

FIFTIETH DAY

St. Paul, Minnesota, Monday, May 9, 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:

Benedict	Hanson	Merriam	Schaaf	Stokowski
Bernhagen	Jensen	Milton	Schmitz	Strand
Chmielewski	Johnson	Nelson	Schrom	Stumpf
Coleman	Kleinbaum	Olhoft	Setzepfandt	Ueland, A.
Davies	Laufenburger	Olson	Sieloff	Ulland, J.
Engler	Lewis	Penny	Sikorski	Vega
Frederick	Luther	Peterson	Sillers	Wegener
Gearty	McCutcheon	Pillsbury	Solon	
Gunderson	Menning	Purfeerst	Spear	

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

Prayer was offered by the Chaplain, Rev. Charles Jacobson.

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

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

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. Chenoweth was excused from the Session of today. Mr. Tennessen was excused from the first hour of today's Session.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 3, 1977

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

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

Robert Bruce, 1106 Cedar, Albert Lea, Freeborn County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1981.

Cornell Moore, 2727 Dean Boulevard, Minneapolis, Hennepin County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1981.

Edna Schwartz, 111 East Kellogg Boulevard, St. Paul, Ramsey County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1981.

C. E. Sheehy, 1505 Edgewater, St. Paul, Ramsey County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1981.

Referred to the Committee on Governmental Operations.

May 3, 1977

The following appointments to the State Designer Selection Board are hereby respectfully submitted to the Senate for confirmation as required by law:

Mark Anderson, 10320 South Shore Drive, Plymouth, Hennepin County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1980.

Cecil Tammen, 4234 Sylvia Lane North, Shoreview, Ramsey 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 Governmental Operations.

May 3, 1977

The following appointments to the Council on Quality Education are hereby respectfully submitted to the Senate for confirmation as required by law:

Jan Storms, Route 2, Box 135A, Chaska, Carver County, has been appointed by me, effective May 1, 1977, for a term expiring the first Monday in January, 1978.

Marvin Trammel, 1981 Lyman Lane, Wayzata, Hennepin County, has been appointed by me, effective April 18, 1977, for a term expiring the first Monday in January, 1981.

Referred to the Committee on Education.

May 3, 1977

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

Jean Farrand, 1900 Tenth Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective April 28, 1977, for a term expiring the first Monday in January, 1979.

Donald Jackman, Elk River, Sherburne County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1981.

Alice Keller, 358 Collegeview, Winona, Winona County, has been appointed by me, effective April 26, 1977, for a term expiring the first Monday in January, 1981.

Kennon Rothchild, 14 Hickory Street, Mahtomedi, Washington County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1981.

Referred to the Committee on Education.

May 3, 1977

The following appointment to the Minnesota Board on Aging is hereby respectfully submitted to the Senate for confirmation as required by law:

A. L. Nelson, 1516 West Howard, Winona, Winona 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.

May 3, 1977

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

James Glazman, 1811 Vermilion Road, Duluth, St. Louis County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1981.

Philip Von Blon, 2121 Dwight Lane, Minnetonka, Hennepin County, has been appointed by me, effective January 3, 1977, for a term expiring the first Monday in January, 1981.

Referred to the Committee on General Legislation and Veterans Affairs.

May 3, 1977

The following appointment to the State Board of Human Rights is hereby respectfully submitted to the Senate for confirmation as required by law:

50TH DAY]

MONDAY, MAY 9, 1977

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Ray Hemenway, South Shore Drive, Albert Lea, Freeborn County, has been appointed by me, effective April 21, 1977, for a term expiring the first Monday in January, 1981.

Referred to the Committee on Governmental Operations.

Sincerely,
Rudy Perpich, Governor

May 4, 1977

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S. F. Nos. 10, 70, 72, 108, 111, 170, 305, 345, 569, 600, 855, 1039, 1331, 1381, and 1387.

Sincerely,
Rudy Perpich, Governor

May 5, 1977

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S. F. No. 651.

Sincerely,
Rudy Perpich, Governor

May 5, 1977

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Board of Human Rights is hereby respectfully submitted to the Senate for confirmation as required by law:

Milton DeJesus, 767 Ashland Avenue, St. Paul, Ramsey County, has been appointed by me, effective January 21, 1977, for a term expiring the first Monday in January, 1979.

Referred to the Committee on Governmental Operations.

Sincerely,
Rudy Perpich, Governor

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

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1977 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1977	Date Filed 1977
	61	38	May 4	May 5
	148	39	May 4	May 5
	301	40	May 4	May 5
	380	41	May 4	May 5
	489	42	May 4	May 5
	557	43	May 4	May 5
	681	44	May 4	May 5
	705	45	May 4	May 5
	720	46	May 4	May 5
	763	47	May 4	May 5
	809	48	May 4	May 5
	1208	49	May 4	May 5
10		50	May 4	May 5
70		51	May 4	May 5
72		52	May 4	May 5
108		53	May 4	May 5
111		54	May 4	May 5
170		55	May 4	May 5
305		56	May 4	May 5
345		57	May 4	May 5
569		58	May 4	May 5
600		59	May 4	May 5
855		60	May 4	May 5
1039		61	May 4	May 5
1331		62	May 4	May 5
1381		63	May 4	May 5
1387		64	May 4	May 5

Sincerely,
Joan Anderson Growe,
Secretary of State

May 5, 1977

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

The Honorable Edward J. Gearty
President of the Senate

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

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

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1977	Date Filed 1977
	38	65	May 5	May 5
651		66	May 5	May 5

Sincerely,
Joan Anderson Growe,
Secretary of State

May 6, 1977

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S. F. Nos. 362, 530, 640, 684, 716, and 813.

Sincerely,
Rudy Perpich, Governor

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Benedict introduced—

S. F. No. 1508: A bill for an act relating to public health; providing nutritional standards for food and beverages sold through vending machines and at certain restaurants; amending Minnesota Statutes 1976, Chapters 28A, by adding a section; and 157, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Benedict introduced—

S. F. No. 1509: A bill for an act relating to education; nutrition programs; requiring nutrition programs in each school district under a state nutrition coordinator.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Vega, Chmielewski, Nelson and Solon introduced—

S. F. No. 1510: A bill for an act relating to vocational rehabilitation; sheltered workshops and work activity programs; authorizing

certain tax levies and fund sources for these programs; amending Minnesota Statutes 1976, Section 129A.06.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Strand and Luther introduced—

S. F. No. 1511: A bill for an act relating to pollution control; providing for receipt of funds by the pollution control agency; regulating the transport of sewage; amending Minnesota Statutes 1976, Sections 115.06, Subdivision 2; and 169.80, Subdivision 2.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Strand and Nichols introduced—

S. F. No. 1512: A bill for an act relating to agriculture; increasing inspection fees for nurserymen and nursery dealers; amending Minnesota Statutes 1976, Sections 18.51, Subdivision 2; and 18.52, Subdivision 5.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Strand and Nichols introduced—

S. F. No. 1513: A bill for an act relating to game and fish; changing state payments to local units of government for certain land uses; amending Minnesota Statutes 1976, Section 97.49, Subdivision 3.

Referred to the Committee on Agriculture and Natural Resources.

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. 713, 617, 1415, 667, 845, 916, 1382, 616, 833, 963 and 1166.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 5, 1977

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 13, 499, 721, 880 and 1423.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 6, 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. 1467: A bill for an act relating to the organization and operation of state government; appropriating money for the general administrative and judicial expenses of state government and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; amending Minnesota Statutes 1976, Sections 10.30; 16A.095, Subdivision 2; 16A.10, Subdivisions 1 and 2; 16A.11, Subdivisions 2 and 3; 43.09, Subdivision 2; 43.31; 98.46, by adding a subdivision; 168.33, Subdivisions 2 and 7; 176.602; 183.545, Subdivisions 1, 3 and 4; 183.57, Subdivision 2; 186.04; 260.311, 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.

Senate File No. 1467 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 5, 1977

Mr. Moe moved that the Senate do not concur in the amendments by the House to S. F. No. 1467 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 Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 99: A bill for an act relating to Wabasha county; authorizing the sale of Buena Vista sanitarium after rejection of bids.

Senate File No. 99 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 5, 1977

CONCURRENCE AND REPASSAGE

Mr. Laufenburger moved that the Senate concur in the amendments by the House to S. F. No. 99 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 99 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, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 760: A bill for an act relating to natural resources; establishing a season for taking deer and bear with muzzle loading firearms; amending Minnesota Statutes 1976, Section 100.27, Subdivisions 2 and 9.

Senate File No. 760 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 5, 1977

CONCURRENCE AND REPASSAGE

Mr. Knutson moved that the Senate concur in the amendments by the House to S. F. No. 760 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 760 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 45 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Kleinbaum	Nichols	Sieloff
Ashbach	Frederick	Knutson	Olhoft	Sikorski
Bang	Gearty	Lessard	Olson	Sillers
Benedict	Gunderson	Luther	Penny	Solon
Bernhagen	Hanson	McCutcheon	Pillsbury	Stokowski
Brataas	Humphrey	Menning	Purfeerst	Ueland, A.
Davies	Jensen	Merriam	Renneke	Ulland, J.
Dieterich	Keefe, J.	Moe	Schmitz	Vega
Dunn	Kirchner	Nelson	Setzepfandt	Wegener

Those who voted in the negative were:

Chmielewski	Keefe, S.	Peterson	Staples	Stumpf
Coleman	Knoll	Spear	Strand	Willet
Johnson	Lewis			

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 that the House refuses to concur in the Senate amendments to House File No. 320.

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.

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

Reding, St. Onge and Rose have been appointed as such committee on the part of the House.

House File No. 320 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 5, 1977

Mr. Luther, for Mr. Milton, moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 320, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 167 and 875.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 5, 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. 1489: A bill for an act relating to the organization and operation of state government; appropriating money for maintenance of various semi-state activities and for other purposes; amending Minnesota Statutes 1976, Sections 139.08, Subdivision 5; 139.10, by adding a subdivision; 343.08; 343.12; 346.216; Chapter 139, by adding sections; repealing Minnesota Statutes 1976, Sections 343.02; and 343.03.

Senate File No. 1489 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1977

Mr. Moe moved that the Senate do not concur in the amendments by the House to S. F. No. 1489 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 Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 919: A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; amending Minnesota Statutes 1976, Section 169.80, Subdivision 2.

Senate File No. 919 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1977

CONCURRENCE AND REPASSAGE

Mr. Schmitz moved that the Senate concur in the amendments by the House to S. F. No. 919 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 919 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	Gearty	Laufenburger	Penny	Solon
Bang	Gunderson	Lessard	Perpich	Spear
Benedict	Hanson	Lewis	Peterson	Staples
Bernhagen	Humphrey	Luther	Pillsbury	Stokowski
Brataas	Jensen	McCutcheon	Purfeerst	Strand
Chmielewski	Johnson	Menning	Renneke	Stumpf
Coleman	Keefe, J.	Merriam	Schmitz	Ueland, A.
Davies	Keefe, S.	Moe	Schrom	Ulland, J.
Dieterich	Kirchner	Nelson	Setzepfandt	Vega
Dunn	Kleinbaum	Nichols	Sieloff	Wegener
Engler	Knoll	Olhoff	Sikorski	Willet
Frederick	Knutson	Olson	Sillers	

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1060, 1475, 613, 733 and 1610.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 6, 1977

FIRST READING OF HOUSE BILLS

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

H. F. No. 167: A bill for an act relating to public welfare; providing liability insurance to all foster boarding homes licensed by the department of public welfare; appropriating money; amending Minnesota Statutes 1976, Chapter 245, by adding a section.

Referred to the Committee on Finance.

H. F. No. 875: A bill for an act relating to the state housing finance agency; setting the amount of bonds and notes that may be outstanding; clarifying eligibility; providing for fund administration and repayment requirements; appropriating money; amending Minnesota Statutes 1976, Sections 462A.03, Subdivisions 7 and 13; 462A.05, Subdivisions 5 and 15; 462A.07, Subdivision 12, and by adding subdivisions; 462A.21, Subdivisions 4a and 4b, and by adding a subdivision; and 462A.22, Subdivision 1.

Referred to the Committee on Rules and Administration.

H. F. No. 1060: A bill for an act relating to education; loans to medical students; changing requirements for loan forgiveness and limitations on loan amounts; amending Minnesota Statutes 1976, Section 147.30.

Referred to the Committee on Finance.

H. F. No. 1475: A bill for an act relating to taxation; providing

changes in classification ratios and assessment procedures; increasing local government aids and certain tax credits; altering levy limits; imposing a minimum tax on certain types of income; establishing tax study committee; increasing the tax on taconite production and providing for the distribution of its proceeds; establishing a taconite area environmental protection and economic development fund and council; establishing a Northeast Minnesota economic protection fund; imposing a tailings tax; increasing the tax on unmined taconite; requiring owners and lessees of mineral rights to file exploration data with the commissioner of revenue; providing penalties; appropriating money; amending Minnesota Statutes 1976, Sections 124.212, Subdivisions 10 and 11; 273.11, Subdivisions 1 and 2; 273.12; 273.13, Subdivisions 6, 7 and 14a; 273.132; 273.134; 274.01, Subdivision 1; 275.50, Subdivision 5; 275.51, by adding a subdivision; 275.52, Subdivisions 2, 3 and 4; 275.53, Subdivisions 1 and 3; 278.01; 278.05; 287.241, Subdivision 2; 290.012, Subdivision 2; 290.09, Subdivision 4; 290A.03, Subdivisions 3, 11 and 13; 290A.04, Subdivision 2, and by adding a subdivision; 294.26; 298.03; 298.22, Subdivision 1; 298.24, Subdivisions 1 and 2; 298.244, Subdivision 2; 298.25; 298.26; 298.27; 298.28, Subdivision 1; 298.282, Subdivisions 1 and 2; 375.192, by adding a subdivision; 477A.01, Subdivisions 1, 2, 4, 4a, 4b, and by adding a subdivision; 477A.03; and Chapters 3, 272, 287, 290, 298 and 477A, by adding sections; repealing Minnesota Statutes 1976, Sections 275.51, Subdivisions 3b and 3c; 287.241, Subdivisions 3 and 4; 290.09, Subdivision 26; 294.27; 294.28; 298.241; 298.243; 298.244, Subdivision 1; 298.28, Subdivision 1a; 298.281; Extra Session Laws 1971, Chapter 31, Article XIII; Laws 1973, Chapter 601; Laws 1975, Chapter 437, Article VII; and Laws 1976, Chapter 149, Section 58.

Mr. McCutcheon moved that H. F. No. 1475 be laid on the table. The motion prevailed.

H. F. No. 613: A bill for an act relating to the operation of state government; establishing an office of volunteer services within the office of the governor; coordinating volunteer programs throughout the state; appropriating money.

Referred to the Committee on Governmental Operations.

H. F. No. 733: A bill for an act relating to the state transportation system; authorizing the issuance and sale of Minnesota trunk highway bonds under the provisions of Minnesota Constitution, Article XI, Sections 4 to 7, and Article XIV, Section 11, and authorizing the expenditure of the proceeds thereof for trunk highway bridges and approaches; authorizing the issuance and sale of Minnesota state transportation bonds under the provisions of Minnesota Constitution, Article XI, and authorizing the expenditure thereof for grants to political subdivisions for design, construction and reconstruction of certain bridges; appropriating money.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 738 now on General Orders.

H. F. No. 1610: A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and for other purposes; amending Minnesota Statutes 1976, Sections 161.125, Subdivision 1; 219.40; and 299D.03, Subdivision 5; repealing Minnesota Statutes 1976, Sections 161.125, Subdivision 2; 161.50; 219.401; and 299D.03, Subdivision 4.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1490 now on General Orders.

REPORTS OF COMMITTEES

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

Mr. Tennesen from the Committee on Commerce, to which was referred the following appointment as reported in the Journal for April 13, 1977:

DEPARTMENT OF COMMERCE COMMISSIONER OF INSURANCE

Berton W. Heaton

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

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

Mr. Tennesen from the Committee on Commerce, to which were referred the following appointments as reported in the Journal for January 6, 1977:

CABLE COMMUNICATIONS BOARD

Ms. Mary S. Burich

Gertrude Ulrich

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

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

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

H. F. No. 1094: A bill for an act relating to insurance; providing for competitive bids on group contracts for certain public bodies; amending Minnesota Statutes 1976, Section 471.616, Subdivision 1.

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

Page 1, reinstate the stricken language in lines 19 to 21

Page 1, line 21, before the period insert " , *Subdivisions 1, 2, 4 and 5*"

Page 2, reinstate the stricken language in lines 16 to 19

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

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

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

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

Page 1, line 17, strike "that" and insert "and in the same manner as"

Page 1, line 18, strike "15 USC 1232" and insert "Pub. L. 85-506, section 3"

Page 2, after line 2 insert:

"Sec. 2. This act shall not apply to trucks supplied by dealers in other states, or to trucks for which the annual sales in Minnesota of the previous model year were less than 200."

Page 2, line 5, strike "1978" and insert "1979"

ReNUMBER the sections in sequence

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

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

S. F. No. 1087: A bill for an act relating to nonprofit health service plan corporations; modifying retained surplus requirements; amending Minnesota Statutes 1976, Section 62C.09, Subdivision 3.

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 62C.09, Subdivision 3, is amended to read:

Subd. 3. If organized on a capital stock basis, a service plan corporation shall never reduce its capital, and both capital stock and membership corporations shall maintain a surplus, in addition to all reserves established, of not less than the greater of the initial surplus reduced by \$100,000, or 25 16 $\frac{2}{3}$ percent of the sum of all health service claims incurred, and administrative expenses in connection therewith, during the previous *most recent* calendar

year. The surplus shall not exceed 50 33 1/3 percent of the sum of all health service claims incurred, and administrative expenses in connection therewith, during the previous most recent calendar year unless such amount is less than the initial surplus reduced by \$100,000. The percentage amounts shall be determined from a financial statement and certified audit filed annually and subject to verification of an examination by the commissioner."

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

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

H. F. No. 259: A bill for an act relating to insurance; requiring refund of unearned premium on cancellation of certain automobile insurance policies; amending Minnesota Statutes 1976, Section 65B.14; and Chapter 65B, by adding sections.

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

Page 2, line 8, after "sedan" strike the comma

Page 3, line 10, strike "No"

Page 3, strike lines 11 to 16 and insert "*Any unearned premium due to an insured upon cancellation of a policy pursuant to sections 65B.15 and 65B.16 shall be mailed or delivered to the insured by the insurer or its agent on or before the effective date of the cancellation. An insurer failing to make a timely refund as specified in this section shall pay a penalty to the insured in the amount of ten percent of the amount due to the insured.*"

Amend the title as follows:

Page 1, line 2, after "requiring" insert "timely"

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

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

H. F. No. 972: A bill for an act relating to fire and casualty loss insurance companies; regulating termination of agency contracts; requiring certain notice before termination; prescribing civil penalties.

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

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

S. F. No. 1435: A bill for an act relating to insurance; requiring insurers to supply cover sheets for insurance policies; requiring insurers to issue readable insurance policies; establishing testing procedures for readability.

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

Strike everything after the enacting clause and insert:

"Section 1. [CITATION.] This act may be cited as the "Readability of Insurance Policies Act."

Sec. 2. [PURPOSE.] The purpose of this act is to provide that insurance policies and contracts be readable and understandable to a person of average intelligence, experience, and education. All insurers shall be required by this act to use policy and contract forms which are written in simple and commonly used language, which are logically and clearly arranged, which are printed in a legible format, and which are generally understandable. It is not the intent of this act to mandate, require or allow alteration of the legal effect of any provision of any insurance policy or contract.

Sec. 3. [SCOPE.] Except as otherwise specifically provided, this act shall apply to all policies or contracts of direct insurance, issued by persons authorized at any time to transact insurance in this state and including nonprofit health service plan corporations under Minnesota Statutes, Chapter 62C, health maintenance organizations under Minnesota Statutes, Chapter 62D, assessment benefit associations under Minnesota Statutes, Chapter 63, and fraternal beneficiary associations under Minnesota Statutes, Chapter 64A. This act shall not apply to insurance as described in Minnesota Statutes, Section 60A.20, Subdivision 17, Clauses (2) and (3), and the master contract for any policy of group insurance when the group consists of ten or more persons. This act shall not apply to policies or contracts issued prior to July 1, 1980 under which there is no unilateral right of the insurer to cancel, nonrenew, amend or change in any way, unless the policy or contract is amended or changed by mutual agreement of the parties. Sections 1 to 13 shall not apply to a new policy or contract written in language other than English.

Sec. 4. [DEFINITIONS.] Subdivision 1. For purposes of sections 1 to 13, the following terms shall have the meanings given them.

Subd. 2. "Commissioner" means the commissioner of insurance or his designated agent.

Subd. 3. "Flesch scale analysis readability score" means a measurement of the ease of readability of a policy or contract made pursuant to the procedures prescribed in section 9.

Subd. 4. "Insurance policy or contract" or "policy" means any written agreement within the scope of sections 1 to 13 whereby one person, for consideration, undertakes to indemnify another person or persons to a specified amount against loss or damages from specified causes, or to do some act of value to the insured in case of specified loss or damage. The agreements specifically include a nonprofit health service plan subscriber contract under Minnesota Statutes, Chapter 62C, a health maintenance contract under Minnesota Statutes, Chapter 62D, and a membership certificate in an

assessment benefit association under Minnesota Statutes, Chapter 63, or a fraternal beneficiary association under Minnesota Statutes, Chapter 64A.

Subd. 5. "Insurer" means every person entering insurance policies or contracts as a principal.

Subd. 6. "Legible type" means a type face at least as large as ten point modern type, one point leaded.

Subd. 7. "Person" means any individual, corporation, partnership, association, business trust or voluntary organization.

Sec. 5. [COVER SHEET REQUIREMENTS.] Subdivision 1. All insurance policies or contracts issued, amended or renewed after July 1, 1978 and before the filing requirements of section 10 take effect shall contain as the first page or first page of text, if it is preceded by a title page or pages, a cover sheet or sheets as provided in this section.

Subd. 2. The cover sheet or sheets shall be printed in legible type and readable language, as provided in section 6, and shall contain at least the following:

(a) A brief statement that the policy is a legal contract between the policy owner and the company;

(b) The statement "READ YOUR POLICY CAREFULLY. This cover sheet provides only a brief outline of some of the important features of your policy. This is not the insurance contract and only the actual policy provisions will control. The policy itself sets forth, in detail, the rights and obligations of both you and your insurance company. IT IS THEREFORE IMPORTANT THAT YOU READ YOUR POLICY CAREFULLY."; and

(c) An index of the major provisions of the policy or contract and the pages on which they are found which may include the following items:

- (1) the person or persons insured by the policy,
- (2) the applicable events, occurrences, conditions, losses or damages covered by the policy,
- (3) the limitations or conditions on the coverage of the policy,
- (4) definitional sections of the policy,
- (5) provisions governing the procedure for filing a claim under the policy,
- (6) provisions governing cancellation, renewal, or amendment of the policy by either the insurer or the policyowner,
- (7) any options under the policy, and
- (8) provisions governing the insurer's duties and powers in the event that suit is filed against the insured.

Subd. 3. The cover sheet may include, either as part of the index or as a separate section, a brief summary of the extent and types of coverage in the policy.

Subd. 4. No cover sheet shall be used unless it has been filed with and approved by the commissioner. The cover sheet shall be deemed approved 30 days after filing unless disapproved by the commissioner within the 30 day period, subject to a reasonable extension of time as the commissioner may require by notice given within the 30 day period. The commissioner shall disapprove any cover sheet which does not meet the requirements of this section. Any disapproval shall be delivered to the insurer in writing, stating the grounds therefor.

Subd. 5. In lieu of the cover sheet required by this section, the insurer may file a policy or contract with the commissioner under the provisions of sections 6 to 8.

Sec. 6. [READABILITY.] Subdivision 1. All insurance policies filed with the commissioner pursuant to section 11 shall be written in language easily readable and understandable by a person of average intelligence and education.

Subd. 2. In determining whether a policy or contract is readable within the meaning of this section the commissioner shall consider, at least, the following factors:

(a) the simplicity of the sentence structure and the shortness of the sentences used;

(b) the extent to which commonly used and understood words are employed;

(c) the extent to which legal terms are avoided;

(d) the extent to which references to other sections or provisions of the contract are minimized;

(e) the extent to which definitional provisions are incorporated in the text of the policy or contract; and

(f) any additional factors relevant to the readability or understandability of an insurance policy or contract which the commissioner may prescribe by rule.

Sec. 7. [LEGIBILITY.] Subdivision 1. All insurance policies covered by section 11 shall be printed in legible type and in a type face style approved by the commissioner. The commissioner shall by emergency rule establish a list of type face styles which he will approve as acceptable not later than January 1, 1978.

Subd. 2. In determining whether a policy or contract is legible the commissioner shall consider, in addition to the requirements of subdivision 1 relating to type face size and style, the following factors:

(a) margin size;

(b) contrast and legibility of the color of the ink and paper;

(c) the amount and use of space to separate sections of the policy;

(d) the use of contrasting titles or headings for sections or similar aids; and

(e) any additional factors relevant to legibility which the commissioner may prescribe by rule.

Sec. 8. [FORMAT REQUIREMENTS.] Subdivision 1. All insurance policies and contracts covered by section 11 shall be written in a logical, clear, and understandable order and form and shall contain at least the following items:

(a) on the cover or first or an insert page of the policy a statement that the policy is a legal contract between the policyowner and the company and the statement, printed in larger or other contrasting type or color, "Read your policy carefully";

(b) an index of the major provisions of the policy or contract, which may include the following items:

(1) the person or persons insured by the policy;

(2) the applicable events, occurrences, conditions, losses or damages covered by the policy;

(3) the limitations or conditions on the coverage of the policy;

(4) definitional sections of the policy;

(5) provisions governing the procedure for filing a claim under the policy;

(6) provisions governing cancellation, renewal, or amendment of the policy by either the insurer or the policyowner;

(7) any options under the policy; and

(8) provisions governing the insurer's duties and powers in the event that suit is filed against the insured.

Subd. 2. In determining whether a policy or contract is written in a logical, clear, and understandable order and form the commissioner shall consider the following factors:

(a) the extent to which each provision for coverage is stated separately in a self-contained section, including the conditions relating to or limiting that section's effect;

(b) the extent to which sections or provisions are set-off and clearly identified by titles, headings, or margin notations;

(c) the use of a more easily understandable format such as narrative or outline forms; and

(d) any additional factors relevant to a logical, clear, and understandable format which the commissioner may prescribe by rule.

Sec. 9. [FLESCH SCALE ANALYSIS READABILITY SCORE, PROCEDURES.] A Flesch scale analysis readability score shall be measured as provided in this section.

(1) For contracts containing 10,000 words or less of text, the entire contract shall be analyzed. For contracts containing more than 10,000 words the readability of two 200 word samples per

page may be analyzed in lieu of the entire contract. The samples shall be separated by at least 20 printed lines. For purposes of this clause a word shall be counted as 5 printed characters or spaces between characters.

(2) (a) (i) The number of words and sentences in the text shall be counted and the total number of words divided by the total number of sentences. The figure obtained shall be multiplied by a factor of 1.015.

(ii) The total number of syllables shall be counted and divided by the total number of words. The figure obtained shall be multiplied by a factor of 84.6.

(iii) The sum of the figures computed under (i) and (ii) subtracted from 206.835 equals the Flesch scale analysis readability score for the policy or contract.

(b) For purposes of clause (a) the following procedures shall be used:

(i) A contraction, hyphenated word, or numbers and letters, when separated by spaces, shall be counted as one word;

(ii) A unit of words ending with a period or colon, but excluding headings, captions, and lists, shall be counted as a sentence; and

(iii) A syllable means a unit of spoken language consisting of one or more letters of a word as divided by an accepted dictionary. Where the dictionary shows two or more equally acceptable pronunciations of a word, the pronunciation containing fewer syllables may be used.

Sec. 10. [FILING REQUIREMENTS; DUTIES OF THE COMMISSIONER.] Subdivision 1. No insurer shall make, issue, amend, or renew any policy or contract after the dates specified in section 11 for the applicable type of policy unless the contract is in compliance with the requirements of sections 6 to 9 and unless the contract is filed with the commissioner for his approval. The contract shall be deemed approved 90 days after filing unless disapproved by the commissioner within the 90 day period. The commissioner shall not unreasonably withhold his approval. Any disapproval shall be delivered to the insurer in writing, stating the grounds therefor. Any policy filed with the commissioner shall be accompanied by a Flesch scale readability analysis and test score and by the insurer's certification that the policy or contract is in its judgment readable based on the factors specified in sections 6 to 8.

Subd. 2. The commissioner shall disapprove any contract or policy covered by subdivision 1 if he finds that:

(a) it is not accompanied by a certified Flesch scale analysis readability score of more than 40;

(b) it is not accompanied by the insurer's certification that the policy or contract is in its judgment readable under the standards of this act;

(c) it does not comply with the readability standards established by section 6;

(d) it does not comply with the legibility standards established by section 7; or

(e) it does not comply with the format requirements established by section 8.

Sec. 11. [APPLICATION TO POLICIES, DATES; DUTIES OF THE COMMISSIONER.] Subdivision 1. The filing requirements of section 10 shall apply as follows:

(a) To all policies of private passenger vehicle insurance, as described in chapter 65B, and to all policies of homeowner's insurance as defined in the general custom and usage of the business or by a ruling of the commissioner or a court, which are made, issued, amended or renewed after July 1, 1979;

(b) To all policies of life insurance as defined in section 60A.06, subdivision 1, clause (4), to all certificates of a fraternal beneficiary association, as defined in section 64A.31, to all policies of accident and health insurance, as defined in section 60A.06, subdivision 1, clause (5), paragraph (a), to all subscriber contracts of nonprofit health service corporations as defined in section 62.02, and to all health maintenance contracts as defined in section 62D.02, which are made, issued, amended or renewed after July 1, 1980; and

(c) To all policies of any additional line or type of insurance within the scope of this act, as provided by any rule promulgated by the commissioner not later than July 1, 1981.

Subd. 2. The commissioner shall make the following reports to the legislature:

(a) On or before February 1, 1979 a report detailing and evaluating the efforts made by the commissioner and insurers to implement the provisions of subdivision 1, clause (a), and particularly examining the feasibility and practicality of requiring accident and health and life insurance policies to comply with this act and in the time prescribed;

(b) On or before February 1, 1980 a report detailing and evaluating (1) the operation of and the extent of compliance with this act, (2) the efforts made by the commissioner and insurers to implement the provisions of subdivision 1, clause (b), and (3) the commissioner's intent regarding the extension of the application of this act to other lines and types of insurance under subdivision 1, clause (c), and his reasons therefor.

Sec. 12. [COMMISSIONER'S POWERS AND DUTIES.] In addition to the duties and powers enumerated elsewhere in this act the commissioner shall have the power to promulgate rules consistent with this act to effectuate its purpose.

Sec. 13. [EFFECT ON OTHER PROVISIONS OF LAW, CONSTRUCTION.] Subdivision 1. This act shall not operate to relieve any insurer from any provision of law regulating the

contents or provisions of insurance policies, except to the extent that the provisions prescribe the use of specific language which is inconsistent with this act.

Subd. 2. No alteration in the language of the Minnesota standard fire insurance policy under Minnesota Statutes, Section 65A.01 or the standard provisions of health insurance policies under Minnesota Statutes, Section 62A.04, as authorized by sections 1 to 13, shall be construed to limit or reduce an insured's or beneficiary's rights granted under those statutory provisions.

Sec. 14. [EFFECTIVE DATE.] This act is effective on the day following its final enactment."

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

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

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

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 360.063, is amended by adding a subdivision to read:

Subd. 6a. [REVIEW OF VARIANCES GRANTED WHEN BOARD OF ADJUSTMENT FAILS TO ACT.] When the commissioner receives notice that an airport zoning variance has been granted by reason of the failure of a board of adjustment to act on the variance as provided in section 360.067, subdivision 2, he shall review the application and may amend or rescind the variance if he finds that this action is required to protect the public safety. No action of the commissioner pursuant to this subdivision shall be effective unless the commissioner notifies the applicant of that action within 60 days after receiving notice that the variance was granted. Any action taken by the commissioner pursuant to this subdivision shall be subject to review by the courts as provided in section 360.072.

Sec. 2. Minnesota Statutes 1976, Section 360.067, Subdivision 2, is amended to read:

Subd. 2. [VARIANCES.] Any person desiring to erect any structure, or increase the height of any structure, or permit the growth of any tree, or otherwise use his property in violation of airport zoning regulations adopted under Laws 1945, chapter 303 360, may apply to the board of adjustment, hereinafter provided for, for a variance from the zoning regulations in question. *If a*

person submits an application for a variance by certified mail to the members of the board and the board fails to grant or deny the variance within four months after the last member receives the application, the variance shall be deemed to be granted by the board. When the variance is granted by reason of the failure of the board to act on the variance, the person receiving the variance shall notify the board and the commissioner of transportation by certified mail that the variance has been granted. The applicant shall include a copy of the original application for the variance with this notice to the commissioner. The variance shall be effective 60 days after this notice is received by the commissioner subject to any action taken by the commissioner pursuant to section 360.063, subdivision 6. Such variances shall be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but do substantial justice and be in accordance with the spirit of the regulations and Laws 1945, chapter 303 360 ; provided, any variance may be allowed subject to any reasonable conditions that the board of adjustment may deem necessary to effectuate the purposes of this act.

Sec. 3. Minnesota Statutes 1976, Section 360.072, Subdivision 1, is amended to read:

360.072 [JUDICIAL REVIEW.] Subdivision 1. [PETITION.] Any person aggrieved, or taxpayer affected, by any decision of a board of adjustment, or of any action of the commissioner taken under section 360.063, ~~subdivision subdivisions 6 or 6a~~, or any governing body of a municipality or county, or any joint airport zoning board, which is of the opinion that a decision of a board of adjustment or action of the commissioner is illegal may present to the district court of the county in which the airport involved, or the major portion thereof, is located a verified petition setting forth that the decision or action is illegal, in whole or in part, and specifying the grounds of the illegality. Such petition shall be presented to the court within 30 days after the decision is filed in the office of the board, or the action taken by the commissioner."

Amend the title as follows:

Page 1, line 2, strike "requiring boards of"

Page 1, strike lines 3 to 9 and insert

"providing that airport zoning variances be deemed to be granted if a board of adjustment fails to act within four months of application; providing for review of such variances by the commissioner of transportation; amending Minnesota Statutes 1976, Sections 360.063, by adding a subdivision; 360.067, Subdivision 2; and 360.072, Subdivision 1."

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

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

H. F. No. 903: A bill for an act relating to public transportation; making state commuter vans available for use by blind vending operators working on state property; amending Minnesota Statutes 1976, Section 16.756.

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

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

H. F. No. 818: A bill for an act relating to highway traffic regulations; implements of husbandry; restricting the speed of certain implements of husbandry on the highways; providing a penalty; amending Minnesota Statutes 1976, Chapter 169, by adding a section.

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

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

H. F. No. 817: A bill for an act relating to highway traffic regulations; weight limitations; providing that weight increases for haulers of raw and unfinished forest products shall be statewide during certain periods; amending Minnesota Statutes 1976, Section 169.83, Subdivision 1.

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

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

S. F. No. 1422: A bill for an act relating to unemployment compensation; providing for conformity with federal requirements; providing for agricultural and domestic service employees; defining independent contractors; altering covered employment; changing certain accounting periods; regulating employer's contributions; permitting joint employer accounts; providing for the noncharging of certain benefits; providing for extended benefits; providing for certain public employees; providing for release of certain information; amending Minnesota Statutes 1976, Sections 268.04, Subdivisions 10, 12 and 22, and by adding a subdivision; 268.05, Subdivision 5; 268.06, Subdivisions 1, 5, 21, 22, 25 and 28, and by adding subdivisions; 268.07, by adding a subdivision; 268.071, Subdivisions 1 and 6; 268.08, Subdivision 5, and by adding subdivisions; 268.09, Subdivision 1; 268.11, Subdivision 2; and 268.12, Subdivision 12; repealing Minnesota Statutes 1976, Section 268.08, Subdivision 5.

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

Page 5, lines 14 to 32, restore the stricken language and strike the new language

Page 6, strike lines 1 to 7

Page 6, line 10, restore the stricken "(a)" and strike "(b)"

Page 6, line 11, restore the stricken "or"

Page 6, line 12, restore the stricken "(b)" and strike "(c)"

Page 6, line 27, restore the stricken "(b)" and strike "(c)"

Page 11, line 3, after the comma insert *"or as a temporary employee of the state legislature or of a legislative commission,"*

Page 21, strike lines 2 to 16

Page 23, after line 7, insert:

"Sec. 4. Minnesota Statutes 1976, Section 268.04, Subdivision 23, is amended to read:

Subd. 23. "Unemployment." An individual shall be deemed "unemployed" in any week during which he performs no service and with respect to which no wages are payable to him, or in any week of less than full time work if the wages payable to him with respect to such week are less than his weekly benefit amount, *provided that no permanent employee of the legislature or a legislative commission shall be deemed to be unemployed while on a leave of absence*. Any individual unemployed as a result of a uniform vacation shutdown shall not be deemed to be voluntarily unemployed. The commissioner may, in his discretion, prescribe regulations relating to the payment of benefits to such unemployed individuals."

Page 23, line 13, before the period insert *" , or any school (1) which operates on a nonprofit basis, (2) which admits only pre-kindergarten children, (3) which has as its primary purpose the education of its students as determined by the commissioner of public welfare pursuant to section 245.791, clause (15), and (4) which operates on a regular basis for at least eight months and no more than nine months a year. "*

Pages 23 to 25, strike section 5

Pages 27 to 29, strike sections 8 and 9

Page 35, line 3, strike "7" and insert "4"

Page 41, line 16, after the first "or" insert *"all"*

Page 41, line 16, after the first *"the"* insert *"employees of the"*

Page 41, line 16, strike the second "or" and insert *"and the"*

Page 42, line 25, after *"years"* insert *"or terms"*

Page 43, line 15, strike the period and insert *" , and"*

Page 43, after line 15, insert

"(c) With respect to any services described in clause (a) or (b), compensation payable on the basis of such services shall not be paid to any individual for any week which commences during an estab-

lished and customary vacation period or holiday recess if such individual performs such services in the period immediately before such vacation period or holiday recess, and there is a reasonable assurance that such individual will perform such services in the period immediately following such vacation period or holiday recess."

Page 43, line 27, strike "service" and insert "services"

Page 43, line 28, strike "the" and insert "such"

Page 43, line 28, strike "has been" and insert "was"

Page 43, strike lines 29 to 32 and insert "for permanent residence at the time such services were performed, was lawfully present for the purposes of performing such services, or was permanently residing in the United States under color of law at the time such services were performed (including an alien who was lawfully present in the United States as a result of the application of the provision of section 203(a) (7) or section 212(d) (5) of the Immigration and Nationality Act)."

Page 44, strike line 1

Page 44, strike lines 11 to 20

Page 48, lines 26 to 30, restore the stricken language

Page 48, line 28, after "dispute" insert "at his primary place of employment"

Pages 49 and 50, strike section 20 and insert:

"Sec. 18. Minnesota Statutes 1976, Section 268.12, Subdivision 5, is amended to read:

Subd. 5. [ASSISTANCE.] (1) Subject to the provisions of the state civil service act and to the other provisions of sections 268.03 to 268.24 the commissioner is authorized to appoint, and prescribe the duties and powers of, such officers, accountants, attorneys, experts, and other persons as may be necessary in the performance of his duties thereunder. The commissioner may delegate to any such person so appointed such power and authority as he deems reasonable and proper for the effective administration of those sections and may, in his discretion, bond any person handling moneys or signing checks thereunder. The commissioner is authorized to adopt such personnel and fiscal regulations as he deems necessary to satisfy fiscal and personnel standards required by the secretary of labor pursuant to the Social Security Act, as amended, and the act of Congress entitled "An act to provide for the establishment of a national employment system and to cooperate with the states in the promotion of such system and for other purposes," approved June 6, 1933, as amended. The commissioner may, subject to the approval of the commissioner of administration, also adopt regulations relating to reimbursement to department employees for travel expenses incurred while traveling on official business including allowances on a per diem basis in lieu of actual subsistence expenses incurred. The commissioner is also hereby authorized to purchase liability and property damage automobile insurance to cover any

automobiles owned by the Minnesota department of employment services for the protection of its employees who may be required to operate the same in pursuit of their duties for the department.

The attorney general shall appoint an assistant attorney general and two special assistant attorneys general, to be in addition to the number now authorized by law. The assistant attorney general shall be the attorney and the chief counsel for the department of employment services. Such assistant and special assistant attorneys general shall receive the same salary as the other assistant and special assistant attorneys general, but devote their entire time to this department. Such assistant and special assistant attorneys general shall have the power to act for and represent the attorney general in all matters in which the attorney general is authorized to act for the commissioner by these sections. The compensation and all expenses and disbursements of such assistant and special assistant attorneys general shall be paid from the moneys appropriated to and for the use of the commissioner.

(2) (a) No officer or employee engaged in the administration of these sections shall use his official authority to influence for the purpose of interfering with an election or affecting the results thereof. No person engaged in the administration of these sections who holds a position in the state classified service pursuant to provisions contained in the state civil service act, while retaining the right to vote as he pleases and to express privately his opinion on all political subjects, shall take an active part in political management or campaigns;

(b) No officer or employee engaged in the administration of these sections shall solicit or receive or be in any manner concerned in soliciting or receiving any assessment, subscription, or contribution for any political purpose for any person;

(c) (2) No officer or employee engaged in the administration of these sections shall, for political purposes, furnish or disclose, or aid or assist in furnishing or disclosing, any list or names of persons obtained in the administration of these sections, to a political candidate, committee, campaign manager, or to any person for delivery to a political candidate, committee, or campaign manager, and it shall be unlawful for any person to receive any such list or names for political purposes."

Pages 50 to 52, strike section 21

Page 52, line 22, strike "is" and insert "and that portion of Laws 1975, Chapter 433, Section 11, Subdivision 4, referring to Minnesota Statutes 268.08, Subdivision 5, Clause (b) are"

Page 52, lines 23 and 24, strike "5, 6, 9, 13, 17, 19, 20, 21 and 22" and insert "4, 6, 11, 15, 18 and 19"

Page 52, line 29, strike "15" and insert "13"

Page 52, line 30, strike "4" and insert "5"

Page 52, line 30, after "8" insert "9,"

Page 52, line 30, strike "11,"

Page 52, line 30, strike "18 and 23" and insert "and 20"

Page 52, line 31, after the period insert "Section 17 is effective July 2, 1977."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, strike "defining independent contractors;"

Page 1, line 6, strike "changing certain"

Page 1, line 7, strike "accounting periods;"

Page 1, line 8, strike "permitting joint employer accounts;"

Page 1, line 11, strike "providing for release of"

Page 1, line 12, strike "certain information" and insert "allowing certain political activities"

Page 1, line 13, after "22," insert "and 23,"

Page 1, line 14, strike "268.05, Subdivision"

Page 1, line 15, strike "5;"

Page 1, line 15, strike "21, 22,"

Page 1, line 19, strike "268.11, Subdivision 2;"

Page 1, line 20, strike "12" and insert "5"

Page 1, line 21, before the period insert "; and a portion of Laws 1975, Chapter 433, Section 11, Subdivision 4"

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

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

S. F. No. 867: A bill for an act relating to housing; providing an exception to the interest limitation for borrowing by housing and redevelopment authorities; making certain changes in the laws relating to the operation of the housing finance agency; making cooperatives eligible for housing finance agency programs; establishing certain loan and assistance programs; increasing the bonding limitations of the agency; providing for a demonstration project for energy conserving construction; appropriating money; amending Minnesota Statutes 1976, Sections 462.555; 462A.03, Subdivision 13; 462A.05, Subdivisions 3, 5, 14, 15, and by adding subdivisions; 462A.07, Subdivision 12, and by adding subdivisions; 462A.09; 462A.21, Subdivisions 4a, 4b, and by adding subdivisions; and 462A.22, Subdivisions 1 and 9, and by adding a subdivision; repealing Minnesota Statutes 1976, Section 462A.26.

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

Page 14, line 2, after "lands" insert ", or by personnel of the

university of Minnesota assigned to the lake Itasca forestry and biological station and their families."

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

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

S. F. No. 1337: A bill for an act relating to state employees; providing for wage and fringe benefits for certain state employees; ratifying collective bargaining agreements; providing emergency rule making authority; increasing salary ranges; appropriating money; amending Minnesota Statutes 1976, Chapter 43, by adding a section; Sections 43.09, Subdivision 3; 43.12, Subdivisions 2, 3, 5, 6, 7, 8, 10, 11, 14, 16, and 17, and by adding a subdivision; 43.122, Subdivision 3, and by adding a subdivision; 43.126, Subdivision 1; 43.323, by adding a subdivision; 43.42; 43.44, Subdivision 1; 43.46; and 43.50, Subdivision 1; repealing Minnesota Statutes 1976, Sections 43.09, Subdivision 7; and 43.12, Subdivisions 4 and 9.

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

Page 2, line 1, strike "*local No. 49*" and insert "*locals No. 34, 49 and 808*"

Page 2, line 4, after the comma insert "*the Minnesota administrative hearing officers association,*"

Page 11, line 15, strike everything after the period

Page 11, strike lines 16 and 17

Page 11, line 18, strike "*state treasury.*"

Page 11, line 18, before "*The*" insert "*In order to enable the commissioner of finance to maintain proper records covering the appropriations made pursuant to subdivision 10, he may require certification as he deems necessary from any state agency, the Minnesota historical society, or the university of Minnesota of the amounts needed by them under subdivision 10.*"

Page 18, delete line 5 and insert "*each eligible employee who elects to participate,*"

Page 19, line 5, strike everything after the period

Page 19, strike line 6

Page 19, line 7, strike everything before "*In*"

Page 19, line 9, strike "*by*" and insert "*pursuant to*"

Page 19, line 11, strike "*department*" and insert "*agency, the Minnesota historical society, or the university of Minnesota*"

Page 20, delete lines 9 to 14 and insert:

"Sec. 26. [APPROPRIATIONS.] Subdivision 1. [COST OF

LIVING INCREASES.] *The amounts necessary to pay cost of living increases pursuant to section 43.12, subdivision 10, to classified employees and to unclassified employees who are paid salaries comparable to employees in civil service pay schedules A, B, and C, are appropriated from the various funds in the state treasury from which their salaries are paid to the commissioner of finance for the fiscal years ending June 30, 1978, and June 30, 1979. It is estimated that the amounts necessary will not exceed \$30,140,000 for the biennium, allocated as follows:*

*\$18,620,000 from the general fund,
\$470,000 from the trunk highway fund,
\$100,000 from the state airports fund,
\$380,000 from the highway user tax distribution fund,
\$1,200,000 from the game and fish fund, and
\$9,370,000 from other funds.*

Subd. 2. [INSURANCE PREMIUM INCREASES.] *The amounts necessary to pay increased premium rates for basic life insurance and basic health benefit coverage authorized for eligible state employees and their dependents, in the event that these rates are increased over the rates in existence at the time of the passage of this act, are appropriated from the various funds in the state treasury from which these premiums are paid to the commissioner of finance for the fiscal years ending June 30, 1978 and June 30, 1979. It is estimated that the amounts necessary will not exceed \$18,860,000 for the biennium, allocated as follows:*

*\$13,450,000 from the general fund,
\$3,050,000 from the trunk highway fund,
\$30,000 from the state airports fund,
\$80,000 from the highway user tax distribution fund,
\$260,000 from the game and fish fund, and
\$1,990,000 from other funds.*

Subd. 3. [TRANSFERS; NOTICE.] *The commissioner shall transfer the necessary amounts to the proper accounts and shall promptly notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the amount transferred to each appropriation account.*

Subd. 4. [CERTIFICATION.] *Money certified as needed by the university of Minnesota and transferred to it under this section shall be used only for the purpose certified. Any amount transferred that exceeds the actual amount of cost of living increases or insurance premium increases paid to or for university employees until June 30, 1979 shall be returned to the general fund."*

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

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

H. F. No. 980: A bill for an act relating to public health; regulations for the preservation of public health; authorizing the state board of health to regulate the establishment, operation and maintenance of certain non-hospital clinical laboratories; amending Minnesota Statutes 1976, Section 144.12, Subdivision 1.

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

Page 4, line 29, after the period, insert:

"The provisions of this clause shall expire 30 days after the conclusion of any fiscal year in which the federal government pays for less than 45 percent of the cost of administering this clause."

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

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

S. F. No. 227: A bill for an act relating to education; loans to medical students; changing requirements for loan forgiveness and limitations on loan amounts; amending Minnesota Statutes 1976, Section 147.30.

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

Page 3, after line 4, insert:

"Sec. 2. Minnesota Statutes 1976, Section 147.31, is amended to read:

147.31 [BONDS.] The higher education coordinating board is authorized to issue revenue bonds, notes, bond anticipation notes and refunding revenue bonds in accordance with and pursuant to the provisions on revenue bonds for student loans contained in chapter 136A for the purpose of securing funds necessary for renewing loans to medical and osteopathic students and \$120,000 \$144,000 per year for new loans for the program authorized pursuant to sections 147.30 to 147.33. Such bonds may be issued and secured in all respects as provided in the said chapter 136A and sections 147.30 to 147.33. The higher education coordinating board is authorized to issue its revenue bonds to refund any revenue bonds issued under the provisions of sections 147.30 to 147.33, such refunding to be accomplished in accordance with the applicable provisions of chapter 136A, the provisions of sections 147.30 to 147.33 and the provisions of the resolution authorizing the bonds to be refunded."

Renumber the sections accordingly

Page 3, line 5, strike "June" and insert "July"

Amend the title as follows:

Page 1, line 5, strike "Section" and insert "Sections"

Page 1, line 5, after "147.30" insert "and 147.31"

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

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

H. F. No. 1054: A bill for an act relating to welfare; aid to families with dependent children; changing certain eligibility qualifications; amending Minnesota Statutes 1976, Sections 256.73, Subdivisions 1, 2, 4, and by adding subdivisions; and 256.79.

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

Page 2, line 10, strike "such" and insert "the"

Page 2, line 26, strike "and regulations"

Page 2, line 27, strike "such" and insert "any"

Page 3, line 15, strike the semicolon and insert a period

Page 3, line 16, strike "provided, that"

Page 3, line 30, strike "said" and insert "the"

Page 4, strike all of section 5

Renumber the sections in sequence

Amend the title as follows:

Line 6, strike "subdivisions" and insert "a subdivision"

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

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

S. F. No. 1486: A bill for an act relating to public welfare; providing liability insurance to all foster boarding homes licensed by the department of public welfare; appropriating money; amending Minnesota Statutes 1976, Chapter 245, by adding a section.

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

Page 1, line 12, strike "may" and insert "*shall within the appropriation provided*"

Page 1, line 14, before the period insert "*, or established by the juvenile court and certified by the commissioner of corrections pursuant to section 260.185, subdivision 1, clause (c) (5)*"

Page 1, line 16, strike "\$80,000" and insert "\$122,000"

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

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

H. F. No. 829: A bill for an act relating to landlord and tenant; establishing period for which interest is payable on security deposit; providing a measure of damages for the improper withholding of security deposits; amending Minnesota Statutes 1976, Section 504.20, Subdivisions 2, 3, 4, 7 and 7a.

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

Page 1, line 12, strike "such"

Page 1, line 15, strike "such" and insert "the"

Page 1, line 18, strike "such" and insert "the"

Page 2, line 7, strike "such" and insert "the"

Page 2, line 13, strike "such" and insert "the"

Page 2, line 13, strike "as"

Page 2, line 19, strike the first "such" and insert "the"

Page 2, line 19, strike the second "such"

Page 2, line 19, strike "as are"

Page 2, line 27, strike "such" and insert "the"

Page 2, line 29, strike "such" and insert "the"

Page 3, line 7, after "the" strike "sum" and insert "portion"

Page 3, line 7, strike "such" and insert "the"

Page 3, line 7, after "deposit" insert "withheld by the landlord"

Page 3, line 8, strike "amount" and insert "portion"

Page 3, line 9, strike "such" and insert "the"

Page 3, line 9, after "deposit" insert "wrongfully withheld by the landlord"

Page 3, line 9, strike "withheld by the landlord"

Page 3, lines 12, 20, 22 and 31, strike "such" and insert "the"

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

Page 4, line 3, strike "such" and insert "the"

Page 4, line 8, strike "violates" and insert "remains in violation of"

Page 4, line 10, after the second "the" insert "portion of the"

Page 4, line 11, after "deposit" insert "which the landlord is entitled to withhold under subdivision 3 other than to remedy the tenant's default in the payment of rent,"

Amend the title as follows:

Page 1, line 5, after "deposits" and before the semicolon insert "and the improper withholding of rent payments"

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

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

S. F. No. 124: A bill for an act relating to women; establishing pilot programs to provide emergency shelter and support services to battered women; providing funds to establish community education programs about battered women; providing for data collection; appropriating money.

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

Page 2, line 1, strike "Director" and insert "Commissioner"

Page 2, line 1, strike "director of planning of" and insert "commissioner of the department of corrections"

Page 2, line 2, strike "the state planning agency"

Page 2, lines 4, 15, 18 and 31, strike "director" and insert "commissioner"

Page 3, lines 4, 8, 13, 14, 17 and 19, strike "director" and insert "commissioner"

Page 3, lines 9, 13, 16, 18 and 25, strike "community"

Page 3, line 19, strike "DIRECTOR" and insert "COMMISSIONER"

Page 4, lines 13, 27 and 32, strike "director" and insert "commissioner"

Page 4, line 13, strike "15" and insert "9"

Page 4, line 19, strike "Four of the members of the"

Page 4, line 20, strike "advisory task force" and insert "Persons appointed"

Page 4, line 20, strike "professionals" and insert "knowledgeable"

Page 4, line 27, strike "five"

Page 4, line 28, strike "In the"

Page 4, strike lines 29 through 31

Page 5, lines 3, 8, 14, 16, 18, 24 and 32, strike "director" and insert "commissioner"

Page 5, line 4, strike "community"

Page 6, lines 1 and 4, strike "director" and insert "commissioner"

Page 6, after line 2, insert:

"Sec. 7. Minnesota Statutes 1976, Section 256D.05, is amended by adding a subdivision to read:

Subd. 3. [RESIDENTS OF SHELTER FACILITIES.] Notwithstanding the provisions of subdivisions 1 and 2, general assistance payments may be made to individuals receiving aid to families with dependent children who are residing in a secure crisis shelter, a housing network, or other shelter facility which provides shelter services to women who are being or have been assaulted by their spouses, other male relatives, or other males with whom they are residing or have resided in the past."

Page 6, line 7, strike "community"

Page 6, line 10, strike "director of state planning" and insert "commissioner of corrections"

Renumber sections in sequence.

Underline all new language in the bill

Amend the title as follows:

Page 1, line 6, after the semicolon insert "waiving certain general assistance eligibility to requirements for battered women;"

Page 1, line 7, after "money" insert "; amending Minnesota Statutes 1976, Section 256D.05, by adding a subdivision"

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

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

S. F. No. 690: A bill for an act appropriating money for educational television facilities in northern Minnesota.

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

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

S. F. No. 90: A bill for an act relating to soil and water conservation; adding the commissioner of natural resources as an ex-officio member of the state soil and water conservation board; authorizing a cost-sharing program; clarifying the powers and duties of the state board and local districts; amending ambiguous or redundant provisions; adding a member to the soil and water conservation board temporarily; appropriating funds; amending Minnesota Statutes 1976, Chapter 40, by adding sections; and Sections 40.01, Subdivision 8, and by adding a subdivision; 40.02; 40.03, Subdivisions 1, 2, 3, and 4; and 40.07, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 14; repealing Minnesota Statutes 1976, Sections 40.005; and 40.07, Subdivision 13.

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

Page 4, line 29, strike "In making these appointments the"

Page 4, strike line 30

Page 4, line 31, strike "association of soil and water conservation"

Page 4, line 32, strike "districts."

Page 18, line 32, strike "\$12,000,000" and insert "\$3,000,000"

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

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

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

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

Page 2, line 16, after "a" insert "public"

Page 2, line 17, after "board" insert "*after consultation with the regional library, if any, established pursuant to section 375.335 for the region in which the county is located*"

Page 2, line 29, after "a" insert "public"

Page 2, line 30, after "board" insert "*after consultation with the regional library, if any, established pursuant to section 375.335 for the region in which the county is located*"

Page 3, line 7, after "a" insert "public"

Page 3, line 8, after "board" insert "*after consultation with the regional library, if any, established pursuant to section 376.335 for the region in which the county is located*"

Page 3, line 10, after the dollar sign insert "14,616"

Page 3, line 11, after the dollar sign insert "16,000"

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

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

S. F. No. 458: A bill for an act relating to welfare; increasing the personal allowance for persons in care facilities; amending Minnesota Statutes 1976, Section 256B.35, Subdivision 1.

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

Page 1, line 16, strike "\$35" and insert "30"

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

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

S. F. No. 446: A bill for an act relating to public welfare; increasing supplemental aid; appropriating money; amending Minnesota Statutes 1976, Section 256D.37, Subdivision 2, and by adding subdivisions.

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

Page 2, line 23, after the dollar sign insert "4,300,000"

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

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

S. F. No. 120: A bill for an act relating to education; establishing pilot transitional bilingual education programs; granting certain powers and duties to the state board of education; establishing a state bilingual education advisory task force; appropriating money; amending Minnesota Statutes 1976, Sections 120.095, by adding a subdivision; 120.10, Subdivision 2; and 126.07.

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

Page 9, line 11, after the period insert: *"The commissioner shall notify the board of teaching of any exemptions granted pursuant to this subdivision."*

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

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

S. F. No. 512: A bill for an act relating to education; defining high potential children; increasing aids for certain enrichment programs; appropriating money.

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

Strike everything after the enacting clause and insert:

"Section 1. Subdivision 1. [DEFINITION.] "High potential child" means a child who has superior intellectual ability; high academic aptitude, special creative talents, or special talents and

abilities other than special athletic ability, to the degree that he requires special instruction or services beyond those normally provided by the regular school program.

Subd. 2. Programs for high potential children in grades kindergarten through 12 may include: (a) identification of high potential children; (b) specific curriculum enrichment within the regular classroom; (c) special classes; (d) release from class hours for special projects; (e) staff development programs for all professional personnel in each district or educational cooperative service unit; (f) utilization of community personnel and organizations as resources; and (g) use of noncertified post secondary personnel to instruct elementary and secondary high potential children either on campuses or local school sites.

Subd. 3. Programs for high potential children may be conducted by local school districts, combinations of districts, or educational cooperative service units. The provider of the program shall set standards for the identification of high potential children within that program.

Sec. 2. School districts, combinations of districts, or educational cooperative service units may submit proposals for programs for high potential children to the council on quality education following the procedures established under sections 3.924 to 3.927.

Sec. 3. Prior to January 1, 1979, the council on quality education shall report to the appropriate committees of the legislature on any programs for high potential children funded by the council pursuant to this act or pursuant to the provisions of sections 3.924 to 3.927.

Sec. 4. [APPROPRIATION.] The sum of \$150,000 is appropriated from the general fund to the department of education for the biennium ending June 30, 1979. This amount shall be available for allocation by the council on quality education for programs for high potential children pursuant to section 2 of this act."

Amend the title as follows:

Page 1, line 3, strike "increasing aids" and insert "providing grants"

Page 1, line 4, after the semicolon, insert "requiring a report to the legislature by the council on quality education;"

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

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

H. F. Nos. 787 and 1364 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.
				787	678
				1364	1410

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 were referred

H. F. Nos. 1194, 916 and 1102 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.
916	662	1194	1085		
1102	1129				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1194 be amended as follows:

Page 1, delete line 14 and insert

"except that in authorizing the bonds, the city council shall adopt an initial resolution stating the amount, purpose and, in general, the security to be provided for the bonds; and shall publish the resolution once each week for two consecutive weeks in the official newspaper. The bonds so authorized may be issued without the submission of the question of their issuance to the electors unless within 30 days after the second publication of the resolution a petition requesting an election signed by more than five percent of the qualified electors voting in the city at the last general election is filed with the city clerk. In the event a petition is filed, no bonds shall be issued under this subdivision unless authorized by a majority of the voters of the city voting on the question. The proceeds of"

Page 1, lines 15 and 16, delete "and the state of Minnesota"

And when so amended, H. F. No. 1194 will be identical to S. F. No. 1085 and further recommends that H. F. No. 1194 be given its second reading and substituted for S. F. No. 1085 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 916 be amended as follows:

Page 7, line 17, delete "Notwithstanding any law to the contrary,"

Page 7, line 25, after the period insert "The contract may specify that" and delete "may" and insert "shall"

Page 10, delete lines 1 to 9

Page 10, line 10, delete "14" and insert "11"

Page 14, line 28, delete "subdivisions 1 to 6" and insert "this section"

Delete page 14, line 29 to page 15, line 10 and insert

"Subd. 2. [FILING.] The obligee may file the foreign support order in a court of this state in the manner, with the effect, and for the purposes provided in this section."

Subd. 3. [OFFICIAL TO REPRESENT OBLIGEE.] If a court of this state has issued a support order or a support order has been filed in a court of this state for an obligee, the county attorney upon the request of the court, public welfare or other public social service agency shall represent the obligee in all proceedings under this section."

Page 15, line 11, delete "REGISTRATION" and insert "FILING"

Page 15, line 12, delete "register" and insert "file"

Page 15, line 26, delete "in the registry" and insert a period

Page 15, delete lines 27 and 28

Page 15, line 29, delete "registration" and insert "filing"

Page 15, line 31, delete "registration" and insert "filing"

Page 15, line 32, delete "registered" and insert "filed"

Page 16, line 4, delete "REGISTRATION" and insert "FILING"

Page 16, line 5, delete "registration the registered" and insert "filing the"

Page 16, line 13, delete "registration" and insert "filing"

Page 16, line 14, delete "registration" and insert "filing"

Page 16, line 15, delete "registered" and insert "filed"

Page 16, line 16, delete "registered" and insert "filed"

Page 16, line 18, before "this" insert "a court of"

Page 16, line 19, after "stayed" insert a comma

Page 16, line 22, after "of" insert "a court of"

Renumber the subdivisions in order

And when so amended, H. F. No. 916 will be identical to S. F. No. 662 and further recommends that H. F. No. 916 be given its second reading and substituted for S. F. No. 662 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1102 be amended as follows:

Delete page 1, line 14 to page 2, line 26.

Delete page 3, line 21 to page 4, line 23

Delete page 4, line 30 to page 5, line 21

Page 5, lines 31 and 32, delete *"provided upon request to each contract parker."* and insert *"issued to each contract parker and other persons who request a copy from the department of administration."*

Page 6, line 20, before *"marking"* insert *"coloring or"*

Page 6, line 21, strike *"division"* and insert *"bureau"*

Delete page 6, line 25 to page 9, line 16

Delete page 9, line 31 to page 10, line 4 and insert

"Sec. 10. This act is effective July 1, 1977."

Renumber the sections in sequence

Further amend the title as follows:

Line 2, after the semicolon insert *"procedures used in"*

Line 4, delete everything after the comma

Line 5, delete *"15.047, Subdivision 1;"*

Line 6, delete *"16,"*

Lines 7 and 8, delete *"16.07, Subdivision 8, and by adding a subdivision;"*

Lines 9 and 10, delete *"16.80, Subdivision 1; 238.04, Subdivision 2;"*

And when so amended, H. F. No. 1102 will be identical to S. F. No. 1129 and further recommends that H. F. No. 1102 be given its second reading and substituted for S. F. No. 1129 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. 848 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.
848	441				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 848 be amended as follows:

Page 2, line 9, delete *"1978"* and insert *"1979"*

Page 4, line 16, delete *"1978"* and insert *"1979"*

Page 14, line 3, delete "1978" and insert "1979"

Page 15, line 22, delete "58" and insert "55"

Page 15, line 23, delete "20" and insert "ten" and after "service" insert "*or who has received credit for not less than 30 years of service regardless of age,*"

Page 15, line 27, after "65" insert "*to and including age 60 and reduced by one-fourth of one percent for each month under age 60*"

Page 16, line 3, delete "*an amount equivalent to*"

Page 16, delete lines 4 to 6 and insert "*the arithmetic average annual salary, wages or compensation upon which contributions have been made for any five calendar years out of the last ten calendar years of service, which may include the year in which the coordinated employee retires, as selected by the coordinated employee.*"

Page 16, line 32, after "3" delete the comma

Page 19, line 31, delete "1978" and insert "1979"

Page 20, line 3, delete "1978" and insert "1979"

Page 20, line 10, delete "1978" and insert "1979"

Page 20, line 12, delete "1978" and insert "1979,"

Page 20, line 14, delete "1983" and insert "1984"

Page 20, line 18, delete "1982" and insert "1983"

Page 20, line 23, delete "1978" and insert "1979"

Page 20, line 25, delete "1979" and insert "1980"

Page 20, line 29, delete "1980" and insert "1981"

Page 21, line 19, delete "1978" and insert "1979"

Further amend the title as follows:

Line 2, delete "retirement;" and insert "the city of"

Lines 2 and 3, delete "municipal employees retirement fund"

Lines 10 and 11, delete "and Chapters" and insert "Chapter"

Line 11, after "and" insert "Chapter"

And when so amended, H. F. No. 848 will be identical to S. F. No. 441 and further recommends that H. F. No. 848 be given its second reading and substituted for S. F. No. 441 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. 1226 and 952 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.
1226	1131				
952	850				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1226 be amended as follows:

Page 2, line 11, strike "such" and after "as" insert "*determined by*" and strike "shall determine"

Page 2, line 13, delete everything after the period

Page 2, delete lines 14 and 15

Page 2, line 26, strike "such" and strike "may be fixed" and insert "*determined*"

Page 3, line 3, strike "such"

Page 3, lines 3 and 4, strike "may be fixed" and insert "*determined*"

Page 3, line 9, strike "such" and "as"

Page 3, line 10, strike "may be" and strike "such" and insert "*the*"

Page 3, line 11, strike "as are"

Page 3, line 12, strike "such others as may be" and insert "*those other powers*"

Page 3, line 13, strike "without" and insert "*shall not have*"

Page 3, line 16, after "of" insert "*a*"

And when so amended, H. F. No. 1226 will be identical to S. F. No. 1131 and further recommends that H. F. No. 1226 be given its second reading and substituted for S. F. No. 1131 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 952 be amended as follows:

Page 1, line 12, delete "*one or more suitable*"

Page 1, line 13, delete "*persons*" and insert "*a person*"

Page 1, line 13, delete "*referees*" and insert "*referee*"

Page 1, line 14, delete "*Such referees*" and insert "*The referee*"

Page 1, delete lines 17 and 18

Page 1, line 19, delete "*referees*" and insert "*the referee*"

Page 1, line 21, delete "*Minnesota,*" and after "*judges*" insert "*of the sixth judicial district. The compensation of the referee shall be subject to the limitations set forth in section 15A.083, subdivision 5, which becomes effective July 1, 1977*"

- Page 1, line 22, delete "*referees*" and insert "*referee*"
- Page 2, line 6, delete "*such*" and insert "*the*"
- Page 2, line 14, delete "*a*" and insert "*the*"
- Page 2, line 15, delete "*said*" and insert "*the*"
- Page 2, line 16, delete "*such*"
- Page 2, line 18, delete "*a*" and insert "*the*"
- Page 2, line 19, delete "*such*" and insert "*the*"
- Page 2, line 21, delete "*such*"
- Page 2, line 22, delete the comma and insert a period
- Page 2, line 23, delete "*and said*" and insert "*The*" and delete "*such*" and insert "*the*"
- Page 2, line 24, delete "*such*" and insert "*the*"
- Page 2, line 29, delete "*said referees*" and insert "*the referee*"
- Page 2, delete lines 31 and 32
- Page 3, delete lines 1 and 2
- Page 3, line 3, delete "*3*" and insert "*2*"

And when so amended, H. F. No. 952 will be identical to S. F. No. 850 and further recommends that H. F. No. 952 be given its second reading and substituted for S. F. No. 850 and that the Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 1087, 1435, 1422, 867, 1337, 124, 690, 90, 783, 458, 446 and 120 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1471, 903, 817, 787, 1364, 916, 1102, 1194, 1226, 952 and 848 were read the second time.

H. F. Nos. 1094, 562, 259, 972, 818, 980, 1054 and 829 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Engler moved that H. F. No. 1184 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1262 now on General Orders. The motion prevailed.

Mr. Kleinbaum moved that the name of Mr. Borden be added as co-author to S. F. No. 283. The motion prevailed.

Mr. Ueland, A. moved that the name of Mr. Renneke be added as co-author to S. F. No. 1134. The motion prevailed.

Mr. McCutcheon moved that his name be stricken and the name of Mr. Sikorski be added as co-author to S. F. No. 1354. The motion prevailed.

Mr. Johnson moved that the name of Mr. Schaaf be added as co-author to S. F. No. 527. 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. 1172: A bill for an act relating to administrative procedures of governmental agencies; adding metropolitan and capitol area agencies under the coverage of the administrative procedure act; limiting rule-making authority and obligations; permitting incorporation by reference; requiring completion of hearing examiner reports within a specified period; permitting an agency to appeal adverse district court decisions; providing copies of the state register for public libraries; providing for subpoenas and reporters; amending Minnesota Statutes 1976, Sections 15.0411, Subdivision 2; 15.0412; 15.0413, Subdivision 3; 15.0417; 15.0426; 15.048; 15.051, Subdivision 4; 15.052, Subdivisions 4 and 5; and 15.42.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Frederick	Laufenburger	Perpich	Spear
Ashbach	Gearty	Lessard	Peterson	Staples
Bang	Gunderson	Lewis	Pillsbury	Stokowski
Benedict	Hanson	Luther	Purfeerst	Strand
Bernhagen	Humphrey	McCutcheon	Renneke	Stumpf
Borden	Jensen	Menning	Schaaf	Ueland, A.
Brataas	Johnson	Merriam	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	Knutson	Penny	Solon	

So the bill passed and its title was agreed to.

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

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1029: A bill for an act relating to counties; authorizing inclusion of cities in sewer and water districts; allowing certain special assessments; providing a flexible accounting system for multi-county projects; amending Minnesota Statutes 1976, Sections 116A.01, Subdivisions 1, 1a, 2 and 4, and by adding a subdivision; 116A.02, by adding a subdivision; 116A.09; 116A.11, Subdivision 4; 116A.12, by adding a subdivision; 116A.16; 116A.17, Subdivision 2; 116A.20, Subdivisions 2 and 6; and 116A.24, Subdivisions 1, 2 and 3.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 4, as follows:

Those who voted in the affirmative were:

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

Mrs. Brataas, Messrs. Dieterich, Knutson and Merriam voted in the negative.

So the bill passed and its title was agreed to.

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

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 556: A bill for an act relating to the city of Minneapolis and Hennepin county municipal building commission; providing for tenure and benefits to certain employees; amending Laws 1903, Chapter 247, Section 2, as amended.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

THIRD READING OF HOUSE BILLS

H. F. No. 1130: A bill for an act relating to motor vehicle carriers; requiring insurance or bond before the issuance of a certificate or permit to a motor carrier; providing for suspension and revocation of certificate or permit for failure to maintain insurance or other security; permitting lesser registration fees for certain interstate motor carriers; amending Minnesota Statutes 1976, Sections 221.141, Subdivision 1; and 221.64.

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

So the bill passed and its title was agreed to.

H. F. No. 461: A bill for an act relating to welfare; providing penalties for welfare offenses; amending Minnesota Statutes 1976, Sections 256.98; and 393.07, Subdivision 10.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Lewis and Spear voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 801: A bill for an act relating to crimes; specifying certain acts which constitute theft in relation to cable television services and systems; providing penalties; amending Minnesota Statutes 1976, Section 609.52, Subdivision 2; and 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 921: A bill for an act relating to public employees; designating the number of arbitrators to resolve labor dispute; amending Minnesota Statutes 1976, Section 179.72, Subdivision 6.

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 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Ashbach and Jensen voted in the negative.

So the bill passed and its title was agreed to.

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

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

Mr. Knutson voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 324: A bill for an act relating to sheriffs; increasing the fees and mileage allowance; amending Minnesota Statutes 1976, Section 357.09, Subdivisions 1, 2, and 4; repealing Minnesota Statutes 1976, Sections 357.09, Subdivision 5; and 357.10.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 114: A bill for an act relating to intoxicating liquor; regulation and taxation of liquor sold in commemorative bottles; amending Minnesota Statutes 1976, Sections 340.11, Subdivision 15; 340.44; and 340.601.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

Messrs. Chmielewski and McCutcheon voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 524: A bill for an act relating to beverage containers; detachable parts of noncarbonated beverage cans; amending Minnesota Statutes 1976, Section 325.248, Subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Merriam, Penny and Sikorski voted in the negative.

So the bill passed and its title was agreed to.

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

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

So the bill passed and its title was agreed to.

H. F. No. 930: A bill for an act relating to the counties of Hennepin and Scott; directing the counties to design and construct a temporary replacement of the Bloomington ferry bridge.

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

So the bill passed and its title was agreed to.

H. F. No. 563: A bill for an act relating to Independent School District No. 721 (New Prague) and Independent School District No. 194 (Lakeville); providing for certain land to be detached from Independent School District No. 721 and annexed to Independent School District No. 194.

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

So the bill passed and its title was agreed to.

H. F. No. 521: A bill for an act relating to Independent School District No. 196 (Rosemount) and Independent School District No. 194 (Lakeville); providing for certain land to be detached from Independent School District No. 196 and annexed to Independent School District No. 194.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 76: A bill for an act relating to highways; providing a simplified procedure for the removal of trees, shrubs and other obstructions within the limits of town roads; removing provision for an appeal by abutting owners; amending Minnesota Statutes 1976, Section 160.22, Subdivision 8, and by adding a subdivision; repealing Minnesota Statutes 1976, Section 160.22, Subdivision 7.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 300: A bill for an act relating to elections; removing a provision for special hours during which registration locations must be open; amending Minnesota Statutes 1976, Section 201.091, 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 63 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	Luther	Pillsbury	Stokowski
Bernhagen	Humphrey	McCutcheon	Purfeerst	Strand
Borden	Jensen	Menning	Renneke	Stumpf
Brataas	Johnson	Merriam	Schaaf	Ueland, A.
Chmielewski	Keefe, J.	Moe	Schmitz	Ulland, J.
Coleman	Keefe, S.	Nelson	Schrom	Vega
Davies	Kirchner	Nichols	Setzepfandt	Wegener
Dunn	Kleinbaum	Ogdahl	Sieloff	Willet
Engler	Knoll	Olhoft	Sikorski	
Frederick	Knutson	Olson	Sillers	

Mr. Dieterich voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 334: A bill for an act relating to highway traffic regulations; lengths of certain vehicles and combinations of vehicles; amending Minnesota Statutes 1976, Section 169.81, 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 55 and nays 9, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Coleman	Jensen	Ogdahl	Perpich	Staples
Davies	McCutcheon	Olhoft	Spear	

So the bill passed and its title was agreed to.

H. F. No. 308: A bill for an act relating to retirement; Minnesota state retirement system; exclusion from pension coverage for certain tradesmen of the metropolitan waste control commission; amending Minnesota Statutes 1976, Sections 352.01, Subdivision 2B; 473.141, Subdivision 12; and 473.511, 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 42: A bill for an act relating to firearms; clarifying the requirements for transportation of muzzle loading firearms; amending Minnesota Statutes 1976, Section 100.29, 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 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 176: A bill for an act relating to drivers licenses; providing that nonqualification certificates may be issued to applicants who are 14 years of age or older; amending Minnesota Statutes 1976, Section 171.07, Subdivision 3.

Mr. Stokowski moved to amend H. F. No. 176 as follows:

Amend the title as follows:

Page 1, line 2, strike "that" and insert "for the issuance of"

Page 1, line 3, strike "may be issued to"

Page 1, line 4, strike everything before the semicolon

The motion prevailed. So the amendment was adopted.

H. F. No. 176 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

H. F. No. 75: A bill for an act relating to public safety; requiring railroad companies to reimburse local governments and non-profit fire fighting corporations for expenses incurred to extinguish locomotive caused fires.

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

Mr. Nelson voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 33: A bill for an act relating to motor vehicles; defining motorized bicycles; providing for the registration of motorized bicycles and the licensing of their operators; providing operating rules; amending Minnesota Statutes 1976, Chapter 169, by adding a section; and Sections 168.011, Subdivision. 26, and by adding a

subdivision; 168.013, by adding a subdivision; 168.27, Subdivision 20; 168A.01, Subdivision 24; 169.01, Subdivision 4, and by adding a subdivision; 169.305, Subdivision 1; 171.01, Subdivision 17, and by adding a subdivision; and 171.02, 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	Gearty	Laufenburger	Penny	Spear
Ashbach	Gunderson	Lessard	Perpich	Staples
Bang	Hanson	Lewis	Peterson	Stokowski
Benedict	Hughes	Luther	Pillsbury	Strand
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stumpf
Borden	Jensen	Menning	Renneke	Ueland, A.
Brataas	Johnson	Merriam	Schaaf	Ulland, J.
Chmielewski	Keefe, J.	Moe	Schmitz	Vega
Coleman	Keefe, S.	Nelson	Setzepfandt	Wegener
Davies	Kirchner	Nichols	Sieloff	Willet
Dunn	Kleinbaum	Ogdahl	Sikorski	
Engler	Knoll	Olhoft	Sillers	
Frederick	Knutson	Olson	Solon	

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

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.

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 31 and nays 33, as follows:

Those who voted in the affirmative were:

Coleman	Hughes	Lessard	Peterson	Ulland, J.
Davies	Humphrey	McCutcheon	Schaaf	Vega
Dieterich	Keefe, J.	Merriam	Schmitz	Willet
Engler	Keefe, S.	Nelson	Sieloff	
Frederick	Kirchner	Nichols	Sikorski	
Gearty	Kleinbaum	Penny	Solon	
Hanson	Laufenburger	Perpich	Stokowski	

Those who voted in the negative were:

Ashbach	Dunn	Luther	Pillsbury	Staples
Bang	Gunderson	Menning	Purfeerst	Strand
Benedict	Jensen	Milton	Renneke	Stumpf
Bernhagen	Johnson	Moe	Schrom	Ueland, A.
Borden	Knoll	Ogdahl	Setzepfandt	Wegener
Brataas	Knutson	Olhoft	Sillers	
Chmielewski	Lewis	Olson	Spear	

So the bill failed to pass.

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

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 2, as follows:

Those who voted in the affirmative were:

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

Messrs. McCutcheon and Milton voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 685: A bill for an act relating to the city of Hibbing; authorizing an increase in the service pensions of certain retired firemen; amending Laws 1935, Chapter 192, Section 1, as amended, 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1248: A bill for an act relating to the city of Springfield; providing for city buildings and equipment and their use; providing for a bond issue.

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 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Merriam and Peterson voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1099: A bill for an act relating to retirement; proportionate vesting of volunteer firemen's relief association service pensions; amending Minnesota Statutes 1976, Section 69.06; and 69.772, 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 64 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Setzepfandt voted in the negative.

So the bill passed and its title was agreed to.

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

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 8, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Benedict	McCutcheon	Peterson	Staples	Stumpf
Humphrey	Menning	Spear		

So the bill passed and its title was agreed to.

H. F. No. 598: A bill for an act relating to Becker county; providing for the imposition of a tax upon persons, copartnerships, companies, joint stock companies, corporations, and associations however organized engaged therein in the business of removing gravel from gravel pits or deposits of gravel, for enforcing the same and prescribing penalties for violations thereof.

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

Mr. Chmielewski voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 707: A bill for an act relating to taxation; changing certain procedures for objecting to real or personal property taxes; providing for city and town attorneys to handle prosecutions;

amending Minnesota Statutes 1976, Sections 277.011, Subdivisions 1 and 5; 278.01 and 278.05.

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

So the bill passed and its title was agreed to.

H. F. No. 414: A bill for an act relating to the city of Fairmont; membership of new police in the public employees retirement 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 64 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
Borden	Jensen	Menning	Purfeerst	Strand
Brataas	Johnson	Merriam	Renneke	Stumpf
Chmielewski	Keefe, J.	Milton	Schaaf	Ueland, A.
Davies	Keefe, S.	Moe	Schmitz	Ulland, J.
Dieterich	Kirchner	Nelson	Schrom	Vega
Dunn	Kleinbaum	Nichols	Setzepfandt	Wegener
Engler	Knoll	Ogdahl	Sieloff	Willet
Frederick	Knutson	Olhoft	Sikorski	

So the bill passed and its title was agreed to.

H. F. No. 805: A bill for an act relating to public employees; permitting affiliation of supervisory and confidential employees; principals and assistant principals in certain bargaining units; amending Minnesota Statutes 1976, Section 179.65, 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 35 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Humphrey	Luther	Olson	Spear
Benedict	Johnson	Merriam	Penny	Staples
Borden	Keefe, S.	Milton	Perpich	Stokowski
Coleman	Kleinbaum	Moe	Peterson	Stumpf
Gearty	Knoll	Nelson	Schaaf	Vega
Hanson	Laufenburger	Nichols	Sikorski	Wegener
Hughes	Lewis	Olhoft	Solon	Willet

Those who voted in the negative were:

Ashbach	Dunn	Keefe, J.	Renneke	Sillers
Bang	Engler	Knutson	Schmitz	Strand
Bernhagen	Frederick	Menning	Schrom	Ueland, A.
Brataas	Gunderson	Pillsbury	Setzepfandt	Ulland, J.
Dieterich	Jensen	Purfeerst	Sieloff	

So the bill passed and its title was agreed to.

H. F. No. 293: A bill for an act relating to waters; authorizing conveyance of a dam easement and empowering the town of Hines in Beltrami county to maintain and operate a dam.

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

So the bill passed and its title was agreed to.

H. F. No. 525: A bill for an act relating to drainage; providing for transfer by county boards of certain surplus ditch funds to another governing body taking over the drainage system; amending Minnesota Statutes 1976, Section 106.471, 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 62 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Setzepfandt voted in the negative.

So the bill passed and its title was agreed to.

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

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 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Peterson and Purfeerst voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1005: A bill for an act relating to agriculture; dairy products; grade A pasteurized milk; increasing certification fees; amending Minnesota Statutes 1976, Section 32.394, Subdivisions 8 and 8a.

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 10, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Chmielewski	Engler	Knutson	Milton	Schrom
Dunn	Frederick	Lessard	Renneke	Ueland, A.

So the bill passed and its title was agreed to.

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

Mr. Davies moved that H. F. No. 888, No. 42 on the Calendar, be stricken and re-referred to the Committee on Education.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 26 and nays 37, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Lessard	Peterson	Wegener
Benedict	Hanson	Menning	Schaaf	Willet
Borden	Hughes	Moe	Schmitz	
Brataas	Jensen	Nelson	Schrom	
Coleman	Keefe, S.	Olhoft	Staples	
Davies	Kleinbaum	Perpich	Stokowski	

Those who voted in the negative were:

Ashbach	Gearty	Lewis	Pillsbury	Strand
Bang	Humphrey	Luther	Purfeerst	Stumpf
Bernhagen	Johnson	Merriam	Renneke	Ueland, A.
Chmielewski	Keefe, J.	Milton	Sieloff	Ulland, J.
Dieterich	Kirchner	Nichols	Sikorski	Vega
Dunn	Knoll	Ogdahl	Sillers	
Engler	Knutson	Olson	Solon	
Frederick	Laufenburger	Penny	Spear	

The motion did not prevail.

H. F. No. 888 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 40 and nays 20, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Kleinbaum	Nelson	Sikorski
Bang	Frederick	Knoll	Nichols	Solon
Benedict	Gearty	Knutson	Olson	Spear
Bernhagen	Hanson	Lessard	Penny	Strand
Brataas	Humphrey	Lewis	Pillsbury	Stumpf
Chmielewski	Johnson	Luther	Renneke	Ueland, A.
Dieterich	Keefe, J.	Merriam	Schmitz	Ulland, J.
Dunn	Kirchner	Milton	Sieloff	Vega

Those who voted in the negative were:

Anderson	Gunderson	Menning	Perpich	Schrom
Borden	Jensen	Moe	Peterson	Staples
Coleman	Laufenburger	Ogdahl	Purfeerst	Wegener
Davies	McCutcheon	Olhoff	Schaaf	Willet

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	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	Ueland, A.
Chmielewski	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Schrom	Vega
Dieterich	Kirchner	Nichols	Setzepfandt	Wegener
Dunn	Kleinbaum	Ogdahl	Sieloff	Willet
Engler	Knutson	Olhoff	Sikorski	
Frederick	Laufenburger	Olson	Sillers	
Gearty	Lessard	Penny	Solon	

So the bill passed and its title was agreed to.

H. F. No. 1172: A bill for an act relating to agriculture; clarifying the commissioner's authority to establish certain produce inspection fees to grade potatoes; 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.

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

So the bill passed and its title was agreed to.

H. F. No. 326: A bill for an act relating to taxation; Kittson and Marshall counties; providing for the imposition of a tax upon persons, copartnerships, companies, joint stock companies, corporations, and associations however organized engaged therein in the business of removing gravel from gravel pits or deposits of gravel, for enforcing and collecting the same and prescribing penalties for violations thereof.

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 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Chmielewski and Knutson voted in the negative.

So the bill passed and its title was agreed to.

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

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Humphrey	McCutcheon	Peterson	Strand
Benedict	Johnson	Menning	Renneke	Stumpf
Bernhagen	Keefe, J.	Merriam	Schmitz	Ueland, A.
Borden	Keefe, S.	Moe	Setzepfandt	Ulland, J.
Chmielewski	Kirchner	Nelson	Sieloff	Vega
Engler	Kleinbaum	Nichols	Sikorski	Wegener
Frederick	Knoll	Ogdahl	Sillers	Willet
Gearty	Laufenburger	Olhoff	Solon	
Gunderson	Lessard	Olson	Spear	
Hanson	Lewis	Penny	Staples	
Hughes	Luther	Perpich	Stokowski	

Those who voted in the negative were:

Ashbach	Davies	Jensen	Pillsbury	Schrom
Brataas	Dunn	Knutson	Schaaf	

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Bang, Gunderson and Schaaf voted in the negative.

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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 216.B, by adding a section.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 3, 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
Borden	Jensen	Menning	Purfeerst	Strand
Brataas	Johnson	Merriam	Renneke	Stumpf
Chmielewski	Keefe, J.	Moe	Schaaf	Ueland, A.
Davies	Keefe, S.	Nelson	Schmitz	Ulland, J.
Dieterich	Kleinbaum	Nichols	Setzepfandt	Vega
Engler	Knoll	Ogdahl	Sieloff	Wegener
Frederick	Knutson	Olhoft	Sikorski	Willet

Messrs. Dunn, Kirchner and Schrom voted in the negative.

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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 7, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Chmielewski	Laufenburger	Setzepfandt	Sieloff	Strand
Knutson	Schrom			

So the bill passed and its title was agreed to.

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.

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 0, 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	Luther	Pillsbury	Stokowski
Bernhagen	Humphrey	McCutcheon	Purfeerst	Strand
Borden	Jensen	Menning	Renneke	Stumpf
Brataas	Johnson	Merriam	Schaaf	Ueland, A.
Chmielewski	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Schrom	Vega
Dieterich	Kirchner	Nichols	Setzepfandt	Wegener
Dunn	Kleinbaum	Ogdahl	Sieloff	Willet
Engler	Knoll	Olhoft	Sikorski	
Frederick	Knutson	Olson	Sillers	

So the bill passed and its title was agreed to.

H. F. No. 212: A bill for an act relating to employment fees; providing period when fees must be refunded; amending Minnesota Statutes 1976, Section 184.38, 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

RECONSIDERATION

Mr. Pillsbury moved that the vote whereby H. F. No. 970 failed to pass the Senate on May 9, 1977, be now reconsidered.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 33 and nays 28, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Kirchner	Penny	Sikorski
Borden	Gearty	Laufenburger	Perpich	Solon
Chmielewski	Hanson	Lessard	Peterson	Stokowski
Coleman	Hughes	Merriam	Pillsbury	Strand
Davies	Humphrey	Moe	Renneke	Willet
Dieterich	Keefe, J.	Nelson	Schaaf	
Dunn	Keefe, S.	Nichols	Setzepfandt	

Those who voted in the negative were:

Ashbach	Jensen	Luther	Purfeerst	Stumpf
Bang	Johnson	Menning	Schrom	Ueland, A.
Benedict	Kleinbaum	Milton	Sieloff	Ulland, J.
Bernhagen	Knoll	Ogdahl	Sillers	Wegener
Brataas	Knutson	Olhoft	Spear	
Gunderson	Lewis	Olson	Staples	

The motion prevailed. H. F. No. 970 was then progressed.

MOTIONS AND RESOLUTIONS—CONTINUED

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

CONSENT CALENDAR

H. F. No. 542: A bill for an act relating to the city of Saint Paul; establishing a public housing agency; transferring functions from housing and redevelopment authority.

With the unanimous consent of the Senate, Mr. Stumpf moved to amend H. F. No. 542 as follows:

Amend H. F. No. 542, as amended pursuant to Rule 49, adopted by the Senate May 3, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 1384.)

Page 2, line 20, after "rules" insert "not"

The motion prevailed. So the amendment was adopted.

H. F. No. 542 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

H. F. No. 139: A bill for an act relating to natural resources; revising certain provisions relating to St. Croix Wild River state park.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

Mr. Stumpf moved that H. F. No. 937, No. 4 on the Consent Calendar, be stricken and placed on General Orders. The motion prevailed.

H. F. No. 323: A bill for an act relating to Dakota county; providing that the office of administrative assistant to the sheriff shall be unclassified.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

Mr. Keefe, J. voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Mr. Borden 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:

H. F. No. 384, which the committee recommends to pass with the following amendment offered by Mr. Borden:

Page 4, after line 14, insert:

"Sec. 6. Subdivision 1. This section is the exclusive remedy for damages to inmates under the control of the commissioner of corrections who are killed or injured while performing assigned duties in any industry or work activity conducted by the state at or in connection with the maintenance or operation of the state's correctional institutions, or their families, heirs, assigns, or next of kin.

Subd. 2. Claims for the payment of compensation to those inmates who may be injured or disabled, or to the dependents of inmates killed, while performing assigned duties in any industry or work activity conducted by the state at or in connection with the maintenance or operation of the state's correctional institutions shall be paid pursuant to legislative appropriation following evaluation of each claim by the appropriate committees of the senate and house of representatives. Compensation will not be paid for pain and suffering.

Subd. 3. The provisions of section 3.736, subdivision 7, shall, to the extent applicable, govern procedures regarding the giving of notice of a claim under this section."

Renumber the remaining section

Amend the title as follows:

Line 3, before the period, insert " ; providing for payment of certain claims of inmates of correctional institutions"

H. F. No. 541, which the committee recommends to pass with the following amendments offered by Mr. Frederick:

Mr. Frederick moved to amend H. F. No. 541, as amended pursuant to Rule 49, adopted by the Senate April 26, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 410.)

Page 2, line 5, strike "where a contrary provision in a"

Page 2, strike line 6 and insert: "to the following:

(a) in cases where a contrary provision in a collective bargaining agreement exists; or

(b) any rules established by an employer for employees who are commissioned salespersons, where the rules are used for purposes of discipline, by fine or otherwise, in cases where errors or omissions in performing their duties exist."

The roll was called, and there were yeas 38 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Olhoff	Solon
Ashbach	Engler	Kirchner	Peterson	Stokowski
Bang	Frederick	Kleinbaum	Pillsbury	Strand
Bernhagen	Gearty	Knutson	Renneke	Ueland, A.
Brataas	Hanson	Laufenburger	Schmitz	Ulland, J.
Chmielewski	Hughes	Lessard	Setzepfandt	Wegener
Coleman	Jensen	Menning	Sieloff	
Davies	Keefe, J.	Moe	Sillers	

Those who voted in the negative were:

Benedict	Johnson	Merriam	Perpich	Stumpf
Dieterich	Knoll	Nelson	Spear	Willet
Humphrey	Luther	Penny	Staples	

The motion prevailed. So the amendment was adopted.

Mr. Frederick then moved to amend H. F. No. 541 as follows:

Page 1, line 19, after the period insert "Such authorization shall not be admissible as evidence in any civil or criminal proceeding."

The motion prevailed. So the amendment was adopted.

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

RECESS

Mr. Coleman moved that the Senate do now recess until 1:45 o'clock p.m. The motion prevailed.

The hour of 1:45 o'clock p.m. having arrived, the President called the Senate to order.

Pursuant to Rule 21, Mr. Moe moved that the following members be excused for a Conference Committee on H. F. No. 1510 at 1:45 p.m.:

Messrs. Moe; Stumpf; Tennessen; Keefe, J. and Ogdahl. The motion prevailed.

CALL OF THE SENATE

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

Anderson	Frederick	Laufenburger	Ogdahl	Spear
Bang	Gearty	Lessard	Olhoff	Staples
Benedict	Gunderson	Lewis	Pillsbury	Stokowski
Bernhagen	Hanson	McCutcheon	Purfeerst	Strand
Borden	Hughes	Menning	Schaaf	Stumpf
Chmielewski	Humphrey	Merriam	Schmitz	Ueland, A.
Coleman	Jensen	Milton	Setzepfandt	Ulland, J.
Dieterich	Keefe, S.	Moe	Sikorski	Vega
Dunn	Kirchner	Nelson	Sillers	Wegener
Engler	Knutson	Nichols	Solon	Willet

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 that the Senate revert to the Order of Business of Reports of Committees. The motion prevailed.

REPORTS OF COMMITTEES

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

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

S. F. Nos. 1457, 1112, 897, 1335, 1465, 1406, 1426, 522, 433, H. F. Nos. 1017, 971, 672, 261, 296, 319, 16, 947, 1275, 823, 1129, 242, 398, 193, 343, 313, 1421, 675 makes the following report:

That S. F. Nos. 1457, 1112, 897, 1335, 1465, 1406, 1426, 433, 522, H. F. Nos. 1017, 971, 672, 261, 296, 319, 16, 947, 1275, 823, 1129, 242, 398, 193, 343, 313, 1421, 675 be placed on the General Orders Calendar in the order indicated.

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

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. 1467, pursuant to the request of the Senate:

Messrs. Humphrey, Borden, Willet, Solon, and Dunn.

S. F. No. 1489, pursuant to the request of the Senate:

Messrs. Kleinbaum, Purfeerst, Stumpf, Ogdahl, and Ashbach.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. McCutcheon moved that H. F. No. 1475 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. McCutcheon 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. 1475 and that the rules of the Senate be so far suspended as to give H. F. No. 1475 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 1475 was read the second time.

H. F. No. 1475: A bill for an act relating to taxation; providing changes in classification ratios and assessment procedures; increasing local government aids and certain tax credits; altering levy limits; imposing a minimum tax on certain types of income; establishing tax study committee; increasing the tax on taconite production and providing for the distribution of its proceeds; establishing a taconite area environmental protection and economic development fund and council; establishing a Northeast Minnesota economic protection fund; imposing a tailings tax; increasing the tax on unmined taconite; requiring owners and lessees of mineral rights to file exploration data with the commissioner of revenue; providing penalties; appropriating money; amending Minnesota Statutes 1976, Sections 124.212, Subdivisions 10 and 11; 273.11, Subdivisions 1 and 2; 273.12; 273.13, Subdivisions 6, 7 and 14a; 273.132; 273.134; 274.01, Subdivision 1; 275.50, Subdivision 5; 275.51, by adding a subdivision; 275.52, Subdivisions 2, 3 and 4; 275.53, Subdivisions 1 and 3; 278.01; 278.05; 287.241, Subdivision 2; 290.012, Subdivision 2; 290.09, Subdivision 4; 290A.03, Subdivisions 3, 11 and 13; 290A.04, Subdivision 2, and by adding a subdivision; 294.26; 298.03; 298.22, Subdivision 1; 298.24, Subdivisions 1 and 2; 298.244, Subdivision 2; 298.25; 298.26; 298.27; 298.28, Subdivision 1; 298.282, Subdivisions 1 and 2; 375.192, by adding a subdivision; 477A.01, Subdivisions 1, 2, 4, 4a, 4b, and by adding a subdivision; 477A.03; and Chapters 3, 272, 287, 290, 298 and 477A, by adding sections; repealing Minnesota Statutes 1976, Sections 275.51, Subdivisions 3b and 3c; 287.241, Subdivisions 3 and 4; 290.09, Subdivision 26; 294.27; 294.28; 298.241; 298.243; 298.244, Subdivision 1; 298.28, Subdivision 1a; 298.281; Extra Session Laws 1971, Chapter 31, Article XIII; Laws 1973, Chapter 601; Laws 1975, Chapter 437, Article VII; and Laws 1976, Chapter 149, Section 58.

Mr. McCutcheon moved to amend H. F. No. 1475 as follows:

Strike everything after the enacting clause and insert the contents of S. F. No. 1457 as amended by the report from the Committee on Taxes and Tax Laws adopted by the Senate May 5, 1977.

The motion prevailed. So the amendment was adopted.

Mr. Peterson moved to amend H. F. No. 1475, as amended by the Senate May 9, 1977, as follows:

Page 21, after line 20, insert:

"Sec. 8. Minnesota Statutes 1976, Section 290.08, Subdivision 6, is amended to read:

Subd. 6. [PENSIONS, BENEFITS, AND ALLOWANCES FROM STATE AND UNITED STATES.] Amounts, including interest, *not in excess of \$5,000* received by any person from the United States or from the state of Minnesota or any of its political or governmental subdivisions or from any other state or its political or governmental subdivisions, or a Minnesota volunteer fireman's relief association, either as a refund of contributions to, or by way of payment as a pension, public employee retirement benefit, ~~unemployment compensation benefit, social security benefit or railroad retirement or unemployment compensation benefit, family allotment or other similar allowance or any combination thereof~~; provided that the exclusion permitted by this subdivision shall be reduced by social security or railroad retirement benefits received during the taxable year."

Page 28, line 30, strike "290.08, Subdivision 6;,"

Renumber the remaining sections

Amend the title as follows:

Page 2, line 9, after "3d;" insert "290.08, Subdivision 6;,"

Page 2, lines 26 and 27, strike "290.08, Subdivision 6;,"

Mr. Sieloff moved a substitute amendment to H. F. No. 1475, as amended by the Senate May 9, 1977, as follows:

Page 7, line 11, reinstate the stricken semicolon and insert "and"

Page 7, lines 12 to 14, reinstate the stricken language except "; and "

Page 28, line 30, delete "290.08, Subdivision 6;,"

Further, amend the title as follows:

Page 1, line 5, delete "including amounts of certain"

Page 1, delete line 6

Page 1, line 7, delete "in gross income;,"

Page 2, line 26, delete "290.08,"

Page 2, line 27, delete "Subdivision 6;,"

The question was taken on the adoption of the substitute amendment.

The roll was called, there were yeas 18 and nays 38, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Gunderson	Luther	Perpich	Staples
Benedict	Hanson	McCutcheon	Peterson	Stokowski
Borden	Humphrey	Menning	Schaaf	Strand
Chmielewski	Johnson	Moe	Schmitz	Stumpf
Coleman	Keefe, S.	Nelson	Schrom	Tennesen
Davies	Kleinbaum	Olhoft	Setzepfandt	Vega
Dieterich	Laufenburger	Olson	Solon	Willett
Gearty	Lessard	Penny	Spear	

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

The question recurred on the Peterson amendment.

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative were:

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

The motion prevailed. So the amendment was adopted.

Mr. McCutcheon moved to amend H. F. No. 1475, as amended by the Senate May 9, 1977, as follows:

Page 7, lines 19 to 25, restore the stricken language

Page 28, line 30, strike “; 290.09, Subdivision 24”

Amend the title as follows:

Page 2, line 25, strike “Subdivisions 24 and” and insert “Subdivision”

The motion prevailed. So the amendment was adopted.

Mr. McCutcheon then moved to amend H. F. No. 1475, as amended by the Senate May 9, 1977, as follows:

Page 21, line 26, after “Minnesota” insert “and the gross income of resident estates and trusts”

Page 21, strike lines 28 to 32

Page 22, strike line 1

Page 29, line 1, after the period insert “Section 11 is effective for taxable years beginning after December 31, 1976.”

Page 43, line 16, strike “11” and insert “18”

Page 45, after line 29, insert:

“Sec. 5. Minnesota Statutes 1976, Section 477A.01, Subdivision 4a, is amended to read:

Subd. 4a. If the amount distributed to a city or town pursuant to subdivision 4 is less than the aids the city or town received in

1975 1977, before corrections for prior year aid payments, pursuant to Minnesota Statutes 1974, Section 477A.01, the amount distributed to it shall be raised to the amount the city or town received in 1975, before corrections for prior year aid payments, and the distributions to the other cities and towns within the county's territory shall be proportionately reduced as necessary to supply the difference."

Renumber the sections in sequence

Page 46, line 25, strike "5" and insert "6"

Page 46, line 27, strike "6" and insert "7"

Page 47, line 16, strike the language after "\$15,000"

Page 47, strike line 17

Page 47, line 18, strike "amended through December 31, 1976"

Page 59, line 3, strike the period and insert a semicolon

Page 59, after line 3, insert

"(t) pay amounts required by law to be paid to reduce unfunded accrued liability of public pension funds, including interest thereon, in accordance with the actuarial standards and guidelines specified in sections 69.71 to 69.776 and 356.215 reduced for levy year 1977 and subsequent years by the amount levied for that purpose in 1976, payable in 1977 and, in 1978 and subsequent levy years, by an additional five percent of the amount so levied in 1977."

Page 64, line 4, strike "30" and insert "31"

Page 64, line 6, strike "27" and insert "29"

Page 67, line 17, strike "30" and insert "31"

Page 67, line 18, strike "27" and insert "29"

Amend the title as follows:

Page 2, line 19, after "4" insert ", 4a"

The motion prevailed. So the amendment was adopted.

Mr. McCutcheon then moved to amend H. F. No. 1475, as amended by the Senate May 9, 1977, as follows:

Page 10, line 17, strike "\$34" and insert "\$30"

Page 10, line 20, strike "\$68" and insert "\$60"

Page 10, line 23, strike "\$34" and insert "\$30"

Page 11, line 3, strike "\$34" and insert "\$30"

Page 11, line 6, strike "\$34" and insert "\$30"

Page 11, line 8, strike "\$34" and insert "\$30"

Page 11, line 10, strike "\$34" and insert "\$30"

Page 11, line 24, strike "\$34" and insert "\$30"

Page 11, line 27, strike "\$34" and insert "\$30"

Page 11, line 31, strike "\$34" and insert "\$30"

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Mr. Ulland, J. imposed a call of the Senate for the balance of the proceedings on H. F. No. 1475. The following Senators answered to their names:

Ashbach	Frederick	Knutson	Purfeerst	Strand
Benedict	Gearty	Lessard	Renneke	Stumpf
Bernhagen	Hanson	Lewis	Schaaf	Tennessee
Borden	Hughes	Luther	Schmitz	Ulland, A.
Chmielewski	Humphrey	McCutcheon	Sieloff	Ulland, J.
Davies	Jensen	Menning	Sikorski	Vega
Dieterich	Johnson	Nelson	Sillers	Willet
Dunn	Keefe, S.	Olhoff	Spear	
Engler	Knoll	Peterson	Staples	

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

Mr. Ulland, J. moved to amend H. F. No. 1475, as amended by the Senate, May 9, 1977, as follows:

Page 80, after line 9 insert:

" (x) The gross receipts from the sale after July 31, 1978 of fuel used to heat residences including fuel oil, propane gas, L.P. gas, natural gas, wood, coal, electricity, steam heat and water used for heating."

Further, amend the title as follows:

Page 1, line 31, after "newsprint" insert "and residential heating fuels"

The question was taken on the adoption of the amendment.

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

The roll was called, and there were yeas 16 and nays 31, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Hughes	McCutcheon	Purfeerst	Stumpf
Borden	Humphrey	Menning	Schaaf	Tennessee
Davies	Johnson	Nelson	Schmitz	Vega
Dieterich	Keefe, S.	Olhoff	Spear	
Gearty	Knoll	Olson	Staples	
Gunderson	Lewis	Perpich	Stokowski	
Hanson	Luther	Peterson	Strand	

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

Mr. Sieloﬀ moved to amend H. F. No. 1475, as amended by the Senate May 9, 1977, as follows:

Pages 29 to 43, strike all of Article II and insert:

“ARTICLE II

Section 1. Minnesota Statutes 1976, Section 273.13, Subdivision 6, is amended to read:

Subd. 6. [CLASS 3B.] Agricultural land, except as provided by class 1 hereof, and which is used for the purposes of a homestead, shall constitute class 3b and shall be valued and assessed at 20 percent of the market value thereof. The property tax to be paid on class 3b property as otherwise determined by law not exceeding 120 acres less any reduction received pursuant to section 273.135, regardless of whether or not the market value is in excess of the homestead base value, for all purposes except the payment of principal and interest on non-school district bonded indebtedness, shall be reduced by 45 65 percent of the tax; provided that the amount of said reduction shall not exceed \$325 \$500, or, in the case of property described in this subdivision owned by a disabled person or a person who has attained the age of 65 years, as described in article II, section 7, \$800 . Valuation subject to relief shall be limited to 120 acres of land, most contiguous surrounding, or bordering the house occupied by the owner as his dwelling place, and, such other structures as may be included thereon utilized by the owner in an agricultural pursuit. If the market value is in excess of the homestead base value, the amount in excess of that sum shall be valued and assessed as provided for by class 3. The first \$12,000 market value of each tract of real estate which is rural in character and devoted or adaptable to rural but not necessarily agricultural use, used for the purpose of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law.

Agricultural land as used herein, and in section 124.03, shall mean contiguous acreage of ten acres or more, primarily used during the preceding year for agricultural purposes. Agricultural use may include pasture, timber, waste, unusable wild land and land included in federal farm programs.

Real estate of less than ten acres used principally for raising poultry, livestock, fruit, vegetables or other agricultural products, shall be considered as agricultural land, if it is not used primarily for residential purposes.

Sec. 2. Minnesota Statutes 1976, Section 273.13, Subdivision 7, is amended to read:

Subd. 7. [CLASS 3C, 3CC.] All other real estate and class 2a property, except as provided by classes 1 and 3cc, which is used for the purposes of a homestead, shall constitute class 3c, and shall be valued and assessed at 25 percent of the market value thereof. The property tax to be paid on class 3c property as other-

wise determined by law, less any reduction received pursuant to section 273.135, regardless of whether or not the market value is in excess of the homestead base value, ~~for all purposes except the payment of principal or interest on non-school district bonded indebtedness,~~ shall be reduced by 45 65 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$325 \$500, or, *in the case of property described in this subdivision owned by a disabled person or a person who has attained the age of 65 years, as described in article II, section 7, \$800*. If the market value is in excess of the sum of the homestead base value, the amount in excess of that sum shall be valued and assessed at 40 percent of market value. The first \$12,000 market value of each tract of such real estate used for the purposes of a homestead shall be exempt from taxation for state purposes, except as specifically provided otherwise by law. All real estate which is used for the purposes of a homestead by any blind person, if such blind person is the owner thereof or if such blind person and his or her spouse are the sole owners thereof; or by any person (hereinafter referred to as veteran) who served in the active military or naval service of the United States and who is entitled to compensation under the laws and regulations of the United States for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude motion without the aid of braces, crutches, canes, or a wheel chair, and who with assistance by the administration of veterans affairs has acquired a special housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability; or by any person who is permanently and totally disabled and who is receiving aid from any state as a result of that disability, or who is receiving supplemental security income for the disabled, or who is receiving worker's compensation based on a finding of total and permanent disability, or who is receiving social security disability, or who is receiving aid under the federal railroad retirement act of 1937, 45 United States Code Annotated, Section 228b(a)5 which aid is at least 90 percent of the total income of such disabled person from all sources, shall constitute class 3cc and shall be valued and assessed at five percent of the market value thereof. Permanently and totally disabled for the purpose of this subdivision means a condition which is permanent in nature and totally incapacitates the person from working at an occupation which brings him an income. The property tax to be paid on class 3cc property as otherwise determined by law, less any reduction received pursuant to section 273.135, regardless of whether or not the market value is in excess of the homestead base value, ~~for all purposes except the payment of principal or interest on non-school district bonded indebtedness,~~ shall be reduced by 45 65 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$325 \$500, or, *in the case of property described in this subdivision owned by a disabled person or a person who has attained the age of 65 years, as described in article II, section 7, \$800*. If the market value is in excess of the sum of \$24,000, the amount in excess of that sum

shall be valued and assessed at 33⅓ percent in the case of agricultural land used for a homestead and 40 percent in the case of all other real estate used for a homestead.

Sec. 3. Minnesota Statutes 1976, Section 273.13, Subdivision 14a, is amended to read:

Subd. 14a. [BUILDINGS AND APPURTENANCES ON LAND NOT OWNED BY OCCUPANT.] The property tax to be paid in respect of the value of all buildings and appurtenances thereto owned and used by the occupant as a permanent residence, which are located upon land subject to property taxes and the title to which is vested in a person or entity other than the occupant, for all purposes except the payment of principal and interest on bonded indebtedness, shall be reduced by 45 65 percent of the amount of the tax in respect of said value as otherwise determined by law, but not by more than \$325 \$500, or, in the case of property described in this subdivision owned by a disabled person or a person who has attained the age of 65 years, as described in article II, section 7, \$800 .

Sec. 4. Minnesota Statutes 1976, Section 275.07, is amended to read:

275.07 [CITY, TOWN, COUNTY, SCHOOL DISTRICT AND SPECIAL DISTRICT TAXES.] The taxes voted by cities, towns, and school districts shall be certified by the proper authorities to the county auditor on or before October tenth in each year. *If a city, town, county, school district or special district fails to certify its levy by that date, its levy shall be the amount levied by it for the preceding year. If the local unit notifies the commissioner of revenue before October tenth of its inability to certify its levy by that date, and the commissioner is satisfied that the delay is unavoidable and is not due to the negligence of the local unit's officials or staff, the commissioner shall extend the time within which the local unit shall certify its levy.*

Sec. 5. Minnesota Statutes 1976, Section 276.01, is amended to read:

276.01 [DELIVERY OF LISTS TO TREASURER.] On or before the first Monday in January in December 15 each year, the county auditor shall deliver the lists of the several districts of the county to the county treasurer, taking therefor his receipt, showing the total amount of taxes due upon the lists and showing, for qualified property, as defined in section 273.011, for which the credit provided for in section 273.012 is claimed, the base tax, as defined in section 273.011. Where the names of taxpayers appear in the property tax lists, the county auditor shall show the addresses of such taxpayers. Such lists shall be authority for the treasurer to receive and collect taxes therein levied.

In counties in which the auditor has elected to come under the provisions of section 273.03, subdivision 2, he shall, during the year in which such lists as provided for in section 275.28, subdivision 3, are in the possession of the county treasurer, have

access thereto for the purposes of changing true and full valuations and the classifications of real estate contained therein which he would have been required to change or otherwise amend in the assessment books provided for in section 273.03, subdivision 1, except for his election to discontinue the preparation of such assessment books. The county auditor shall be the official custodian of such lists after the year during which they are in the county treasurer's possession.

Sec. 6. Minnesota Statutes 1976, Section 276.04, is amended to read:

276.04 [NOTICE OF RATES; PROPERTY TAX STATEMENTS.] On receiving the tax lists from the county auditor, the county treasurer shall, if directed by the county board, give three weeks' published notice in a newspaper specifying the rates of taxation for all general purposes and the amounts raised for each specific purpose. He shall, whether or not directed by the county board, cause to be printed on all tax statements, or on an attachment, a tabulated statement of the dollar amount due to each taxing authority and the amount to be paid to the state of Minnesota from the parcel of real property for which a particular tax statement is prepared. The dollar amounts due the state, county, township or municipality and school district shall be separately stated but the amounts due other taxing districts, if any, may be aggregated. The property tax statements for class 2a property shall contain the same information that is required on the tax statements for real property. The county treasurer shall mail to taxpayers statements of their personal property taxes due, such statements to be mailed not later than February 15 (except in the case of Class 2a property), statements of the real property taxes due shall be mailed not later than May 15 *January 31* ; provided, that the validity of the tax shall not be affected by failure of the treasurer to mail such statement. Such real and personal property tax statements shall contain the market value, as defined in section 272.03, subdivision 8, used in determining the tax. The statement shall also include the base tax as defined in section 273.011, subdivision 4, for qualified property as defined in section 273.011 for which the credit provided for in section 273.012 is claimed. The statement shall show the amount attributable to section 273.132 as "state paid agricultural credit" and the amount attributable to section 273.13, subdivisions 6 and 7 as "state paid homestead credit." The commissioner of revenue shall provide each county auditor with the names of those persons in the assessor's district who have filed and qualified for the property tax credit pursuant to sections 273.011 and 273.012 and shall inform the assessor of the base tax of those persons. The county treasurer shall separately show the "state paid basic homestead credit" and the "state paid supplementary homestead credit" as defined in article II, section 7. The county treasurer shall prepare and send a sufficient number of copies of the property tax statement to the owner, and to his escrow agent if the taxes are paid via an escrow agent, to enable him to comply with article II, section 7 and to retain one copy for his records. The property tax statement shall be in a form prescribed by the

commissioner of revenue and shall state that if the owner or owners of the property and their spouses have a combined federal adjusted gross income in excess of \$15,000 in the year the property tax is payable they may be subject to pay all or part of the state paid supplementary homestead credit back to the state with their income tax return due in that year. If so directed by the county board, the treasurer shall visit places in the county as he deems expedient for the purpose of receiving taxes and the county board is authorized to pay the expenses of such visits and of preparing duplicate tax lists.

Sec. 7. Minnesota Statutes 1976, Chapter 290, is amended by adding a section to read:

[290.976] [STATE PAID SUPPLEMENTAL HOMESTEAD RECAPTURE.] *Subdivision 1. For purposes of this section, unless the context indicates a different meaning, the following terms shall have the meanings given them:*

(a) "State paid basic homestead credit" means the amount by which property tax is reduced by applying 45 percent to such tax pursuant to section 273.13, subdivisions 6, 7 and 14 (a), but not in excess of \$325.

(b) "State paid supplemental homestead credit" means the amount by which property tax is reduced by applying 50 percent to such tax pursuant to section 273.13, subdivisions 6, 7 and 14 (a), subject to the maximum dollar limitations contained in those subdivisions, less the amount of the state paid basic homestead credit.

(c) "Disabled person" means a person who has been certified as disabled by the social security administration under Title II or Title XVI of the federal social security act prior to June 1 of the year in which the property tax is payable, or a person who has a disability prior to June 1, of the year in which the property taxes are payable.

(d) "Disability" has the meaning given in section 290A.03, subdivision 10.

(e) "Person who has attained the age of 65 years" means a person who is or will be 65 or more years old on June 1 of the year the property taxes are payable.

(f) In the case of a married couple, property shall be deemed to be owned by the disabled person or person who has attained the age of 65 years, regardless of whether the property is actually owned by the other spouse or jointly owned.

(g) "Federal adjusted gross income" means a person's federal adjusted gross income for the year immediately preceding the year in which the property tax is payable. In the case of a married person, federal adjusted gross income means the combined federal adjusted gross income of the person and his spouse who for any part of the preceding year resided on the property. In the case of property in which not all of the interests are owned by one person and his spouse, federal adjusted gross income means the combined

federal adjusted gross income of all persons who have a present and possessory interest in the property on January 2 of the year in which the property tax is payable and who for any part of the preceding year resided on the property.

(h) "Property" means property with respect to which a state paid supplemental homestead credit has reduced the property tax.

(i) "Person" means an individual who owns or has an ownership interest in property.

Subd. 2. A tax is hereby imposed on a person for whom real estate tax on property he owns has been reduced by the state paid supplemental homestead credit. The tax shall be computed pursuant to subdivision 3. The tax shall be a personal liability and shall be due and payable in the same manner and at the same time as the tax imposed by section 290.03. The tax shall be paid in the year in which the person's real estate tax on property subject to this subdivision is payable. The tax shall be collected in the same manner as the tax imposed by section 290.03, and insofar as is applicable all procedures for the determination, assessment, collection and imposition, including the imposition of penalties and interest, with respect to the tax imposed by section 290.03 shall apply to the tax imposed by this subdivision. The failure to pay the tax imposed by this subdivision shall not constitute a delinquent property tax.

Subd. 3. For persons whose federal adjusted gross income does not exceed \$15,000, the tax imposed by this section shall be zero. For persons whose federal adjusted gross income exceeds \$15,000, the tax imposed by this section shall be an amount determined by multiplying the state paid supplemental homestead credit which has been applied to reduce the property tax payable by five percent for each \$1,000 or portion thereof by which such person's federal adjusted gross income exceeds \$15,000.

Subd. 4. Each person for whom property tax on property he owns has been reduced by the state paid supplemental homestead credit shall be liable for the tax imposed by this section. In the case of property owned by two or more persons, payment of the full tax imposed by this section, including interest and penalties, if any, shall discharge the liability of all owners. The tax imposed by this section may be entirely paid by any person who owns the property or it may be paid by all owners of the property in the same percentage that each such owner's ownership interest in the property bears to the entire property interest.

Subd. 5. The state paid supplemental homestead credit shall be determined pursuant to this subdivision for disabled persons and persons who have attained the age of 65 years.

(a) A person who has attained the age of 65 years and a person who is disabled on the date he is required to file his homestead declaration shall present in duplicate to the county treasurer on forms prescribed by the commissioner, together with his homestead declaration, a signed application, under penalty of perjury, to receive the additional amount of state paid supplemental homestead

credit to which he is eligible. The petition shall set forth such facts as may be prescribed by the commissioner. The county treasurer may request a certified copy of such person's certificate of birth.

(b) The county treasurer shall forward one copy of each petition to the commissioner.

(c) The county treasurer may deny application when it appears that the person does not qualify for the additional supplemental credit. In the alternative, the county treasurer may hold the petition in abeyance and refer the matter to the commissioner for his determination. Any determination of the county treasurer denying a petition shall be appealable to the commissioner within 30 days of the date of the notice of such denial. The county treasurer shall promptly notify the person making the petition of such denial by certified mail setting forth the person's right of appeal. The commissioner shall within 90 days of receipt of an application referred to him by a county treasurer or an appeal of the county treasurer's order make an order granting or denying the petition. The commissioner's order shall be appealable in the same manner as any order of the commissioner assessing a tax.

(d) A person who has attained the age of 65 years or a person who is disabled shall be required to petition the county treasurer only for the first year to which the additional state paid supplemental homestead credit shall be payable except as provided in this paragraph. Each year thereafter on such person's homestead declaration he shall certify that he continues to be disabled and that there has been no change in ownership of the property. If there is a change in the ownership of the property or if there has been a change in a person's degree of disability to the extent that he may not continue to be disabled under this section, such person shall file a new petition with the homestead declaration that must be filed in the year next succeeding such change or changes, which shall be treated in the same manner as an original petition.

Subd. 6. If a person has received a state paid supplemental homestead credit in an amount in excess of that to which he is entitled, whether such excess credit is due to such person not qualifying as disabled or not having attained the age of 65 years or for any other reason, the commissioner shall assess as a tax under subdivision 2 the amount of such excess. Such assessment shall be attributed to the years in which the excess credit was allowed. In no case shall the county treasurer seek to obtain a refund of an excess credit for any person, and the commissioner shall not seek a refund of such excess credit from the county.

Subd. 7. The commissioner shall not assess a tax imposed by this section after the statute of limitations has run on a person's income tax return for the year in which the homestead credit is payable.

Subd. 8. The commissioner may make rules to accomplish the purpose of this section which are consistent with this section. The commissioner may establish reasonable and appropriate guidelines for county treasurers in the determination or referral to him of pe-

titions filed by persons who are disabled or who have attained the age of 65 years.

Subd. 9. The commissioner may require the examination and certification of a person who is allegedly disabled by a physician of the person's choosing or by a physician designated by the commissioner. The cost of the examination shall be borne by the person examined, unless the examination proves the disability, in which case the cost of examination shall be borne by the commissioner.

Subd. 10. A petition filed pursuant to this section shall be treated as confidential by the county treasurer and the commissioner, and the provisions of section 290.61 relating to publicity of returns shall apply.

Subd. 11. A person who prepares, causes to be prepared or assists in the preparation of a petition with the intent to defraud and to receive a credit in excess of that to which he or the applicant is entitled is guilty of a misdemeanor.

Subd. 12. A person who is disabled or has attained the age of 65 years who has failed to petition with his homestead declaration for the additional amount of credit to which he is entitled pursuant to this section may file such petition upon a showing of reasonable cause on or before June 1 of the year in which he is required to file such petition without penalty.

Subd. 13. Section 273.13, subdivision 16 shall apply with respect to a disabled person or person who has attained the age of 65 years who has purchased property prior to June 1 of the year the property taxes are payable. Such a person shall be entitled to the additional credit allowed by this section for one-half the property tax payable.

Sec. 8. [290B.01] [CITATION.] Sections 8 to 25 may be cited as the "Minnesota Income-Adjusted Rent Credit Act".

Sec. 9. [290B.02] [PURPOSE.] The purpose of sections 8 to 25 is to provide relief to renters who pay real estate tax as a part of their rent.

Sec. 10. [290B.03] [DEFINITIONS.] Subdivision 1. The following words, terms, and phrases when used in sections 8 to 25 shall have the meaning ascribed to them in this section, except where the context indicates a different meaning.

Subd. 2. "Commissioner" means the commissioner of revenue of the state of Minnesota.

Subd. 3. "Federal adjusted gross income" means the claimant's federal adjusted gross income for the year during which he paid the rent which is the basis for the rent credit claim. In the case of married persons, federal adjusted gross income means the combined federal adjusted gross income of the claimant and his spouse who for any part of such year resided in the rental unit upon which the rent credit is claimed.

Subd. 4. "Rental unit" means a dwelling rented and occupied by a claimant as a place of residence and so much of the land sur-

rounding it, not to exceed one acre, as is reasonably necessary for the use of the dwelling as a residence. A rental unit may be part of a multi-dwelling or multi-purpose building and the land upon which it is built.

Subd. 5. "Claimant" means a person who filed a claim authorized by sections 8 to 25. A claimant shall have resided in a rented or leased unit on which ad valorem taxes are payable for not less than six months of the calendar year covered by the claim, except that a claimant who is disabled or who has attained the age of 65 on the date specified in subdivision 9, may file a claim based on residence in a unit on which ad valorem taxes were not payable. In the case of a part year resident, the income and rental reflected in this computation shall be for the period of Minnesota residency only. Any rental expenses paid which may be reflected in arriving at federal adjusted gross income cannot be utilized for this computation. Maximum credit allowed under this computation would be at a rate of one-twelfth of the maximum credit allowed pursuant to section 11 per month of residency computed to the nearest full month.

Subd. 6. If a rental unit is occupied by two or more renters other than renters who are husband or wife the rent shall be deemed to be paid in the same proportion that each paid such rent. In the case of renters who are husband and wife and reside in the same rental unit the rent shall be deemed to be paid by either spouse, and either spouse may claim the entire credit. Only one spouse may claim the credit. If the spouses cannot agree as to who is entitled to claim the credit, upon application by a spouse the commissioner shall decide and his decision shall be final.

Subd. 7. "Disabled claimant" means a claimant who has a disability on or before June 1 of the year in which the credit is claimed.

Subd. 8. "Disability" means:

(a) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, or

(b) Blindness; and the term "blindness" means central acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less.

(c) An individual shall be determined to be under a disability only if his physical or mental impairment or impairments are of such severity that he is not only unable to do his previous work but cannot, considering his age, education, and work experience, engage in any other kind of substantial gainful work which exists in the state economy, regardless of whether the work exists in the immediate area in which he lives, or whether a specific job vacancy

exists for him, or whether he would be hired if he applied for work. For purposes of the preceding sentence, "work which exists in the state economy" means work which exists in significant numbers either in the area where the individual lives or in several areas of the state.

(d) A "physical or mental impairment" is an impairment that results from anatomical, physiological, or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques.

Subd. 9. "Claimant who has attained the age of 65 years" means a person who has attained the of 65 years on or before June 1 of the year in which the rent credit is claimed.

Subd. 10. "Rent constituting property taxes" means 20 percent of the gross rent actually paid in cash, or its equivalent, in 1977 or any subsequent calendar year by a claimant solely for the right of occupancy of his Minnesota homestead in the calendar year, and which rent constitutes the basis, in the succeeding calendar year of a claim for relief under sections 8 to 25 by the claimant.

Subd. 11. "Gross rent" means rental paid solely for the right of occupancy, at arms-length, of a rental unit, exclusive of charges for any utilities, services, furniture, or furnishings furnished by the landlord as a part of the rental agreement, whether expressly set out in the rental agreement or not. If the landlord and tenant have not dealt with each other at arms-length and the commissioner determines that the gross rent charged was excessive, he may adjust the gross rent to a reasonable amount for purposes of sections 8 to 25. For homesteads which are mobile homes as defined in section 168.011, subdivision 8, gross rent includes rent paid for the site upon which the mobile home is located.

If the landlord does not supply the charges for any utilities, furniture, or furnishings furnished by him, or if the charges appear to be incorrect the commissioner may apply a percentage determined from samples of similar gross rents paid solely for the right of occupancy.

An amount paid by a claimant residing in property assessed pursuant to section 273.133 for occupancy in that property shall be excluded from gross rent for purposes of sections 8 to 25.

Sec. 11. [290B.04] [RENT CREDIT ALLOWABLE.] Subdivision 1. The rent credit allowable under sections 8 to 25 shall be the amount of rent constituting property taxes except that the credit shall not exceed:

(a) \$800 in the case of a disabled claimant or a claimant who has attained the age of 65 years or

(b) \$500 in all other cases, reduced by the amount set forth in subdivision 2 and subject to the overall limits in subdivision 3.

Subd. 2. The credit allowed in subdivision 1 to a claimant shall be reduced by an amount equal to five percent for each \$1,000 by which federal adjusted gross income exceeds \$15,000, but shall not be reduced below \$120.

Subd. 3. Other law to the contrary notwithstanding, the maximum credit allowed under sections 8 to 25, when added to any credit available under section 7 during any year, shall not exceed \$800 in the case of a disabled claimant or a claimant who has attained the age of 65 and \$500 in all other cases.

Sec. 12. [290B.05] [LEASES AND SUBLEASES.] *If a claimant rents, leases or subleases a part of his rental unit to another person, he shall reduce the amount of the gross rent he pays by the gross rent he receives from such rental, lease or sublease in computing his own gross rent for purposes of sections 8 to 25.*

Sec. 13. [290B.06] [FILING TIME LIMIT; LATE FILING.] *All claims shall be filed with the department of revenue on or before August 31 of the year immediately succeeding the year the rent constituting the basis for the claim was paid. The commissioner may extend the time for filing these claims for a period not to exceed six months in the case of sickness, absence, or other disability, or when in his judgment other good cause exists.*

A claim filed after the original or extended due date shall be allowed, but the amount of credit shall be reduced by five percent of the amount otherwise allowable, plus an additional five percent for each month of delinquency, not exceeding a total reduction of 25 percent. In any event no claim shall be allowed if the claim is filed two years after the original due date for filing the claim.

Sec. 14. [290B.07] [TIME FOR PAYMENT.] *Subdivision 1. Allowable claims filed pursuant to the provisions of sections 8 to 25 shall be paid by the commissioner from the general fund.*

Subd. 2. A claimant shall receive full payment no later than 60 days after receipt of the application or may elect to take as a credit against his income tax the full amount.

Subd. 3. Claims remaining unpaid 60 days after the dates provided in subdivision 2, shall have interest added at six percent per annum from the later date until the date the claim is paid.

Sec. 15. [290B.08] [PROOF OF CLAIM.] *Every claimant shall supply to the department of revenue, in support of his claim, proof of eligibility under sections 8 to 25, including but not limited to amount of rent paid, name and address of owner or managing agent of property rented, changes in homestead, household membership, federal adjusted gross income, size and nature of property claimed as a rental unit.*

Disabled persons filing claims shall submit proof of disability in the form and manner as the department may prescribe. The department may require examination and certification by the claimant's physician or by a physician designated by the department. The cost of any examination shall be borne by the claimant, unless the examination proves the disability, in which case the cost of the examination shall be borne by the department.

A determination of disability of a claimant by the social security administration under Title II or Title XVI of the Social Security Act shall constitute presumptive proof of disability.

Sec. 16. [290B.09] [OBJECTIONS TO CLAIMS.] *Subdivision 1. [AUDIT OF CLAIM.] When on the audit of any claim filed under sections 8 to 25 the department determines the amount thereof to have been incorrectly determined, the department shall redetermine the claim and notify the claimant of the redetermination and the reasons therefor. The redetermination shall be final unless appealed to the Minnesota tax court of appeals within 30 day of notice thereof.*

Subd. 2. [FRAUDULENT CLAIM; PENALTY.] In any case in which it is determined that the claim is or was excessive and was filed with fraudulent intent, the claim shall be disallowed in full. If the claim has been paid, the amount disallowed shall be recovered by assessment and collection in the manner provided in chapter 290 for collection of income tax. The assessment shall bear interest from the date the claim is paid by the state until the date of repayment by the claimant, at the rate of six percent per annum. The claimant, and any person who assisted in the preparation of filing of the excessive claim or supplied information upon which the excessive claim was prepared, with fraudulent intent, is guilty of a misdemeanor.

Subd. 3. [EXCESSIVE OR NEGLIGENT CLAIM.] If it is determined that a claim is excessive and was negligently prepared, ten percent of the corrected claim shall be disallowed. If the claim has been paid, the amount erroneously paid out plus penalty shall be recovered as provided in subdivision 2.

Subd. 4. [INTEREST.] Amounts to be repaid to the state shall bear interest at six percent per annum from the date the state paid the claim until the date of repayment by the claimant.

Sec. 17. [290B.10] [APPEAL.] *Any person aggrieved by the denial, in whole or in part, of relief claimed under sections 8 to 25, except when the denial is based upon late filing of a claim for relief, may appeal the denial to the Minnesota tax court of appeals by filing a petition with the tax court of appeals within 30 days after the denial, as provided in chapter 271.*

Sec. 18. [290B.11] [NO RELIEF ALLOWED IN CERTAIN CASES.] *No claim for relief under sections 8 to 25 shall be allowed if the commissioner determines that the claimant received tenancy to his rental unit primarily for the purpose of receiving benefits under sections 8 to 25 and not for bona fide residence purposes.*

Sec. 19. [290B.12] [CLAIM APPLIED AGAINST OUTSTANDING LIABILITY.] *The amount of any claim otherwise payable under sections 8 to 25 may be applied by the commissioner against any delinquent tax liability of the claimant or spouse of the claimant payable to the department of revenue.*

Sec. 20. [290B.13] [PUBLICITY OF CLAIMS.] *It shall be unlawful for the commissioner or any other public official or employee to divulge or otherwise make known any particulars disclosed in any claim filed pursuant to sections 8 to 25. The provisions of section 290.61 relating to the confidential nature of income tax returns shall also be applicable to claims thus filed.*

Nothing herein shall be construed to prohibit the commissioner from making public the information concerning amounts of property tax accrued and the relief granted to taxpayers without including information which would identify individual taxpayers. The commissioner may examine income tax returns as he deems necessary and may utilize the information in legal and administrative proceedings to insure proper administration of sections 8 to 25, notwithstanding section 290.61.

Sec. 21. [290B.14] [RIGHT TO FILE CLAIM.] *If a claimant entitled to relief under sections 8 to 25 dies prior to receiving relief, the surviving spouse or dependent child of the claimant shall be entitled to receive it. If there is no surviving spouse or dependent child, the right to the credit shall lapse.*

Sec. 22. [290B.15] [LANDLORD TO FURNISH RENT CERTIFICATE; PENALTY.] *The owner or managing agent of any property for which rent is paid for occupancy as a homestead shall furnish a certificate of rent paid to each renter in the form prescribed by the commissioner. The certificate shall be made available to the renter not later than February 15 of the year following the year in which the rent was paid. Any owner or managing agent who willfully fails to furnish a certificate as provided herein shall be liable to the commissioner for a penalty of \$20 for each act or failure to act. The penalty shall be assessed and collected in the manner provided in chapter 290 for the assessment and collection of income tax.*

Sec. 23. [290B.16] [RULES.] *The commissioner shall promulgate rules which he deems appropriate for the administration of sections 8 to 25. He shall also make available forms with instructions for claimants as he deems necessary for the proper administration of sections 8 to 25. The claim shall be in the form the commissioner may prescribe.*

Sec. 24. [290B.17] [EXCLUSIVE RELIEF.] *Sections 290.981 to 290.992, 290.0601 to 290.0616, and 290.0618 shall not be effective with respect to any rent paid after December 31, 1974 or property taxes payable after December 31, 1975. Minnesota Statutes 1976, Chapter 290A, shall not be effective for property taxes payable after December 31, 1977.*

Sec. 25. [290B.18] [SUPPLEMENTAL HOUSING ALLOWANCE FOR AFDC RECIPIENTS.] *Recipients of the aid to families with dependent children program who receive a supplemental housing allowance under section 256.879 are not eligible for the tax credit set forth under sections 8 to 25. The commissioner of revenue shall assist the commissioner of public welfare in the administration of the supplemental housing allowance, and shall provide the commissioner of public welfare with such records and information as are necessary to administer the housing allowance.*

Sec. 26. [REPEALER.] *Minnesota Statutes 1976, Chapter 290A, is repealed.*

Sec. 27. [REPEALER.] *Minnesota Statutes 1976, Sections 273.011; 273.012; and 290.066, are repealed.*

Sec. 28. [EFFECTIVE DATE.] *Sections 1 to 7 and 27 are effective for taxes levied in 1977 and thereafter, payable in 1978 and thereafter. Sections 8 to 26 are effective for claims based on rent paid after December 31, 1976.*

Further, amend the title as follows:

Page 1, line 14, delete "increasing the"

Page 1, line 15, delete "income-adjusted credit for homeowners" and insert "changing structure and procedures of income-adjusted homestead and renters credits"

Page 2, line 10, delete "290A.03,"

Page 2, delete lines 11 to 12

Page 2, line 13, delete "290A.05; 290A.10;"

Page 2, line 29, before the period insert "; and Chapter 290A"

The roll was called, and there were yeas 18 and nays 40, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Jensen moved to amend H. F. No. 1475, as amended by the Senate May 9, 1977, as follows:

Page 10, after line 7 insert:

"Sec. 3. Minnesota Statutes 1976, Section 290.06, Subdivision 2c, is amended to read:

Subd. 2c. [SCHEDULE OF RATES FOR INDIVIDUALS, ESTATES AND TRUSTS.] (a) *Subject to subdivision 2d, for taxable years beginning after December 31, 1971, 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 percent;
- (2) On the second \$500, two and two-tenths percent;

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

(b) In lieu of a tax computed according to the rates set forth in clause (a) of this subdivision *and subdivision 2d*, 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 *and subdivision 2d*.

Sec. 4. Minnesota Statutes 1976, Section 290.06, is amended by adding a subdivision to read:

Subd. 2d. [INFLATION ADJUSTMENT.] For taxable years beginning after December 31, 1977, the rates imposed by subdivision 2c shall be adjusted for inflation. The commissioner of revenue shall annually determine the percentage increase in the consumer price index for the Minneapolis-St. Paul metropolitan area prepared by the United States department of labor with 1967 as a base year. The commissioner shall determine the increase from September 1, 1977 to August 30 each succeeding year, and he shall announce the percentage figure by November 1, each year. The dollar amount in each range of the schedule shall be multiplied by that percentage. The product of each calculation shall be added to the dollar amount in each range to produce inflation adjusted taxable net income subject to the rates in subdivision 2c for each succeeding year."

Renumber the remaining sections accordingly

Further amend the title as follows:

Page 1, line 4, after the semicolon, insert "providing an inflation adjustment for the income tax rate schedule;"

Page 2, line 8, before "3c" insert "2c,"

Page 2, line 9, after "3d" insert " and by adding a subdivision"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 45, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, J.	Pillsbury	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	Olson	Spear
Benedict	Hughes	Luther	Perpich	Staples
Borden	Humphrey	McCutcheon	Peterson	Stokowski
Chmielewski	Johnson	Menning	Purfeerst	Strand
Coleman	Keefe, S.	Milton	Schaaf	Stumpf
Davies	Kleinbaum	Moe	Schmitz	Tennessen
Dieterich	Knoll	Nelson	Schrom	Vega
Gearty	Laufenburger	Nichols	Setzepfandt	Wegener
Gunderson	Lessard	Olhoff	Solon	Willet

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

Mr. Sieloff moved to amend H. F. No. 1475, as amended by the Senate May 9, 1977, as follows:

Page 38, after line 2, insert:

"Sec 11. Minnesota Statutes 1976, Section 290A.03, Subdivision 11, is amended to read:

Subd. 11. [RENT CONSTITUTING PROPERTY TAXES.] "Rent constituting property taxes" means 20 25 percent of the gross rent actually paid in cash, or its equivalent, in 1975 or any subsequent calendar year by a claimant solely for the right of occupancy of his Minnesota homestead in the calendar year, and which rent constitutes the basis, in the succeeding calendar year of a claim for relief under sections 290A.01 to 290A.21 by the claimant."

Page 43, line 23, delete " 18 " and insert " 19 "

Renumber the remaining sections

Further amend the title as follows:

Page 2, line 11, after "8" insert ", 11"

The question was taken on the adoption of the amendment.

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

Those who voted in the negative were:

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

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

Mr. Sieloff then moved to amend H. F. No. 1475, as amended by the Senate May 9, 1977, as follows:

Page 69, line 31, after "employer" insert "*for wages paid after June 30, 1977. Section 290.031 shall expire on June 30, 1978 and shall not apply to wages paid after that date*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 42, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Sieloff then moved to amend H. F. No. 1475, as amended by the Senate May 9, 1977, as follows:

Page 81, line 2, delete "and"

Page 81, line 4, delete the period and insert a semicolon

Page 81, after line 4, insert:

"(e) make a comparative analysis of the tax structure of this state and that of other states as such tax structure relates to the taxation of business in this state;

(f) make findings concerning the impact of the tax structure of this state on decisions by business to move to other states which have a more favorable tax climate and specifically make findings concerning the number and nature of Minnesota businesses which have relocated in South Dakota;

(g) the findings and analysis set forth in clauses (e) and (f) shall be completed no later than February 15, 1978; and

(h) the commission shall not recommend an audit of tax returns of a person or particular class of persons."

Page 82, line 15, before the period insert "*, except that no per diem allowance shall be paid in excess of that allowable by law for legislators*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the amendment was adopted.

Mr. Knutson moved to amend H. F. No. 1475, as amended by the Senate May 9, 1977, as follows:

Page 14, after line 7, insert:

"Sec. 5. Minnesota Statutes 1976, Section 290.08, Subdivision 6, is amended to read:

Subd. 6. [PENSIONS, BENEFITS, AND ALLOWANCES FROM STATE AND UNITED STATES.] Amounts, including interest, received by any person from the United States or from the state of Minnesota or any of its political or governmental subdivisions or from any other state or its political or governmental subdivisions, or a Minnesota volunteer fireman's relief association, either as a refund of contributions to, or by way of payment as a pension, public employee retirement benefit, unemployment compensation benefit, social security benefit of railroad retirement or unemployment compensation benefit, family allotment or other similar allowance, *provided that the recipient was employed by that unit or subdivision or agency of government from which he receives the pension prior to December 31, 1977;*"

Renumber the sections in sequence

Page 28, line 30, strike "290.08, Subdivision 6;"

Amend the title as follows:

Page 2, line 9, after "3d," insert "290.08, Subdivision 6;"

Page 2, line 26, strike "290.08,"

Page 2 line 27, strike "Subdivision 6;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 21 and nays 37, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Humphrey	Menning	Peterson	Strand
Coleman	Johnson	Moe	Purfeerst	Stumpf
Davies	Keefe, S.	Nelson	Schmitz	Vega
Dieterich	Kleinbaum	Nichols	Setzepfandt	Wegener
Gearty	Lessard	Olhoft	Solon	Willet
Gunderson	Lewis	Olson	Spear	
Hanson	Luther	Penny	Staples	
Hughes	McCutcheon	Perpich	Stokowski	

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

Mr. Sieloff then moved to amend H. F. No. 1475, as amended by the Senate May 9, 1977, as follows:

Page 28, delete lines 11 to 28

Renumber the remaining sections

Further, amend the title as follows:

Page 1, lines 12 and 13, delete "providing minimum tax on preference items;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 12 and nays 43, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Ogdahl	Renneke	Sillers
Bang	Frederick	Pillsbury	Sieloff	Ueland, A.
Brataas	Knutson			

Those who voted in the negative were:

Anderson	Gunderson	McCutcheon	Peterson	Strand
Benedict	Hanson	Menning	Purfeerst	Stumpf
Bernhagen	Hughes	Moe	Schaaf	Tennessen
Borden	Humphrey	Nelson	Schmitz	Ulland, J.
Chmielewski	Johnson	Nichols	Setzepfandt	Vega
Coleman	Keefe, S.	Olhoft	Sikorski	Wegener
Davies	Knoll	Olson	Solon	Willet
Dieterich	Lessard	Penny	Staples	
Gearty	Luther	Perpich	Stokowski	

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

Mr. Sieloff then moved to amend H. F. No. 1475, as amended by the Senate May 9, 1977, as follows:

Page 7, line 11, reinsert the stricken semicolon and insert "and"

Page 7, lines 15 to 17, reinsert the stricken language

Page 7, line 18, reinsert "section 290.65"

Page 28, line 30, delete ", and 290.65," and insert ";

Page 28, line 31, delete "Subdivision 1,"

Further, amend the title as follows:

Page 2, line 26, delete "290.65, Subdivision 1;"

The question was taken on the adoption of the amendment.

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

The roll was called, and there were yeas 19 and nays 37, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Benedict	Hughes	Menning	Purfeerst	Stumpf
Borden	Humphrey	Moe	Schaaf	Tennessee
Coleman	Johnson	Nelson	Schmitz	Vega
Davies	Keefe, S.	Nichols	Setzepfandt	Wegener
Dieterich	Knoll	Olhoff	Spear	Willet
Gearty	Lewis	Penny	Staples	
Gunderson	Luther	Perpich	Stokowski	
Hanson	McCutcheon	Peterson	Strand	

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

Mr. Sieloff then moved to amend H. F. No. 1475, as amended by the Senate May 9, 1977, as follows:

Pages 70 to 71, delete section 4

Pages 72 to 73, delete section 6

Page 77, line 28, restore the stricken language

Page 80, delete line 13

Page 80, line 14, delete "after December 31, 1977. Sections 5, 6 and 7" and insert "Sections 4 and 5"

Renumber the sections in Article VII

Further, amend the title as follows:

Page 1, delete line 30

Page 1, line 31, delete "companies;"

Page 1, delete line 32

Page 1, line 33, delete "railroad rolling stock;"

Page 2, line 13, delete "295.02;" and "297A.211, by"

Page 2, line 14, delete "adding a subdivision;"

The question was taken on the adoption of the amendment.

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	Sieloff
Bang	Engler	Kirchner	Pillsbury	Sillers
Bernhagen	Frederick	Knutson	Renneke	Ueland, A.
Brataas	Jensen			

Those who voted in the negative were:

Anderson	Hughes	McCutcheon	Schaaf	Tennessen
Benedict	Humphrey	Menning	Schmitz	Ulland, J.
Borden	Johnson	Moe	Sikorski	Vega
Chmielewski	Keefe, S.	Nelson	Solon	Wegener
Coleman	Knoll	Olhoft	Spear	Willet
Dieterich	Laufenburger	Penny	Staples	
Gearly	Lessard	Perpich	Stokowski	
Gunderson	Lewis	Peterson	Strand	
Hanson	Luther	Purfeerst	Stumpf	

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

Mr. Frederick moved to amend H. F. No. 1475, as amended by the Senate May 9, 1977, as follows:

Page 81, line 2, strike "and"

Page 81, line 4, strike the period and insert "; and"

Page 81, after line 4, insert:

"(e) examine the structure, burden and distribution of the taconite production tax, its relationship to taconite occupation, royalty and excise taxes, together with an examination of the needs of local taxing districts now receiving taconite production tax revenues, as well as an inquiry into the economics and competitive position of the steel and iron ore industries. The commission shall report its findings to the legislature on or before January 15, 1978."

Pages 86 to 116, strike Article X

Renumber the articles in sequence

Amend the title as follows:

Page 1, line 35, strike "changing taconite tax provisions;"

Page 1, strike line 36

Page 1, line 37, strike "protection fund;"

Page 2, line 2, strike "273.134; 273.135,"

Page 2, line 3, strike "Subdivision 2;"

Page 2, strike lines 15, 16, and 17

Page 2, line 18, strike "1; 298.282, Subdivisions 1 and" and insert "Subdivision"

Page 2, line 22, strike everything after the semicolon

Page 2, line 23, strike "sections;"

Page 2, line 27, strike everything after "6;"

Page 2, strike line 28 and strike all of line 29 except the period

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 14 and nays 45, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Jensen	Ogdahl	Sieloff
Bang	Engler	Kirchner	Pillsbury	Ueland, A.
Bernhagen	Frederick	Knutson	Renneke	

Those who voted in the negative were:

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

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

Mr. Frederick then moved to amend H. F. No. 1475, as amended by the Senate May 9, 1977, as follows:

Page 106, line 9, strike *"to the credit of the iron range resources"*

Page 106, line 9, after *"and"* insert *"shall be annually appropriated from the general fund to the commissioner of natural resources to be used for purposes of reclamation and restoration of mineral land, and development of resources in the area."*

Page 106, strike lines 10 to 17

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 45, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Frederick then moved to amend H. F. No. 1475, as amended by the Senate May 9, 1977, as follows:

Page 115, line 26, after the period insert *"No moneys in the northeast Minnesota economic protection fund shall be appropriated or expended for any purpose, or in any manner other*

than those explicitly stated in this act, without two-thirds of the members of the house of representatives and two-thirds of the members of the senate voting their approval, nor shall any of the provisions of sections 23, 24 and 25 of this act be amended without the approval of two-thirds of the members of the house of representatives and two-thirds of the members of the senate."

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

H. F. No. 1475 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 53 and nays 12, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ashbach	Brataas	Kirchner	Pillsbury	Sieloff
Bang	Dunn	Knutson	Renneke	Ueland, A.
Bernhagen	Engler			

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

APPOINTMENTS

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

H. F. No. 231, pursuant to the request of the House:

Messrs. Lewis, Purfeerst and Knutson.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 1:00 o'clock p.m., Tuesday, May 10, 1977. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate