CALL OF THE SENATE

Mr. Ulland, J. imposed a call of the Senate for the balance of the proceedings on H. F. No. 550. The following Senators answered to their names:

Anderson	Frederick	Laufenburger	Peterson	Strand
Ashbach	Gearty	Lessard	Renneke	Stumpf
Bang	Gunderson	Lewis	Schmitz	Ueland, A.
Benedict	Hughes	Luther	Schrom	Ulland, J.
Bernhagen	Humphrey	McCutcheon	Setzepfandt	Vega
Borden	Jensen	Menning	Sieloff	Wegener
Chmielewski	Johnson	Merriam	Sikorski	Willet
Davies	Keefe, J.	Moe	Sillers	
Dieterich	Keefe, S.	Ogdahl	Spear	
Dunn	Kirchner	Olhoft	Staples	
Engler	Knutson	Perpich	Stokowski	

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

Mr. Ulland, J. moved to amend H. F. No. 550, as amended pursuant to Rule 49, adopted by the Senate May 2, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 481.)

Page 8, strike section 6

Page 17, line 1, strike "\$595,100,000" and insert "\$599,100,000"

Page 17, line 8, strike "\$591,160,000" and insert "\$595,160,000"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 23, strike "subdivisions" and insert "a subdivision"

The question was taken on the adoption of the amendment.

Mr. Merriam moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 18 and nays 45, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Jensen	Ogdahl	Ueland, A.
Bang	Dunn	Keefe, J.	Renneke	Ulland, J.
Bernhagen	Engler	Kirchner	Sieloff	
Brataas	Frederick	Knutson	Solon	

Those who voted in the negative were:

Anderson	Dieterich	Keefe, S.	McCutcheon	Nichols
Benedict	Gearty	Kleinbaum	Menning	Olhoft
Borden	Gunderson	Knoll	Merriam	Penny
Chenoweth	Hughes	Laufenburger	Milton	Perpich
Coleman	Humphrey	Lewis	Moe	Peterson
Davies	Johnson	Luther	Nelson	Purfeerst

Schaaf
Schmitz
Schrom

Setzepfandt
Sikorski
Sillers

Spear
Staples
Stokowski

Strand
Stumpf
Tennessen

Vega
Wegener
Willet

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

Mr. Frederick moved to amend H. F. No. 550, as amended pursuant to Rule 49, adopted by the Senate May 2, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 481.)

Page 8, line 20, strike "\$1,025" and insert "\$1,050"

Page 8, line 27, strike "\$1,025" and insert "\$1,050"

Page 8, line 27, strike "\$65" and insert "\$90"

Page 8, line 28, strike "\$1,025" and insert "\$1,050"

Page 9, line 1, strike "\$1,075" and insert "\$1,125"

Page 11, lines 7 and 11, strike "\$1,025" and insert "\$1,050"

Page 11, line 11, strike "\$65" and insert "\$90"

Page 11, line 12, strike "\$1,075" and insert "\$1,125"

Page 17, line 1, strike "\$595,100,000" and insert "\$616,630,000"

Page 17, line 4, strike "\$549,600,000" and insert "\$571,130,000"

Page 17, line 8, strike "\$591,160,000" and insert "\$640,800,000"

Page 17, line 9, strike "\$52,500,000" and insert "\$54,600,000"

Page 17, line 11, strike "\$538,660,000" and insert "\$586,200,000"

Page 67, line 31, strike "\$1,025" and insert "\$1,050"

Page 67, line 32, strike "\$1,075" and insert "\$1,125"

Page 95, line 27, strike "\$608,675" and insert "\$625,550"

Page 95, line 28, strike "\$1,200,000" and insert "\$1,253,000"

Page 95, line 32, strike "\$286,350" and insert "\$313,000"

Page 96, line 1, strike "\$314,500" and insert "\$442,500"

The question was taken on the adoption of the amendment.

Mr. Merriam moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 18 and nays 47, as follows:

Those who voted in the affirmative were:

Ashbach
Bang
Benedict
Bernhagen

Brataas
Dunn
Engler
Frederick

Jensen
Keefe, J.
Kirchner
Knutson

Ogdahl
Renneke
Sieloff
Sillers

Ueland, A.
Ulland, J.

Those who voted in the negative were:

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

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

Mrs. Brataas moved to amend H. F. No. 550, as amended pursuant to Rule 49, adopted by the Senate May 2, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 481.)

Page 8, line 20, strike "\$1,025" and insert "\$1,037"

Page 8, line 27, strike "\$1,025" and insert "\$1,037"

Page 8, line 27, strike "\$65" and insert "\$77"

Page 8, line 28, strike "\$1,025" and insert "\$1,037"

Page 9, line 1, strike "\$1,075" and insert "\$1,099"

Page 11, lines 7 and 11, strike "\$1,025" and insert "\$1,037"

Page 11, line 11, strike "\$65" and insert "\$77"

Page 11, line 12, strike "\$1,075" and insert "\$1,099"

Page 17, line 1, strike "\$595,100,000" and insert "\$605,000,000"

Page 17, line 4, strike "\$549,600,000" and insert "\$559,500,000"

Page 17, line 8, strike "\$591,160,000" and insert "\$615,000,000"

Page 17, line 9, strike "\$52,500,000" and insert "\$53,500,000"

Page 17, line 11, strike "\$538,660,000" and insert "\$561,500,000"

Page 67, line 31, strike "\$1,025" and insert "\$1,037"

Page 67, line 32, strike "\$1,075" and insert "\$1,099"

Page 95, line 27, strike "\$608,675" and insert "\$618,000"

Page 95, line 28, strike "\$1,200,000" and insert "\$1,224,500"

Page 95, line 32, strike "\$286,350" and insert "\$309,000"

Page 96, line 1, strike "\$314,500" and insert "\$432,500"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 44, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Engler moved to amend H. F. No. 550, as amended pursuant to Rule 49, adopted by the Senate May 2, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 481.)

Page 41, line 28, after "shall" insert "match and"

Page 41, line 28, strike "50 cents per capita"

Page 42, line 2, before the period insert "*an amount which is equal to the dollar amount of the levy certified by that district for use in that year pursuant to section 275.125, subdivision 8, clause (1), but not to exceed \$1 per capita or \$5,000, whichever is greater, for 1977-1978, and \$1 per capita or \$7,000, whichever is greater, for 1978-1979*"

Page 44, line 20, strike "\$1,600,000" and insert "\$3,530,000"

Page 44, line 21, strike "\$1,700,000" and insert "\$4,163,000"

The question was taken on the adoption of the amendment.

Mr. Chenoweth moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 16 and nays 39, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Gearty	Laufenburger	Nelson	Spear
Benedict	Gunderson	Lessard	Olhoft	Staples
Borden	Hanson	Lewis	Perpich	Stokowski
Chenoweth	Humphrey	Luther	Peterson	Strand
Chmielewski	Johnson	McCutcheon	Schaaf	Stumpf
Coleman	Keefe, S.	Menning	Schmitz	Vega
Davies	Kleinbaum	Merriam	Setzepfandt	Willet
Dieterich	Knoll	Milton	Sikorski	

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

Mr. Frederick moved to amend H. F. No. 550, as amended pursuant to Rule 49, adopted by the Senate May 2, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 481.)

Page 41, line 28, after "per capita" insert "or \$5,000 whichever is greater"

Page 44, line 20, strike "\$1,600,000" and insert "\$2,180,000"

Page 44, line 21, strike "\$1,700,000" and insert "\$2,420,000"

The question was taken on the adoption of the amendment.

Mr. Chenoweth moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 16 and nays 43, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Jensen	Knutson	Sillers
Bang	Engler	Keefe, J.	Renneke	Ueland, A.
Bernhagen	Frederick	Kirchner	Sieloff	Ulland, J.
Brataas				

Those who voted in the negative were:

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

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

Mr. Schaaf moved to amend H. F. No. 550, as amended pursuant to Rule 49, adopted by the Senate May 2, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 481.)

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Chapter 275, is amended by adding a section to read:

[275.128] [SCHOOL DISTRICT LEVY.] *Each school district shall annually levy the amount necessary to maintain, operate, and equip its schools.*

Sec. 2. Minnesota Statutes 1976, Section 290.06, Subdivision 2c, is amended to read:

Subd. 2c. [SCHEDULE OF RATES FOR INDIVIDUALS, ESTATES AND TRUSTS.] (a) For taxable years beginning after December 31, 1974 1976, the income taxes imposed by this chapter upon individuals, estates and trusts, other than those taxable as corporations, shall be computed by applying to their taxable net income in excess of the applicable credits allowed by section 290.21, the following schedule of rates:

- (1) On the first \$500, ~~one and six-tenths~~ *eight-tenths* percent;
- (2) On the second \$500, ~~two and two-tenths~~ *one and one-tenth* percent;
- (3) On the next \$1,000, ~~three and five-tenths~~ *one and eight-tenths* percent;
- (4) On the next \$1,000, ~~five and eight-tenths~~ *two and nine-tenths* percent;
- (5) On the next \$1,000, ~~seven and three-tenths~~ *three and seven-tenths* percent;
- (6) On the next \$1,000, ~~eight and eight-tenths~~ *four and four-tenths* percent;
- (7) On the next \$2,000, ~~ten and two-tenths~~ *five and one-tenth* percent;
- (8) On the next \$2,000, ~~eleven and five-tenths~~ *five and eight-tenths* percent;
- (9) On the next \$3,500, ~~twelve and eight-tenths~~ *six and four-tenths* percent;
- (10) On all over \$12,500, and not over \$20,000, ~~fourteen seven~~ percent;
- (11) On the remainder, ~~fifteen seven and five-tenths~~ percent.

(b) In lieu of a tax computed according to the rates set forth in clause (a) of this subdivision, the tax of any individual taxpayer whose taxable net income for the taxable year, reduced by the applicable credits allowed by section 290.21, is less than \$10,000 shall be computed in accordance with tables prepared and issued by the commissioner of revenue based on income brackets of not more than \$100. The amount of tax for each bracket shall be computed at the rates set forth in this subdivision.

Sec. 3. [REPEALER.] *Minnesota Statutes 1976, Section 275.125; and Chapter 124, are repealed.*

Amend the title as follows:

Page 1, line 2, strike "providing for aids to" and insert "eliminating aid to education by the state; requiring school districts to levy taxes sufficient to maintain, operate, and equip its schools; reducing the individual income tax rates; amending Minnesota Statutes 1976, Section 290.06, Subdivision 2c; and Chapter 275, by adding a section; repealing Minnesota Statutes 1976, Section 275.125; and Chapter 124."

Page 1, strike lines 3 to 40

Page 2, strike lines 1 to 8

Mr. Sieloff questioned whether the amendment was in order.

The President ruled the amendment was out of order.

Mr. Sieloff moved to amend H. F. No. 550, as amended pursuant to Rule 49, adopted by the Senate May 2, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 481.)

Page 48, strike section 5

Page 55, line 22, strike "\$60,800,000" and insert "\$64,885,692"

Page 58, strike lines 3 and 4

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 28, strike "Subdivisions 1 and" and insert "Sub-division"

The question was taken on the adoption of the amendment.

Mr. Merriam moved that those not voting be excused from voting.

The question was taken on adoption of the Merriam motion.

The roll was called, and there were yeas 47 and nays 15, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed.

The question recurred on the Sieloff amendment.

The roll was called, and there were yeas 19 and nays 41, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, J.	Renneke	Ueland, A.
Bang	Engler	Kirchner	Schrom	Ulland, J.
Bernhagen	Frederick	Knutson	Sieloff	Willet
Brataas	Jensen	Ogdahl	Sillers	

Those who voted in the negative were:

Anderson	Gunderson	Lewis	Olson	Staples
Benedict	Hanson	Luther	Penny	Stumpf
Borden	Hughes	McCutcheon	Perpich	Tennessen
Chenoweth	Humphrey	Merriam	Peterson	Vega
Chmielewski	Johnson	Milton	Schaaf	Wegener
Coleman	Keefe, S.	Moe	Schmitz	
Davies	Knoll	Nelson	Sikorski	
Dieterich	Laufenburger	Nichols	Solon	
Gearry	Lessard	Olhoff	Spear	

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

Mr. Ueland, A. moved to amend H. F. No. 550, as amended pursuant to Rule 49, adopted by the Senate May 2, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 481.)

Page 58, after line 14, insert:

"Sec. 2. [124.216] [ADVANCED TEACHER TRAINING AND EXPERIENCE AID.] Subdivision 1. Any district having one or more full time classroom teachers with an M. A. or M. A. equivalency, or whose experience level is above the statewide average experience level, shall be eligible for advanced teacher training and experience aid computed pursuant to subdivisions 3 and 4 of this section.

Subd. 2. The following words and phrases shall have the meanings ascribed to them for the purposes of this section:

(1) "Full time classroom teacher" means an elementary teacher with instructional duties at least five hours per school day, and a secondary teacher with assignable subjects at least five periods in a six period day or six periods in a seven or eight period day.

(2) "Statewide average experience level" is eight years.

(3) "M.A." or "M.A. equivalency" means a master's degree or a baccalaureate degree plus 45 quarter credits.

(4) "Percentage multiplier" means the product of the percentage of full time classroom teachers in the district with an M.A. or M.A. equivalency in relation to all full time classroom teachers in the district, times the number of full time classroom teachers in the district with an M.A. or M.A. equivalency.

Subd. 3. The aid for advanced teacher experience shall be the sum total of the amounts computed by multiplying the number of years by which each full time classroom teacher exceeds the statewide average experience level times \$75, but in no event shall the aid exceed \$300 per full time classroom teacher.

Subd. 4. The aid for advanced teacher training aid shall be the product of multiplying the percentage multiplier times \$400.

Subd. 5. The amounts computed pursuant to subdivisions 3 and 4 shall be in addition to regular foundation aid payments.

Subd. 6. This section shall expire on July 1, 1979."

Page 58, line 28, strike "9" and insert "10"

Page 66, line 5, strike "9" and insert "10"

Page 66, line 13, strike "9" and insert "10"

Page 69, after line 3, insert:

"Subd. 2. [ADVANCED TEACHER TRAINING AND EXPERIENCE AID.] For advanced teacher training and experience aid, there is appropriated:

\$10,217,500

1979.

This is a final, non-recurring appropriation."

Renumber the subdivisions in sequence

Page 70, line 7, strike "5" and insert "6"

Page 70, line 21, strike "5" and insert "6"

Page 70, line 32, strike "15 and 16" and insert "16 and 17"

Page 71, line 2, after the period insert "Section 2 of this article shall be effective July 1, 1978."

Renumber the sections in sequence

The question was taken on the adoption of the amendment.

Mr. Chenoweth moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 16 and nays 48, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Keefe, J.	Ogdahl	Sillers
Bang	Engler	Kirchner	Renneke	Ueland, A.
Benedict	Frederick	Knutson	Sieloff	Ulland, J.
Bernhagen				

Those who voted in the negative were:

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

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

Mr. Knutson moved to amend H. F. No. 550, as amended pursuant to Rule 49, adopted by the Senate May 2, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 481.)

Page 58, after line 2, insert:

"Sec. 15. Minnesota Statutes 1976, Chapter 136A, is amended by adding a section to read:

[136A.236] [TUITION SUBSIDIES FOR AREA VOCATIONAL-TECHNICAL SCHOOL STUDENTS.] *Subdivision 1. The higher education coordinating board shall supervise a program of financial aid for certain students attending public post-secondary area vocational-technical schools established pursuant to section 121.21.*

Subd. 2. Any Minnesota resident who is under 21 years of age, who attends a public post-secondary area vocational-technical school, and who is not receiving a state scholarship or grant-in-aid for the current year of attendance, shall be eligible to apply for a financial aid pursuant to this section of this article.

Subd. 3. Recipients of these financial aids shall be selected by the public post-secondary area vocational-technical school of attendance, in accordance with rules and procedures adopted by the higher education coordinating board.

Subd. 4. The amount of any financial aid award shall be based on the need of the applicant determined by the school in accordance with rules adopted by the higher education coordinating board, but the amount of an award shall not exceed 100 percent of the educational expenses for the student's program pursuant to section 124.565, subdivision 3. For the purposes of this subdivision educational expenses are to include tools, books, uniforms, and other required equipment and supplies.

Subd. 5. Financial aids pursuant to this section shall be awarded for the lesser of one year or the period approved by the state board of education for completion of the program, in accordance with rules and procedures of the higher education coordinating board. Awards shall not be renewable but the recipient of an award may apply for additional awards for subsequent periods or years.

Subd. 6. Funds appropriated for financial aids pursuant to this section of this article shall be distributed to the public post-secondary area vocational-technical schools by the higher education coordinating board according to rules and procedures adopted by the board.

Sec. 16. [APPROPRIATION.] *There is appropriated from the general fund to the higher education coordinating board for the biennium ending June 30, 1979, the sum of \$3,600,000 for the program of financial aids established pursuant to section 15 of this article. This amount includes \$15,000 for the expenses of the higher education coordinating board in administering the program."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 35, after the semicolon, insert "Chapter 136A, by adding a section;"

The question was taken on the adoption of the amendment.

Mr. Chenoweth moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 16 and nays 42, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Jensen	Knutson	Sillers
Bang	Engler	Keefe, J.	Renneke	Ueland, A.
Bernhagen	Frederick	Kirchner	Sieloff	Ulland, J.
Brataas				

Those who voted in the negative were:

Anderson	Gunderson	Lewis	Olson	Staples
Benedict	Hanson	Luther	Penny	Stokowski
Borden	Hughes	Menning	Perpich	Strand
Chenoweth	Humphrey	Merriam	Peterson	Stumpf
Chmielewski	Johnson	Milton	Schaaf	Tennessee
Coleman	Keefe, S.	Moe	Schmitz	Willet
Davies	Kleinbaum	Nelson	Setzepfandt	
Dieterich	Laufenburger	Nichols	Sikorski	
Gearty	Leasard	Olhoff	Spear	

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

Mr. Knutson then moved to amend H. F. No. 550, as amended pursuant to Rule 49, adopted by the Senate May 2, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 481.)

Page 22, line 20, strike the period and insert a semicolon

Page 22, after line 20, insert

"(f) reductions from fiscal year 1974 to fiscal year 1976 in the actual net operating cost per pupil transported in those years, provided that this reduction exceeds five percent of the fiscal year 1974 cost. If a qualifying reduction has been demonstrated prior to December 15, 1977, the actual net operating cost per eligible pupil transported during the 1976 fiscal year in that district shall be deemed to be 107 percent of the actual net operating cost per eligible pupil transported during the 1974 fiscal year for the purposes of this section."

The question was taken on the adoption of the amendment.

Mr. Chenoweth moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 17 and nays 41, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Gunderson	Menning	Purfeerst	Strand
Benedict	Hanson	Merriam	Schaaf	Stumpf
Borden	Humphrey	Milton	Schmitz	Tennessee
Chenoweth	Johnson	Moe	Schrom	Vega
Chmielewski	Keefe, S.	Nelson	Setzepfandt	Willet
Coleman	Kleinbaum	Olhoff	Sikorski	
Davies	Lessard	Penny	Spear	
Dieterich	Lewis	Perpich	Staples	
Gearty	Luther	Peterson	Stokowski	

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

Mr. Knutson then moved to amend H. F. No. 550, as amended pursuant to Rule 49, adopted by the Senate May 2, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 481.)

Pages 97 to 102, strike Article IX

Amend the title as follows:

Page 1, strike line 8

Page 1, line 9, strike "district construction;"

The question was taken on the adoption of the amendment.

Mr. Chenoweth moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 20 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Jensen	Lessard	Sieloff
Bang	Dunn	Keefe, J.	Renneke	Strand
Bernhagen	Engler	Kirchner	Schaaf	Ueland, A.
Brataas	Frederick	Knutson	Schmitz	Ulland, J.

Those who voted in the negative were:

Anderson	Gunderson	Lewis	Penny	Stokowski
Benedict	Hanson	Luther	Perpich	Stumpf
Borden	Hughes	Menning	Peterson	Tennessee
Chenoweth	Humphrey	Merriam	Setzepfandt	Willet
Coleman	Johnson	Milton	Sikorski	
Davies	Keefe, S.	Moe	Sillers	
Dieterich	Kleinbaum	Nelson	Spear	
Gearty	Laufenburger	Olhoff	Staples	

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

Mr. Knutson then moved to amend H. F. No. 550, as amended pursuant to Rule 49, adopted by the Senate May 2, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 481.)

Page 85, after line 23, insert:

"Sec. 27. [LEGISLATIVE EDUCATIONAL FINANCE STUDY COMMISSION.] Subdivision 1. [CREATION.] A permanent commission to continually study and investigate educational finance systems is hereby created.

Subd. 2. [POWERS.] The name of the commission is the legislative educational finance study commission. The commission shall make a continuing study and investigation of educational finance plans applicable to school districts in this state. The powers and duties of the commission include, but are not limited to the following:

(a) The study of educational finance in Minnesota in all its aspects including federal, state and local financing of elementary, middle school, secondary, adult, and vocational education;

(b) The study and analysis of all phases and aspects of the financing of higher education systems and institutions both public and private;

(c) The making of recommendations to the legislature within the scope of the study, including attention to various methods and plans for financing education, and the filing of a report biennially to the governor and the legislature;

(d) The consideration of the financial status of school districts and higher education systems and institutions throughout Minnesota, including analysis of both revenues and expenditures;

(e) The consideration of future revenue needs and resources of Minnesota school districts and higher education systems and institutions and of plans for meeting these needs;

(f) The creation of a data base as necessary for the compilation and analysis of financial information on school districts in Minnesota;

(g) The study of power equalization financing as it would relate to Minnesota school districts;

(h) The study of revisions in categorical aid areas including, but not limited to, special education, secondary and adult vocational education, adult education, transportation aids, special aids, and in lieu aids;

(i) The study of other areas relating to the financing of education in Minnesota including, but not limited to, school enrollments, school construction, interdistrict cooperation, staff salaries, administration, and disparities in costs, revenues, and taxes;

(j) To study, analyze, and prepare reports regarding any other subjects certified to the commission for such study.

Subd. 3. [MEMBERSHIP.] The commission consists of eight members of the senate to be appointed by the subcommittee on committees and eight members of the house of representatives to be appointed by the speaker. The first members of this commission shall be selected to serve for a term expiring on January 15 of the next session of the legislature and until their successors

are appointed. Subsequent members of the commission shall be appointed at the commencement of each session of the legislature for a two year term beginning January 16 of the year of such regular session. Vacancies on the commission occurring while the legislature is in session shall be filled in the same manner as original appointments to the commission. If the legislature is not in session, vacancies in the membership of the commission shall be filled by the last senate subcommittee on committees or other appointing authority designated by the senate rules in case of a senate vacancy, and by the last speaker of the house, or if he be not available, by the last chairman of the house rules committee in case of a house vacancy.

Subd. 4. [OFFICE, MEETINGS, OFFICERS.] The commission shall maintain an office in the capitol group of buildings in space which the legislative coordinating commission shall designate. The commission shall hold meetings at such times and places as it may designate. It shall select a chairman, a vice chairman and such other officers from its membership as it may deem necessary.

Subd. 5. [STAFF.] The legislative coordinating commission shall designate or employ such professional, clerical, and technical assistants as it deems necessary in order for the legislative educational finance study commission to perform the duties herein prescribed.

Subd. 6. [ASSISTANCE OF OTHER AGENCIES.] The commission may request information from any state officer or agency in order to assist in carrying out the terms of this section and such officer or agency is authorized and directed to promptly furnish any data requested.

Subd. 7. [LEGISLATIVE BILLS FURNISHED.] The secretary of the senate and the chief clerk of the house shall provide the commission with a copy of each bill introduced in the legislature concerning educational finance.

Sec. 28. The sum of \$175,000 is appropriated from the general fund to the legislative educational finance study commission for the purposes of section 26 to be available until June 30, 1979."

The question was taken on the adoption of the amendment.

Mr. Chenoweth moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 16 and nays 42, as follows:

Those who voted in the affirmative were:

Ashbach
Bang
Bernhagen
Brataas

Engler
Frederick
Gunderson

Jensen
Keefe, J.
Kirchner

Knutson
Renneke
Sieloff

Sillers
Ueland, A.
Ulland, J.

Those who voted in the negative were:

Anderson	Gearty	Lewis	Perpich	Stokowski
Benedict	Hanson	Luther	Peterson	Strand
Borden	Hughes	Menning	Schaaf	Stumpf
Chenoweth	Humphrey	Merriam	Schmitz	Tennessen
Chmielewski	Johnson	Milton	Schrom	Vega
Coleman	Keefe, S.	Moe	Setzepfandt	Willet
Davies	Kleinbaum	Nelson	Sikorski	
Dieterich	Laufenburger	Olhoff	Spear	
Dunn	Lessard	Penny	Staples	

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

H. F. No. 550 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 10, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ashbach	Brataas	Frederick	Kirchner	Renneke
Bernhagen	Engler	Jensen	Knutson	Ueland, A.

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. 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. No. 497 which the committee recommends to pass, subject to the following motion:

Mr. Spear moved to amend S. F. No. 497 as follows:

Page 1, line 12, strike "*feeling*" and insert "*having*"

Page 1, line 12, after "*manifesting*" insert "*a preference for*"

Page 1, line 13, after "to" insert "consenting persons of"

Page 1, line 13, strike "class of persons" and insert "gender"

The motion prevailed. So the amendment was adopted.

The question was taken on the recommendation to pass S. F. No. 497.

The roll was called, and there were yeas 32 and nays 27, as follows:

Those who voted in the affirmative were:

Borden	Hughes	Luther	Penny	Strand
Chenoweth	Humphrey	Merriam	Perpich	Stumpf
Coleman	Johnson	Milton	Schaaf	Tennessee
Davies	Keefe, S.	Moe	Sieloff	Ulland, J.
Dieterich	Knoll	Nelson	Sikorski	
Gunderson	Knutson	Nichols	Spear	
Hanson	Lewis	Ogdahl	Staples	

Those who voted in the negative were:

Anderson	Dunn	Lessard	Renneke	Vega
Bang	Engler	McCutcheon	Schmitz	Wegener
Benedict	Frederick	Menning	Schrom	Willet
Bernhagen	Gearty	Olhoft	Setzepfandt	
Brataas	Kleinbaum	Olson	Solon	
Chmielewski	Laufenburger	Purfeerst	Stokowski	

The motion prevailed. So S. F. No. 497 was recommended to pass.

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

Mr. Coleman moved to revert to the Order of Business of Reports of Committees and Second Reading of House Bills.

REPORTS OF COMMITTEES

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

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

H. F. No. 1161 for comparison to companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
1161	913				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1161 be amended as follows:

Page 2, after line 3 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 136.601, 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."

Renumber the sections in order

Page 4, line 4, delete "136.602;"

Further amend the title in line 7, by inserting "136.602;" after "subdivision;" and in line 10 by deleting "136.602;"

And when so amended, H. F. No. 1161 will be identical to S. F. No. 913 and further recommends that H. F. No. 1161 be given its second reading and substituted for S. F. No. 913 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. Coleman from the Committee on Rules and Administration to which was referred

H. F. No. 1005 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.
1005	1297				

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.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1161 and 1005 were read the second time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 7:00 o'clock p.m., Tuesday, May 3, 1977. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate