

FIFTY-FIFTH DAY

St. Paul, Minnesota, Monday, May 16, 1977

The Senate met at 1:00 o'clock p.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Herbert C. Hyak.

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

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

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. Johnson was excused from the Session of today from 2:30 o'clock p.m. until 4:00 o'clock p.m. Mr. Knoll was excused from the Session of today from 4:30 o'clock p.m. until 7:00 o'clock p.m. Mr. Frederick was excused from the Session of today at 5:00 o'clock p.m. Mr. Keefe, J. was excused from the early part of this evening's Session.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 11, 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
	62	73	May 11	May 11
	107	74	May 11	May 11
	146	75	May 11	May 11
	163	76	May 11	May 11
	218	77	May 11	May 11
	465	78	May 11	May 11
	686	79	May 11	May 11
	946	80	May 10	May 11
	979	81	May 11	May 11
617		82	May 11	May 11
713		83	May 11	May 11
836		84	May 11	May 11
1415		85	May 11	May 11

Sincerely,
Joan Anderson Growe,
Secretary of State

May 12, 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
	425	86	May 12	May 12
1034		87	May 12	May 12
1208		88	May 12	May 12

Sincerely,
Joan Anderson Growe,
Secretary of State

May 16, 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. 895.

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.

Messrs. Olhoff, Solon, Nelson and Knutson introduced—

S. F. No. 1527: A bill for an act relating to public welfare; medical assistance for the needy; excluding assistance for experimental surgery; amending Minnesota Statutes 1976, Section 256B.02, Subdivision 8.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Ogdahl introduced—

S. F. No. 1528: A bill for an act relating to retirement; actuarial valuations and experience studies of various public retirement funds; amortization of unfunded accrued liabilities; amending Minnesota Statutes 1976, Sections 356.215, Subdivision 4; 356.22, Subdivision 2; and 422A.08, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Solon, Kleinbaum and Coleman introduced—

S. F. No. 1529: A bill for an act relating to intoxicating liquors; removing prohibition against sale of liquor on election days; amending Minnesota Statutes 1976, Sections 340.034, Subdivision 1; and 340.14, Subdivision 1.

Referred to the Committee on Commerce.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to proceed to the Order of Business of Motions and Resolutions. The motion prevailed.

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

GENERAL ORDERS

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

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

S. F. Nos. 1236, 809, 160 and H. F. Nos. 319, 1129, 954, 980,

562, 972, 257, 817, 1015, 314, 297, 971, 902, 1259, 1223, 460, 106, 315, 536, 1155, 993, 1113, 411, 1187, 491, 1054 which the committee recommends to pass.

H. F. No. 1201, which the committee recommends to pass with the following amendment offered by Mr. Sikorski:

Amend H. F. No. 1201, as amended pursuant to Rule 49, adopted by the Senate May 12, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 1435.)

Page 3, line 17, after "contracts" insert "described in section 11, clauses (a) and (b)"

S. F. No. 597, which the committee recommends to pass.

The question was taken on the recommendation to pass S. F. No. 597.

The roll was called, and there were yeas 48 and nays 15, as follows:

Those who voted in the affirmative were:

Benedict	Gunderson	Laufenburger	Pillsbury	Stokowski
Bernhagen	Hanson	Luther	Purfeerst	Strand
Brataas	Hughes	McCutcheon	Renneke	Stumpf
Chmielewski	Humphrey	Merriam	Schaaf	Tennessen
Davies	Jensen	Milton	Setzepfandt	Ueland, A.
Dieterich	Keefe, J.	Nelson	Sieloff	Ulland, J.
Dunn	Keefe, S.	Nichols	Sikorski	Vega
Engler	Kirchner	Olson	Solon	Willet
Frederick	Knoll	Perpich	Spear	
Gearty	Knutson	Peterson	Staples	

Those who voted in the negative were:

Ashbach	Kleinbaum	Menning	Olhoft	Schrom
Bang	Lessard	Moe	Penny	Sillers
Johnson	Lewis	Ogdahl	Schmitz	Wegener

The motion prevailed. So S. F. No. 597 was recommended to pass.

S. F. No. 90, which the committee recommends to pass with the following amendment offered by Mr. Stumpf:

Page 9, line 12, strike "inventorying" and insert "inventory"

Page 12, line 15, after "state" strike the comma

Page 12, line 17, reinstate "and"

Page 18, line 26, before "soil" insert "state"

Page 18, line 28, after "as" insert "the"

H. F. No. 1180, which the committee recommends to pass subject to the following motion:

Mr. Laufenburger moved to strike the amendments recommend-

ed by the Committee on Commerce, adopted by the Senate May 11, 1977, to page 15; and strike the title amendment. The motion prevailed. So the amendment was stricken.

H. F. No. 676 which the committee recommends to pass, subject to the following motions:

Mr. Tennesen moved to amend H. F. No. 676 as follows:

Page 2, line 6, strike "*No recovery shall be had in any action or actions*"

Page 2, strike lines 7 to 10

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 13 and nays 39, as follows:

Those who voted in the affirmative were:

Benedict	Gearty	Knoll	Merriam	Tennesen
Davies	Hanson	Luther	Olhoff	
Dieterich	Humphrey	Menning	Stumpf	

Those who voted in the negative were:

Anderson	Hughes	Milton	Pillsbury	Spear
Ashbach	Jensen	Moe	Schaaf	Staples
Bang	Keefe, J.	Nelson	Schmitz	Stokowski
Bernhagen	Keefe, S.	Nichols	Schrom	Strand
Brataas	Kirchner	Olson	Setzepfandt	Ueland, A.
Coleman	Laufenburger	Penny	Sieloff	Vega
Engler	Lessard	Perpich	Sikorski	Wegener
Gunderson	McCutcheon	Peterson	Sillers	

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

Mr. Anderson moved to amend H. F. No. 676 as follows:

Page 1, line 15, strike the last comma and insert "*or*"

Page 1, line 16, strike "*or giving*"

Page 2, line 10, strike the first comma and insert "*or*"

Page 2, line 10, strike "*, or gift*"

The motion prevailed. So the amendment was adopted.

S. F. No. 266, which the committee recommends to pass with the following amendment offered by Mr. Keefe, S.:

Page 3, after line 27, insert

"Sec. 8. Minnesota Statutes 1976, Section 204A.34, Subdivision 2, as amended by Laws 1977, Chapter 88, Section 2, is amended to read:

Subd. 2. [DISABLED VOTER, ASSISTANCE.] Any person who is unable to enter a polling place *which uses paper ballots* may register and vote without leaving his vehicle. Two judges, who are not members of the same political party, shall assist a voter who is unable to enter the polling place to register and to complete

a voter's certificate, and shall provide him with the necessary ballots. The voter may request additional assistance in marking his ballots as provided in subdivision 1. *In other polling places, two judges, who are not members of the same political party, shall assist a disabled voter who is at the entry of the polling place. A person who is intoxicated may not vote.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after "auditors;" insert "providing for assistance to disabled voters;"

Page 1, line 9, after "204A.20;" insert "204A.34, Subdivision 2, as amended"

H. F. No. 1094, which the committee recommends to pass with the following amendment offered by Mr. Davies:

In the amendment by the Committee on Commerce, adopted by the Senate May 9, 1977, to page 2:

Line 17, in the reinstated language, strike "original"

S. F. No. 1050, which the committee recommends to pass with the following amendments offered by Messrs. Sieloff and Olhoft:

Mr. Sieloff moved to amend S. F. No. 1050 as follows:

Page 13, line 21, after "*the*" and before "*property*" insert "*commissioner believes the*"

Page 13, line 21, after "*located*" insert "*at the time such notice is filed,*"

Mr. Olhoft moved to amend S. F. No. 1050 as follows:

Page 11, line 10, after "*section*" delete "8" and insert "7"

H. F. No. 585, which the committee recommends to pass with the following amendments offered by Messrs. Sieloff and Dieterich:

Mr. Sieloff moved to amend the amendment placed on H. F. No. 585 by the Committee on Taxes and Tax Laws, adopted by the Senate May 12, 1977, as follows:

In the amendment to page 10, after line 15, next to the last line of the paragraph, after "*the*" and before "*property*" insert "*commissioner believes the*" and in the same line, after "*located*" insert "*at the time such lien is filed,*"

Mr. Dieterich moved to amend H. F. No. 585 as follows:

Pages 10 to 13, strike section 8

Renumber the sections in sequence

Page 14, line 20, strike "9" and insert "8"

Page 14, line 22, strike "Sections" and insert "Section"

Page 14, line 22, strike "and 8"

Page 14, line 23, strike "10" and insert "9"

Amend the title as follows:

Page 1, line 12, strike "290.92,"

Page 1, line 13, strike "by adding a subdivision;"

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

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

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

S. F. No. 1530: A bill for an act relating to public improvements; providing for prison and education facilities; regulating the location of certain education facilities; barrier free buildings; authorizing state building bonds; appropriating money.

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

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk with the exception of H. F. No. 1004 be now adopted. The motion prevailed.

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

S. F. No. 464: A bill for an act relating to public welfare; changing eligibility standards for medical assistance; appropriating money; amending Minnesota Statutes 1976, Section 256B.06, Subdivision 1.

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

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1976, Section 256.73, Subdivision 2, is amended to read:

Subd. 2. [ALLOWANCE BARRED BY OWNERSHIP OF PROPERTY.] The ownership by father, mother, child, children, or any combination thereof, of property as follows shall be a bar to any allowance under section 256.72 to 256.87:

(1) Real estate used as a home the market value of which less encumbrances exceeds \$7,500; provided that real estate used as a home in excess of this amount will not be a bar to eligibility where the county welfare board determines that such real estate is not available for support of the family.

(2) Personal property of a reasonable market value in excess of \$300 for a one child recipient or \$500 for more than one child recipient, exclusive of personal property used as the home, insurance carried by a parent which does not exceed a cash surrender value of \$500, appropriate clothing, *the value of one automobile up to a maximum of \$1,500* and necessary household furniture and equipment, and of such tools, implements, and domestic animals as in the opinion of the county agency it is expedient to retain for the purpose of reducing the expense or increasing the income of the family, and the earnings of a dependent child which are placed in a savings account to be used for a future purpose approved by the county agency in accordance with the rules and regulations of the commissioner of public welfare; or

(3) Real estate not used as a home, provided that if such real estate does not produce net income sufficient to meet the family budget and there is no available market for the sale of such property, or if the price which can be obtained on the prevailing market is not fair and reasonable considering the applicant's interest therein and the possibilities of sale of said property for a greater amount within a reasonable length of time thereafter then in that event, in the discretion of the county agency, ownership of the same shall not be a bar to an allowance under sections 256.72 to 256.87. Net income shall be the residue after payment from gross income of taxes, insurance, maintenance, and interest on encumbrances, if any, on the property, provided that in computing net income the gross income shall not be charged with any expenses toward betterment of the property as improvements or by payment on the principal of a mortgage; provided, that the net income thus derived shall be applied on the family budget."

Page 2, line 16, after "dependent" insert "*, except that the value of one automobile shall be disregarded up to \$1,500*"

Page 3, line 6, after "the" insert "state"

Page 3, line 6, after "agency" insert "*, if permitted to do so by the department of health, education and welfare,*"

Page 3, line 10, strike "agency rules" and insert "law"

Page 3, after line 23, insert:

"Sec. 3. Minnesota Statutes 1976, Section 256D.37, Subdivision 2, is amended to read:

Subd. 2. The eligibility criteria for supplemental aid under this section shall be those in effect December 31, 1973 for the categorical aid programs of old age assistance, aid to the blind, and aid to the disabled. The local agency shall apply the relevant criteria to each application. ~~Effective July 1, 1974, the real property equity limitation for applicants other than the blind shall be \$12,000. Effective January 1, 1975, The real property equity limitation for all applicants for supplemental aid under this section shall be \$15,000. The value of one automobile up to \$1,500 shall be excluded from any limitations on personal property.~~ The local agency in its discretion may permit eligibility of an applicant having assets in excess of the amount prescribed in this section if liquidation of the assets would cause undue loss or hardship."

Page 3, line 24, after the dollar sign insert "*7,680,000 for the biennium ending June 30, 1979*"

Renumber sections in sequence

Further, amend the title as follows:

Page 1, line 3, after "for" insert "aid to families with dependent children,"

Page 1, line 3, after "assistance" insert ", and supplemental aid"

Page 1, line 4, strike "Section" and insert "Sections 256.73, Subdivision 2;"

Page 1, line 5, after "1" insert "; and 256D.37, Subdivision 2"

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. 185: A bill for an act relating to education; excluding facilities operated for the primary purpose of educating children from day care regulation; amending Minnesota Statutes 1976, Section 245.791.

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. 1071: A bill for an act relating to appropriations; providing funds for the programs of the Minnesota International Center.

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

Page 1, line 8, strike "to the"

Page 1, line 9, strike "Minnesota historical society"

Page 1, line 9, after "disbursed" insert "by the commissioner of finance"

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. 1334: A bill for an act relating to public welfare; providing for payment of the costs of certain care and treatment for mentally retarded, epileptic and emotionally handicapped children; requiring the parents and child to provide reimbursement for certain care and treatment; amending Minnesota Statutes 1976, Sections 246.51; and 252.27, Subdivisions 1 and 2.

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

Page 3, line 1, after "child" insert "*or child with cerebral palsy*"

Page 3, line 28, strike "*Such*" and insert "*The*"

Page 3, line 29, strike "*. Appeal from*"

Page 3, strike line 30, and insert "*unless appealed pursuant to the provisions of*"

Pages 3 and 4, strike all of Section 4

Renumber the remaining section

Amend the title as follows:

Line 4, before "and" insert ", cerebral palsied"

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. 707: A bill for an act relating to the governor's manpower office; providing for the employment and training of displaced homemakers; authorizing certain job training, counseling and placement activities; appropriating money.

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

Page 2, strike line 2, and insert "director shall allocate money to pilot programs"

Page 2, line 3, strike "one"

Page 2, line 3, strike "(2)"

Page 4, line 9, after "fund" insert "for the biennium ending June 30, 1979,"

Page 4, line 11, after the period insert "\$160,000 of this appropriation is for pilot programs in the metropolitan area and \$160,000 is for pilot programs in rural Minnesota."

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. 455: A bill for an act relating to education; establishing pilot American Indian language and culture education programs; granting certain powers and duties to the state board of education; establishing a state American Indian language and culture education advisory task force; appropriating money; amending Minnesota Statutes 1976, Section 120.095, by adding a subdivision.

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

Page 16, line 12, strike "*for the*"

Page 16, line 13, strike "*purposes of this act*"

Page 16, line 13, strike "\$800,000" and insert "\$600,000"

Page 16, line 14, strike "*Of this amount, \$45,000 shall*" and insert "*, to*"

Page 16, strike lines 15 through 24

Page 16, line 25, strike "*\$600,000 shall be*"

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. 1058: A bill for an act relating to human services; providing grants to plan and organize human services programs; requiring notification of affected state agencies; requiring certain membership on advisory councils; promulgating rules; providing for auditing of funds; giving additional powers to the state planning officer; appropriating money; amending Minnesota Statutes 1976, Sections 402.01, by adding a subdivision; 402.02, Subdivisions 1 and 2; 402.03; 402.04, Subdivision 1; 402.05; and 402.06; repealing Minnesota Statutes 1976, Sections 402.08 and 402.09.

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

Page 3, line 6, after "*boards*" insert a semicolon

Page 3, after line 6, insert:

"(h) If a single county has been authorized to establish a county welfare board composed solely of county commissioners, the board of commissioners is authorized to assume the responsibilities and duties of human services boards pursuant to this chapter, notwithstanding any other provision herein to the contrary relating to membership of the human services board."

Page 5, line 15, strike "*merit or civil service system*" and insert "*standard for merit systems of personal administration*"

Page 7, after line 13, insert:

"Sec. 8. [REPORTS TO LEGISLATURE.] *The state planning agency shall report to the legislature not later than January 1 of each legislative session on the experience of human services boards established pursuant to this act. The report shall include an assessment of the effect of establishment of human services board on the cost and quality of services provided.*"

Renumber the remaining sections

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. 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 13, strike "liability"

Page 1, line 14, strike "for all" and insert "*to foster parents to cover their liability for acts of their foster children residing in*"

Page 1, line 17, after "(5)" insert "*, to the extent that the liability is not covered by the provisions of the standard homeowner's or automobile insurance policy. The insurance shall not cover property owned by the foster parents, damage caused intentionally by a child over 12 years of age, or property damage arising out of business pursuits or the operation of any vehicle, machinery, or equipment*"

Page 1, line 21, before the period, insert "*, to be available until June 30, 1979*"

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. 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. Sections 147.30 and 147.31.

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. 1199: A bill for an act relating to public welfare; providing for pilot dental health programs; providing an appropri-

tion; amending Laws 1973, Chapter 305, Section 9; repealing Laws 1973, Chapter 305, Section 10.

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

Page 1, strike section 1 and insert:

"Section 1. [RE-APPROPRIATION.] Of the sum of \$400,000 appropriated from the general fund by Laws 1976, Chapter 305, Section 9, for pilot dental health programs, the unexpended balance is hereby reappropriated to the commissioner of public welfare for the biennium ending June 30, 1979, for continuation of the pilot dental health programs. \$60,000 of the \$400,000 appropriation may be used for administrative purposes by the commissioner of public welfare for the purposes of this act."

Page 1, line 20, strike "1973" and insert "1976"

Delete all underlining in the bill

Amend the title as follows:

Page 1, line 3, strike "an" and insert "money"

Page 1, strike line 4

Page 1, line 5, strike "Section 9"

Page 1, line 5, strike "1973" and insert "1976"

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. 691: A bill for an act relating to state contracts; regulating bid and performance bonds for small businesses and minority small businesses; appropriating money; amending Minnesota Statutes 1976, Chapter 574, by adding a section.

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

Page 2, line 1, after the period, insert "*The amount of the indemnity on each contract shall not exceed \$100,000.*"

Page 2, line 20, strike "not"

Page 2, line 21, after the period insert "*until January 1, 1978, each commissioner may adopt emergency rules pursuant to section 15.0412, subdivision 5, to implement the provisions of this section.*"

Page 2, strike lines 26 through 31 and insert:

"Sec. 2. [APPROPRIATION.] *Subdivision 1. Any moneys required by the department of administration for payment of claims pursuant to this act shall be made available from the general contingent account.*

Subd. 2. Any moneys required by the department of transportation for payment of claims pursuant to this act shall be paid from

the unobligated balance of appropriations made to the department for highway development."

Page 2, strike line 32 and insert:

"Subd. 3. This section is effective for indemnification agreements entered into in the biennium beginning July 1, 1977. The money provided by this act shall not be used for agreements executed after June 30, 1979. The total amount indemnified shall not exceed \$4,500,000."

Page 3, strike line 1

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

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

H. F. No. 1030: A bill for an act relating to health care plans; requiring minimum anticipated loss ratios for certain insurance plans; eliminating certain open enrollment requirements for non-profit health service plans; revising the Minnesota comprehensive health insurance act of 1976; revising the Minnesota catastrophic health expense protection act of 1976; making necessary improvements and corrections; further prescribing the powers and duties of the commissioner of insurance; further prescribing the powers and duties of the commissioner of public welfare; amending Minnesota Statutes 1976, Chapter 62E, by adding a section; and Sections 62A.02, Subdivision 3; 62A.17, Subdivision 6; 62D.10, Subdivision 1; 62E.02, Subdivisions 2, 8, 11 and 21; 62E.03, Subdivision 2; 62E.04, Subdivision 4, and by adding a subdivision; 62E.06; 62E.08; 62E.09; 62E.10, Subdivisions 1, 3, and 7; 62E.11, Subdivisions 5; 62E.13, Subdivisions 2 and 4; 62E.14, Subdivision 1; 62E.53; and 62E.54, Subdivision 1; repealing Minnesota Statutes 1976, Section 62E.16.

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

Page 2, line 14, strike "The" and insert "All applicants for a policy shall be informed in writing at the time of application of the anticipated loss ratio of the policy"

Page 2, strike lines 15 through 20

Page 2, line 21, strike "date of this section"

Page 3, after line 16, insert a new section:

"Sec. 2. Minnesota Statutes 1976, Section 62A.149, is amended to read:

62A.149 [BENEFITS FOR ALCOHOLICS, DRUG DEPENDENTS AND THE MENTALLY ILL.] Subdivision 1. No policy or plan of insurance regulated under this chapter, or subscriber contract offered by a nonprofit health service plan corporation regulated under chapter 62C shall be delivered, issued, executed or renewed in this state, or approved for issuance or renewal in

this state by the commissioner of insurance unless the policy, plan or contract specifically includes and provides health service benefits to any subscriber or other person covered thereunder, on the same basis as other benefits, :

(a) For the treatment of alcoholism, chemical dependency or drug addiction in

(1) a licensed hospital,

(2) a residential treatment program as licensed by the state of Minnesota pursuant to diagnosis or recommendation by a doctor of medicine, or

(3) a non-residential treatment program approved or licensed by the state of Minnesota ; and

(b) *For the treatment of mental illness pursuant to diagnosis or recommendation by a doctor of medicine in a residential treatment facility approved or licensed by the state of Minnesota .*

Provided, however, that The restrictions and requirements of this subdivision shall not apply to any plan or policy which is individually underwritten or provided for a specific individual and the members of his family as a non-group policy.

Subd. 2. Coverage under subdivision 1, clauses (a) (1) and (a) (2) shall be for at least 20 percent of the total patient days allowed by the policy and in no event shall coverage be for less than 28 days in each 12 month benefit year. Coverage under subdivision 1, clause (a) (3), shall be for at least 130 hours of treatment in a 12 month benefit year. *Coverage under subdivision 1, clause (b) shall be for at least 20 percent of the total patient days allowed by the policy but in no event for less than 60 days in each 12 month benefit year."*

Page 10, line 28, strike "*Effective July 1, 1979*"

Pages 11 and 12, strike all of section 12

Page 18, after line 21, insert a new section:

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

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

Page 21, strike lines 23 and 24

Page 21, line 26, strike "*except for section 1 which*"

Page 21, line 27, strike "*is effective on January 1, 1978*"

ReNUMBER the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon insert "requiring coverage for mental illness;"

Page 1, line 13, after the semicolon insert "providing a limitation on medical assistance;"

Page 1, line 15, after the semicolon insert "62A.149;"

Page 1, line 19, strike "62E.08;"

Page 1, line 22, before "62E.53" insert "62E.52, Subdivision 3;"

Page 1, line 22, strike "; repealing" and insert a period

Page 1, strike line 23

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

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

H. F. No. 967: A bill for an act relating to education; quality education council; expanding duties and functions; amending Minnesota Statutes 1976, Sections 3.925 and 3.927.

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 3.925, is amended to read:

3.925 [PURPOSE.] The legislature of the state of Minnesota expresses concern over the future of elementary and secondary education in this state, its ability to meet the educational needs of the public school students, the professional growth and satisfaction of school staffs, the effectiveness and efficiency of present schools and their learning processes, continuing pupil unit cost escalation and the resulting financial crisis which this brings about. New approaches to the learning process, better utilization of professional staff and community resources, different requirements as to course offerings, course content, grading, graduation and school attendance must be researched and developed. It is believed that revised programs, innovations, new attitudes about learning and the public schools' responsibilities can be effectively achieved if such research and development are performed *by the council on quality education as well as* at the local school level by the school's staff and with involvement by the students and their community. Although funds spent now for such purposes can produce substantial educational and cost benefits in the future, such capital type funds are seldom available within any single school district's budget.

The purpose of the council on quality education is, therefore, to encourage, promote and , aid ~~such and perform~~ research on and development in ~~develop~~ quality programs of early childhood and family education and elementary and secondary schools education in Minnesota, to review literature on quality programs of education

in Minnesota and other states , to evaluate the results of such significant existing programs and to disseminate information about same these programs throughout the state.

To these ends, the council through the state board of education shall establish a venture fund from which grants or loans may be made in accordance with section 3.026. Such grants or loans shall be made in support of research and development programs relating to the problems and objectives heretofore described which shall include but not be limited to:

- (1) Effective utilization of community personnel and resources.
- (2) Developing model personnel policies and procedures, and new staffing concepts and such as differentiated staffing.
- (3) Assessment and evaluation of education programs.
- (4) Developing a management and unit of instructional objectives design which will provide accountability by relating time and dollars to the amount of learning produced.
- (5) Determining responsibilities to be assumed by the schools exclusively or concurrently with other agencies or individuals.
- (6) Effective dissemination of educational information.
- (7) Developing new knowledge about learning and teaching.
- (8) Developing model educational programs as alternatives to existing educational practices and curricula.
- (9) Model programs and innovations to increase equality of educational opportunities.
- (10) Research and testing of new concepts of educational efficiency, effectiveness and cost benefits.
- (11) *Research relating to the concept of year round schools.*
- (12) *Research relating to concepts and developments in the field of early childhood and family education.*

A portion of the venture funds shall be used for the purpose of research or the promulgation of programs dealing with areas of education that have been the subject of the council's research.

The council shall not be limited to supporting innovations, programs or procedures supplementary to existing school structures and programs but may assist or research entirely new schools or concepts such as open schools, informal schools and the like. The council may provide encouragement and assistance to school districts or combinations thereof by making them aware of and giving them information concerning possible and actual alternative programs or schools. It may also conduct training sessions and workshops for teachers, administrators, and the public, and provide consultative help in starting programs, reallocating resources, and solving problems of program implementation. However, the council shall not in any biennium expend more than 15 percent of its biennial appropriation for dissemination of information concerning

these alternative programs or schools, the conduct of these training sessions and workshops, or the provision of this consultative help. It is the legislature's intent that any supported program shall hold promise of both educational and cost benefits and that the costs and improvements in learning effectiveness introduced thereby shall be measured and related. The council shall make a report by November 15 of each even numbered year to the legislature concerning all research and all proposals received and the dispositions made thereof by the council and the state board of education.

Sec. 2. Minnesota Statutes 1976, Section 3.926, Subdivision 2, is amended to read:

Subd. 2. [PROCEDURE.] Every program proposal shall be submitted to the council created by section 3.924, not less than three months before the planned commencement of the program. The council shall recommend approval or disapproval, or shall modify and then recommend such modification with respect to every proposal submitted to it. The council shall also recommend *whether a grant need be made in support of the proposed program, and the amount and type of grant to be made in support of the proposed program if need is determined* in the light of the then currently available moneys in the venture fund, which information shall be provided to the council by the state board of education. The council shall also recommend what rules and regulations, if any, shall be suspended or modified in order to implement the proposal. Only such proposals as are recommended for approval shall be transmitted by the council to the state board, and all such proposals shall be approved and funded from the venture fund by the state board as recommended by the council unless the state board, within 30 days of receipt of a proposal from the council, shall make other disposition of the proposal by formal board action. One half of each grant recommended by the council and funded by the state board may be deemed an interest free loan to be repaid over a five year period.

Sec. 3. Minnesota Statutes 1976, Section 3.927, is amended to read:

3.927 [STATE BOARD AND COMMISSIONER.] The state board of education shall develop and promulgate such additional recommendatory guidelines as may be appropriate for the furtherance of sections 3.924 to 3.927 and the development and implementation of the programs contemplated herein, for its benefit and the benefit of the council and applicants. The commissioner of education shall make available to the council at its request such staff as the council deems necessary to perform its functions. The council may also employ or contract for the services of outside consultants, and as much of the annual appropriation to the state department of education, made by Extra Session Laws 1971, Chapter 31, Article 15, Section 5, for the purposes of sections 3.924 to 3.927 as is necessary, shall be made available to the council for this purpose."

Amend the title as follows:

Line 4, after "3.925" insert "; 3.926, Subdivision 2;"

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

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

H. F. No. 1004: A bill for an act relating to worker's compensation; limiting expenses and profit includable in workers' compensation insurance premiums; permitting the commissioner of insurance to employ an actuary; including legislators in coverage; requiring owners to elect non-coverage; excluding certain family corporations and certain nonprofit associations from coverage; increasing benefit levels; vesting certain benefits; excluding certain employment; regulating attorney's fees; providing for depending surviving spouses; providing for supplemental benefits; altering notice requirements; providing for the distribution of physician's reports; providing for adjustments to benefit payments; creating a workers' compensation study commission; appropriating money; amending Minnesota Statutes 1976, Sections 79.07; 79.30; 176.011, Subdivisions 9 and 11a; 176.012; 176.021, Subdivision 3; 176.041, Subdivision 1; 176.051; 176.081, Subdivisions 1, 2, 3, 4, and 6; 176.101; 176.111, Subdivisions 6, 11 and 21; 176.132, Subdivisions 1, 2, and 3; 176.141; 176.155, Subdivision 1; 176.221, by adding a subdivision; 176.511, Subdivision 3; 176.645; and Chapter 79 by adding a section; repealing Minnesota Statutes 1976, Sections 176.111, Subdivision 13; and 176.185, Subdivision 8.

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

Page 1, after line 31, insert:

"Section 1. Minnesota Statutes 1976, Chapter 79, is amended by adding a section to read:

[79.095] [APPOINTMENT OF ACTUARY.] *The commissioner shall employ the services of a casualty actuary whose duties shall include but not be limited to investigation of complaints by insured parties relative to rates, rate classifications, or discriminatory practices of an insurer.*"

Page 4, strike lines 10 through 17

Page 6, line 17, after "employee" insert "and employer"

Page 7, line 13, strike "such" and insert "the"

Page 7, line 14, strike "such" and insert "the"

Page 9, line 6, reinsert the stricken language and delete the new language

Page 9, line 30, strike "operation" and insert "operator"

Page 11, line 1, strike "the department of"

Page 11, line 15, strike "of the department"

Page 11, line 19, strike "deputy" and insert "*commissioner*"

Page 11, line 24, strike "of the department"

Page 11, line 32, strike "of the department"

Page 12, line 7, strike "of the department"

Page 12, line 24, strike "*each year*" and insert "*annually*"

Page 12, line 26, strike "*for the period ending December 31,*" and insert "*as calculated on or before July 1*"

Page 17, line 20, after "any" insert "*of the*"

Page 17, line 20, strike "organ, including the heart" and insert "*organs specified below*"

Page 17, line 22, strike "proportion of 500 weeks which is" and insert "*proportionate loss of said organ as*"

Page 17, line 22, reinstate the stricken language

Page 17, line 23, reinstate the stricken language

Page 17, lines 23 through 25, strike the new language

Page 17, after line 28 insert:

"(A) The "*internal organs*" specified as up to 500 weeks entitlement are:

- (1) *Heart;*
- (2) *Each lung;*
- (3) *Each kidney;*
- (4) *Brain;*
- (5) *Pancreas with islets of Langerhans;*
- (6) *Lymphatic system.*

(B) The "*internal organs*" specified as up to 300 weeks entitlement are:

- (1) *Liver;*
- (2) *Gall bladder;*
- (3) *Spleen;*
- (4) *Stomach;*
- (5) *Each testicle;*
- (6) *Any one of the endocrine glands;*
- (7) *Any one of the exocrine glands."*

Page 23, after line 9, insert a new section to read:

"Sec. 14. Minnesota Statutes 1976, Section 176.111, Subdivision 1, is amended to read:

176.111 [DEPENDENTS, ALLOWANCES.] Subdivision 1.

[PERSONS WHOLLY DEPENDENT, PRESUMPTION.] For the purposes of this chapter the following persons are conclusively presumed to be wholly dependent:

(a) wife a spouse , unless it be shown that she that spouse was voluntarily living apart from his or her husband spouse at the time of his the injury or death:

(b) children under 18 years of age, or a child under the age of 21 years who is regularly attending as a full time student at a high school, college, or university, or regularly attending as a full time student in a course of vocational or technical training."

Page 25, line 1, strike "such" and insert "the"

Page 28, strike lines 7 through 21 and insert:

"Sec. 22. Minnesota Statutes 1976, Section 176.215, is amended by adding a subdivision to read:

Subd. 4. [TRUCKERS; SUBCONTRACTORS.] For purposes of section 176.215 a trucking business which does hauling for hire and which contracts for use of trucking equipment and operators with others shall be deemed a general contractor and liable as such, and others contracted with for trucking equipment and operators shall be deemed subcontractors. Provided, this subdivision shall not be construed to limit the application of section 176.215 only to parties described within this subdivision."

Page 29, line 27, after the period, insert "In no event may an adjustment increase exceed six percent a year. In those instances where the adjustment under the formula of this section would exceed this maximum, the increase shall be deemed to be six percent."

Page 29, line 32, strike "No adjustment increase"

Page 30, strike lines 1 through 13

Page 31, strike lines 17 through 32

Page 32, strike line 1

Page 32, line 9, strike "and,"

Page 32, line 11, after "jurisdiction" insert " ; and"

Page 32, after line 11, insert:

"(d) the administration of the law by the department of labor and industry and workers' compensation court of appeals"

Page 32, line 23, strike "as"

Page 33, line 16, after "Sections" insert "79.30;"

Page 33, line 22, strike "shall be" and insert "is"

Page 33, line 22, strike "the day" and insert "June 30, 1978"

Page 33, line 23, strike "following final enactment"

Page 33, line 26, strike "Section 17 is effective on July 1, 1977."

Renumber the sections in sequence

Amend the title as follows:

Line 14, strike "providing for the"

Line 15, strike "distribution of physician's reports;"

Line 19, strike "79.30;"

Line 23, before "6" insert "1,"

Line 24, strike "176.155, Subdivision 1" and insert "176.215, by adding a subdivision"

Line 28, after "Sections" insert "79.30;"

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

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

S. F. No. 1395: A bill for an act relating to education; public television; altering the calculation of matching funds required by public stations; appropriating money; amending Minnesota Statutes 1976, Section 139.18, Subdivisions 1 and 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 139.18, Subdivision 1, is amended to read:

139.18 [GRANTS.] Subdivision 1. The board of the arts shall distribute the funds provided by sections 139.16 to 139.18. Twice annually the board of the arts shall make grants to public stations for the acquisition and production of materials and broadcast transmission costs to educational stations to the extent and in the amount the educational station matches Minnesota based contributions, on a dollar for dollar basis. The board of the arts shall allocate funds appropriated for the purposes of sections 139.16 to 139.18 in such a manner that each eligible public station receives an equal amount, except that no station's grant in any fiscal year shall exceed the amount of Minnesota based contributions received by that station in the previous fiscal year.

Sec. 2. Minnesota Statutes 1976, Section 139.18, Subdivision 2, is amended to read:

Subd. 2. In calculating the amount of contributions that must be matched received by a public station pursuant to subdivision 1, there shall be excluded: contributions, whether monetary or in kind, from the corporation for public broadcasting; from tax generated funds, including payments by public or private elementary and secondary schools; ; foundation and corporation donations; contributions from any source if made for the purpose of

capital expenditures; and contributions from all sources based outside the state shall be excluded. The board of the arts shall make payments in such a manner that eligible public stations receive as equal an amount as consistent with this section. No payments shall be made to a public station located in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington.

Sec. 3. [PURPOSE.] *The purpose of sections 3 to 5 is to facilitate the use of public radio as a community resource for the public by providing financial assistance to public radio stations serving Minnesota citizens, and to provide for cooperation between public radio station officials and the board of the arts.*

Sec. 4. [DEFINITIONS.] *Subdivision 1. As used in sections 3 to 5, the terms defined in this section have the meanings here given them.*

Subd. 2. "Public radio station" means a licensee of the federal communications commission as a noncommercial educational radio station within the state which either qualifies for financial assistance from the corporation for public broadcasting or which, with funds granted pursuant to sections 3 to 5, would qualify for financial assistance from the corporation. Public radio stations shall not be deemed to include a station owned, sponsored or managed by a public institution of higher education in the state.

Sec. 5. [GRANTS.] *Subdivision 1. The board of the arts shall distribute the funds provided for grants to public radio stations. Twice annually the board of the arts shall make grants for the acquisition and production of materials and broadcast transmission costs to public radio stations to the extent and in the amount the educational station matches contributions to the station, on a dollar for dollar basis.*

Subd. 2. *In calculating the amount of contributions that must be matched by a public station pursuant to subdivision 1, contributions, whether monetary or in kind, from the corporation for public broadcasting, from state tax generated revenue and from all corporations, foundations and other associations having their principal office outside the state shall be excluded. The board of the arts shall make payments in such a manner that eligible public stations receive as a base payment an amount equal to eligible contributions to the station for the preceding fiscal year up to a maximum of \$10,000 for each year in the biennium. A station which has received during the preceding fiscal year eligible contributions in excess of \$10,000 shall receive a portion of any remaining money appropriated for grants to public radio stations. The portion received by the station shall equal the station's excess contributions divided by the total excess contributions received by all eligible stations times the total remainder of the appropriation for that period.*

Subd. 3. *Each public radio station receiving a grant shall annually report by December 1 to the board of the arts the purposes for which the funds were used in the past fiscal year and the*

anticipated use of the funds in the next fiscal year. The report shall be certified by an independent auditor or a certified public accountant. If the report is not submitted by December 1, the board of the arts shall withhold from the educational station 45 percent of the amount to which it was entitled based upon the contribution of the previous fiscal year, and shall redistribute those funds to other public radio stations as provided in subdivision 2. Payments due under this section shall be made no later than January 1 and July 1 of each year.

Subd. 4. In designating the board of the arts as the administrative agency to distribute these funds, the legislature recognizes that this is strictly an administrative function unrelated to the artistic and cultural mandate of the board. The board may develop program categories and funding programs in television, film and other public media, which shall not be limited, prohibited or otherwise affected by the board's serving the specific administrative functions under the terms of sections 3 to 5.

Sec. 6. [APPROPRIATIONS.] Subdivision 1. The sums set forth in this section are appropriated from the general fund to the board of arts for the purposes indicated, to be available until June 30, 1979.

Subd. 2. Grants to public television stations and costs incident thereto \$300,000

Subd. 3. Grants to public radio stations and costs incident thereto 250,000⁹⁹

Further, amend the title

Line 2, after "television" insert "and radio"

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. 599: 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.

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

Page 2, line 18, strike "15" and insert "21"

Page 2, line 18, after "members" insert ", at least one member from each economic development region,"

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

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

S. F. No. 263: A bill for an act relating to state forests; increasing state payments in lieu of taxes to counties; establishing procedures for disposal of excess agricultural land in the Richard J. Dorer Memorial Hardwood Forest; amending Minnesota Statutes 1976, Section 89.036.

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. 615: A bill for an act relating to education; higher education coordinating board; authorizing the board to contract for spaces for Minnesota residents in out of state schools of osteopathy and optometry; authorizing the board to explore the feasibility of a regional school of optometry; appropriating money.

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

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

H. F. No. 351: A bill for an act relating to historic sites; providing for the administration and control of additional sites by the Minnesota historical society; amending Minnesota Statutes 1976, Section 138.025, by adding subdivisions.

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. 202: A bill for an act relating to state government; creating a department of economic security; transferring powers; abolishing the department of employment services and the governor's manpower office; providing that the creation of a department of vocational rehabilitation shall not occur and providing for a legislative study of the transfer of certain other functions; appropriating money; amending Minnesota Statutes 1976, Sections 15.01; 15.0411, Subdivision 2; 15A.081, Subdivision 1, as amended; 43.09, Subdivision 2a; 256.482, Subdivision 1; 256.736, Subdivisions 2, 3, 4, and 5; 256D.11, Subdivisions 1, 2, 6, 7, and 9; and 268.04, Subdivision 8; repealing Minnesota Statutes 1976, Section 129A.02, Subdivision 1.

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

Page 9, line 31, strike "41,000" and insert "36,000"

Page 13, line 17, strike "economic security,"

Page 13, line 22, strike "department" and insert "departments"

Page 13, line 23, after the first comma insert "economic security,"

Page 21, strike lines 22 to 26

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. 1360: A bill for an act relating to outdoor recreation; appropriating money for acquisition and betterment of parks, trails, wildlife lands, outdoor athletic courts, and for other purposes; authorizing sale of bonds; amending Minnesota Statutes 1976, Sections 85.016; 473.121, Subdivision 14; 473.302; 473.303, by adding a subdivision; 473.315, Subdivision 1; Chapter 4, by adding a section; and Chapter 85, by adding a section.

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

Strike everything after the enacting clause and insert:

"Section 1. [4.35] [TRAIL PLANNING.] *The state planning agency, in cooperation with the commissioner of natural resources, metropolitan council, and commissioner of transportation, shall review and coordinate plans for trails acquisition and development and trail development grants pursuant to sections 2 of this act. 85.015, 85.016, 5 of this act, 473.147, and 473.301 to 473.341.*

Sec. 2. [4.36] [GRANTS-IN-AID FOR RECREATIONAL BETTERMENT.] *Subdivision 1. [DEFINITIONS.] For purposes of this section, the following terms have the meanings set forth, except as otherwise expressly provided or indicated by the context.*

(a) "Athletic courts" means special surface areas and supporting equipment or structures such as nets, hoops, and walls which can be used for active games that have definite boundaries and are played on a marked surface, limited to basketball, volleyball, handball and tennis.

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

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

Subd. 2. [GRANTS FOR PARKS AND TRAILS.] *The state planning agency shall administer a program to provide grants to units of government located within standard metropolitan statistical areas, as designated by the United States office of management and budget, but outside of the metropolitan area defined in section 473.121. The grants shall be for acquisition and betterment by units of government of public land and improvements needed*

for parks, trails, conservatories, zoos and other special use facilities having recreational significance for the entire population of the particular standard metropolitan statistical area. Appropriations made for this purpose shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding the expenditures. The local contribution required shall be identical to that required by the legislative commission on Minnesota resources for grants-in-aid for recreation open space of regional significance. The program shall be administered so as to ensure the maximum possible use of available federal money.

Subd. 3. [GRANTS FOR TRAILS IN LOCAL PARKS.] The state planning agency shall administer a program to provide grants to units of government for the betterment of public land and improvements needed for recreational trails in parks owned and operated by units of government. A grant shall not exceed 40 percent of the costs of the betterment of the trail. To be eligible for a grant, a unit of government must provide at least ten percent of the costs of the betterment of the trail.

Subd. 4. [GRANTS FOR LOCAL OUTDOOR ATHLETIC COURTS.] The state planning agency shall administer a program to provide grants to units of government for the betterment of public land and improvements needed for local athletic courts. A grant shall not exceed 50 percent of the costs of the betterment of the athletic court. To be eligible for a grant, a unit of government must provide at least 50 percent of the costs of the betterment of the athletic court. In making grants the agency shall consider, among other factors, evidence of cooperation between units of government, local need and available financial resources, and court locations that encourage maximum use, patronage, and availability.

Subd. 5. [POWERS; RULES.] The director of the state planning agency shall have all powers necessary and convenient in order to establish programs for recreational betterment grants-in-aid for parks, trails, and athletic courts pursuant to this section including, but not limited to, the authority to adopt rules and regulations for the programs, pursuant to chapter 15, and emergency rules and regulations to commence immediately the programs, pursuant to section 15.0412.

Sec. 3. Minnesota Statutes 1976, Section 85.016, is amended to read:

85.016 [BICYCLE TRAIL PROGRAM.] The commissioner of natural resources shall develop ~~establish~~ a program for an inter-connecting statewide system the development of bicycle trails utilizing both the state trails authorized by section 85.015, other state parks and recreation land, and state forests and existing and proposed local bicycle trails. "Bicycle trails", as used in this section, includes bicycle lanes and bicycle ways as those terms are used in sections 160.263 and 160.264. The program shall be coordinated with the local park trail grant program established by the state planning agency pursuant to section 2 of this act,

with the bicycle trail program established by the commissioner of transportation pursuant to section 5 of this act, and with existing and proposed local bicycle trails. In the metropolitan area as defined in section 473.121, the program shall be developed in accordance with plans and priorities established by the metropolitan council. ~~In addition~~ The commissioner shall provide technical assistance to local units of government in planning and developing bicycle trail systems trails in local parks. The state bicycle trail program shall, as a minimum, describe the location, design, construction, maintenance and land acquisition needs of each component trail and shall give due consideration to the model standards for the establishment of recreational vehicle lanes promulgated by the commissioner of transportation pursuant to section 160.262. The program shall include a proposal for a system of state aid to localities. The proposal for a system of state aid to localities shall include a provision that the amount of aid apportioned to a locality will depend, in part, upon the numbers of bicycles registered in the locality. The program shall be developed after consultation with the state trail council and regional and local units of government and bicyclists organizations.

Sec. 4. Minnesota Statutes 1976, Chapter 85, is amended by adding a section to read:

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

Sec. 5. [160.265] [BICYCLE TRAIL PROGRAM.] Subdivision 1. [STATE BICYCLE TRAILS.] *The commissioner of transportation shall establish a program for the development of bicycle trails primarily on existing road rights of way. "Bicycle trails", as used in this section, includes bicycle lanes and bicycle ways as those terms are used in sections 160.263 and 160.264. The program shall include a system of bicycle trails to be established, developed, maintained, and operated by the commissioner of transportation and a system of state grants for the development of local bicycle trails primarily on existing road rights of way. The program shall be coordinated with the local park trail grant program established by the state planning agency pursuant to section 2 of this act, with the bicycle trail program established by the commissioner of natural resources pursuant to section 85.016, with the development of the statewide transportation plan pursuant to section 174.03, and with existing and proposed local bicycle trails. In the metropolitan area as defined in section 473.121, the program shall be developed in accordance with plans and priorities established by the metropolitan council. The program shall be developed after consultation with the state trail council, local units of government, and bicyclist organizations. The*

program shall be administered in accordance with the provisions of sections 160.262 to 160.264 and standards promulgated pursuant thereto. The commissioner shall compile and maintain a current registry of bicycle trails in the state and shall publish and distribute the information contained in the registry in a form and manner suitable to assist persons wishing to use the trails. The metropolitan council, the commissioner of natural resources, the state planning agency, the Minnesota historical society, and local units of government shall cooperate with and assist the commissioner of transportation in preparing the registry. The commissioner shall have all powers necessary and convenient to establish the program pursuant to this section including but not limited to the authority to adopt rules pursuant to chapter 15.

Subd. 2. [LOCAL BICYCLE TRAIL GRANTS.] The commissioner shall provide technical assistance to local units of government in planning and developing bicycle trails. The commissioner shall make grants to units of government as defined in section 2, subdivision 1, for the betterment of public land and improvements needed for local bicycle trails. In making grants the commissioner shall consider, among other factors, the number of registered bicycles in the localities. A grant shall not exceed 75 percent of the costs of the betterment of the bicycle trail. To be eligible for a grant, a unit of government must provide at least 25 percent of the costs of the betterment of the trail. The commissioner may adopt emergency rules pursuant to section 15.0412 to commence the grant program immediately.

Sec. 6. Minnesota Statutes 1976, Section 473.121, Subdivision 14, is amended to read:

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

Sec. 7. Minnesota Statutes 1976, Section 473.302, is amended to read:

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

Sec. 8. Minnesota Statutes 1976, Section 473.303, is amended by adding a subdivision to read:

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

Sec. 9. Minnesota Statutes 1976, Section 473.315, Subdivision 1, is amended to read:

473.315 [GRANTS.] Subdivision 1. The metropolitan council with the advice of the commission may make grants, from any funds available to it for recreation open space purposes, to any municipality, park district or county located wholly or partially within the metropolitan area to cover the cost, or any portion of the cost, of acquiring or developing regional recreation open space in accordance with the policy plan; and all such agencies may enter into contracts for this purpose or rights or interests therein. The cost of acquisition shall include any payments required for relocation pursuant to sections 117.50 to 117.56. No more than 60 percent of the funds available under sections 473.301 to 473.341 shall be used for acquisition of regional recreation open space and no more than 30 percent shall be used for development of regional recreation open space.

Sec. 10. [BOND SALE.] *To provide the money appropriated in the following sections of this act, the commissioner of finance, upon request of the governor, shall sell and issue bonds of the state in the amount of \$62,500,000 in the manner and upon the terms prescribed by sections 16A.63 to 16A.67 and by the Minnesota Constitution, Article XI, Sections 4 to 7.*

Sec. 11. [APPROPRIATIONS.] *The sums set forth in the following sections of this act are appropriated from the Minnesota state building fund to the agencies indicated for the acquisition and betterment of public outdoor recreation lands and capital improvements as more specifically described in the following sections of this act.*

Sec. 12. [PARK, TRAIL, AND ATHLETIC COURT GRANTS.] Subdivision 1. *The sums set forth in this section are appropriated to the state planning agency for the purposes indicated.*

[TOTAL APPROPRIATED\$5,100,000]

Subd. 2. *Park and trail grants, pursuant to section 2, subdivision 2* 2,500,000

\$1,750,000 of this appropriation shall be used for grants for acquisition of parks and trails. \$750,000 of this appropriation shall be used for grants for betterment of parks, trails, conservatories, zoos and other special use facilities.

Subd. 3. *Grants for trails within local parks, pursuant to section 2, subdivision 3* \$1,300,000

\$650,000 of this appropriation shall be used for grants to units of government in the metropolitan area in accordance with priorities established by the metropolitan council and the agency.

\$650,000 of this appropriation shall be used for grants to units of government outside the metropolitan area.

Subd. 4. Local athletic court grants, pursuant to section 2, subdivision 4

1,300,000

\$650,000 of this appropriation shall be used for grants to units of government in the metropolitan area in accordance with priorities established by the metropolitan council and the agency. \$650,000 of this appropriation shall be used for grants to units of government outside the metropolitan area.

Subd. 5. Of the sums appropriated by this section, not more than five percent may be expended by the director for staff and independent professional services needed for the grant programs. The approved complement of the state planning agency is increased by three persons.

Sec. 13. [NATURAL RESOURCES ACQUISITION AND BETTERMENT.] Subdivision 1. The sums set forth in this section are appropriated to the commissioner of natural resources, except as otherwise indicated, for the purposes indicated in this section. All acquisition shall be in accordance with the policies established in sections 86A.01 to 86A.09. Lands acquired for a unit of the outdoor recreation system shall be suited to accomplish the purposes for which the unit is established and suited to be managed in accordance with the management principles applicable to the unit. Lands shall be acquired by the commissioner of administration for the commissioner of natural resources where provided by law.

[TOTAL APPROPRIATED:\$25,300,000]

Subd. 2. For acquisition of state parks and recreation areas, as listed and described in sections 85.012 and 85.013

\$7,783,000

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

Subd. 3. For acquisition of state trails, as listed and described in section 85.015, and pursuant to section 84.029, subdivision 2

1,805,000

For betterment of the trails

2,000,000

No further expenditure of money for development of the Luce Line Trail shall be made until the commissioner of natural resources has prepared a comprehensive fiscal management plan covering all costs associated with development of the trail, submitted the plan to the house environment and natural resources committee, the house appropriations committee and the senate

finance committee for the purpose of consultation, and received their recommendations thereon. The recommendations are advisory only.

Subd. 4. For betterment of public land and improvements needed for trails for skiing, hiking, and bicycling within state parks and recreation areas as listed and described in sections 85.012 and 85.013 and state forests, as listed and described in section 89.021 1,105,000

Subd. 5. For acquisition of state forests, as listed and described in section 89.021 2,760,000

Priority shall first be given to acquiring the remaining lands in the Sand Dunes and Memorial Hardwood state forests and then to lands particularly suited for use as state forest campgrounds or day use areas and to lands within state forests that possess outstanding natural or scenic values, forest growth, lake or river shoreland, or rare and distinctive species of flora and fauna native to the area, that should be preserved for the benefit of the public. None of the money appropriated by this subdivision shall be obligated or expended for the acquisition, development or maintenance of state forests without prior express approval of the legislative commission on Minnesota's resources.

Subd. 6. For acquisition of fishing management lands, comprising lands and riparian rights and other interests therein needed for management of waters for primary wildlife use and benefit and for access to fishing waters pursuant to section 97.48, Subdivisions 8, 11 and 15 1,008,000

Subd. 7. For acquisition of state wildlife management areas, acquired pursuant to section 97.48, subdivision 13 or section 97.481 1,500,000

For betterment of these areas 1,500,000

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

Subd. 8. For acquisition of wild, scenic and recreational rivers, designated pursuant to sections 104.25 to 104.40, and canoe and boating routes, portages, and camp sites, as listed and described in section 85.32 1,706,000

Subd. 9. For acquisition of scientific and natural areas designated pursuant to section 84.033 338,000

Subd. 10. For costs of staff and independent profes-

sional services necessary to the acquisition and betterment of these lands and improvements 3,795,000

The approved complement of the department of natural resources is increased by . . . persons.

Sec. 14. [BICYCLE TRAIL GRANTS.] *Subdivision 1. The sums set forth in this section are appropriated to the commissioner of transportation for the purposes indicated.*

[TOTAL APPROPRIATED \$4,800,000]

Subd. 2. *For betterment of public land and improvements needed for state bicycle trails primarily on existing road rights of way pursuant to section 5, subdivision 1, of this act* 2,700,000

Subd. 3. *Local bicycle trail grants, pursuant to section 5, subdivision 2, of this act* 2,100,000

\$700,000 of this appropriation shall be used for grants to units of government in the metropolitan area, in accordance with the priorities established by the metropolitan council.

\$1,400,000 of this appropriation shall be used for grants to units of government outside the metropolitan area.

Subd. 4. [GRANT PROGRAM ADMINISTRATION.] *Of the amounts appropriated by subdivision 2, not more than 15 percent, and of the amounts appropriated by subdivision 3, not more than five percent, may be expended by the commissioner for staff and independent professional services needed for the grant program. The approved complement of the department of transportation is increased by . . . persons.*

Sec. 15. [METROPOLITAN PARKS AND TRAILS.] *Subdivision 1. The sums set forth in this section are appropriated to the director of the state planning agency for payment to the metropolitan council established under section 473.123. The money shall be paid to the metropolitan council upon receipt by the agency of a resolution of the council requesting payment.*

[TOTAL APPROPRIATED \$27,300,000]

Subd. 2. *Parks and trails* 24,000,000

This appropriation shall be used to pay the cost of the acquisition and betterment by the metropolitan council and local government units of regional recreation open space in accordance with the council's policy plan, as provided in sections 473.301 to 473.341. The money is available for payment of relocation costs and tax equivalents required in sections 473.315 and 473.341. Of the amount appropriated by this subdivision, the metropolitan council may expend no more than \$200,000 for staff and independent professional services necessary for the acquisition and betterment of this open space

and for the performance of duties of the metropolitan council under this section and sections 1, 12, and 14.

Subd. 3. Trails in parks

2,200,000

This appropriation shall be used to pay the cost of betterment by the metropolitan council and local government units of public land and improvements needed for trails situated within regional parks and park reserves in accordance with the council's policy plan, as provided in sections 473.301 to 473.341. None of the money may be used for acquisition of land, for relocation payments under section 473.315, or for tax equivalents under section 473.341.

Subd. 4. Trail corridors

1,100,000

This appropriation shall be used to pay the cost of acquisition and betterment by the metropolitan council and local government units of public land and improvements needed for regional trails and trail corridors situated outside of regional parks and park reserves, in accordance with the council's policy plan, as provided in sections 473.301 to 473.341. The money is available for payment of relocation costs and tax equivalents required in sections 473.315 and 473.341."

Amend the title as follows:

Line 9, strike "Chapter 4, by adding a section;"

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

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

H. F. No. 962: A bill for an act relating to appropriations; abolishing open appropriations for various purposes; providing direct appropriations for debt service and for other purposes previously supported by open appropriations; amending Minnesota Statutes 1976, Sections 16.023; 16A.27; 43.12, Subdivision 11; 84B.07; 136A.08, Subdivisions 1 and 2; 176.183, Subdivision 2; 192.52; 268.06, Subdivision 25; 299D.03, Subdivision 1; 351.11; 352E.02; 481.15, Subdivision 2; and Laws 1973, Chapter 567, Section 7; repealing Minnesota Statutes 1976, Sections 124.23; 136.508; 261.233; 352E.05; 355.31 to 355.39.

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

Pages 3 and 4, delete all of section 3

Pages 8 and 9, delete all of section 9

Page 14, line 6, delete "261.233;"

Page 14, line 15, after "in" insert "*this and the following*"

Page 14, line 15, delete "16 to 24" and insert "*of this act*"

Page 17, after line 8, insert:

"Sec. 18. [STATE COMMUNITY COLLEGE BOARD.]

Part Time Employment of Students

State Share

341,000

350,000⁹⁹

Renumber the sections in sequence

Amend the title as follows:

Line 7, delete "43.12, Subdivision 11;"

Line 9, delete "268.06, Subdivision 25;"

Line 13, delete "261.233;"

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

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

H. F. No. 1040: A bill for an act relating to finance; deleting obsolete provisions; changing and clarifying cross-references; authorizing commissioner of finance to transfer money to revolving funds in certain cases; transferring air travel account from commissioner of administration to commissioner of finance; codifying certain provisions formerly in session laws; appropriating money; amending Minnesota Statutes 1976, Sections 12.24, Subdivision 2; 15.50, Subdivision 5; 16.172; 16.80, Subdivision 1; 16A.126; 16A.17, Subdivision 9; 18.69; 43.43, Subdivision 2; 121.48, Subdivision 2; 124.212, Subdivision 19; 136.11, Subdivision 5; 136.144; 136.37; 136.55, Subdivision 2; and Chapters 16A, by adding a section; and 243, by adding a section; repealing Minnesota Statutes 1976, Sections 16.02, Subdivision 21; 16.026, Subdivision 5; and 16A.05; and Laws 1945, Chapter 575, Sections 19 and 21.

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

Page 7, before line 10, insert:

"Sec. 7. Minnesota Statutes 1976, Chapter 16A, is amended by adding a section to read:

[16A.675] [BONDS AND NOTES; NONLIABILITY OF INDIVIDUALS.] *Neither the commissioner of finance nor any person executing state bonds or notes shall be liable personally on the bonds or notes or be subject to any personal liability or accountability by reason of the issuance of them."*

Renumber the sections in sequence

Amend the title in line 16 by deleting "a section" and inserting "sections"

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. 883: A bill for an act relating to public welfare; appropriating money for the Vinland National Center.

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

Page 1, after line 5, insert a new section to read:

"Section 1. Subdivision 1. Vinland National Center shall be established in Minnesota to serve as a health resource, education and training center. The primary focus of the activities of the center shall be in the areas of health education and health promotion. The center shall serve health providers, handicapped persons and health consumers.

Subd. 2. The plans for the Vinland National Center shall be submitted to the chairman of the house appropriations committee and the chairman of the senate finance committee for review and comment prior to the making of any binding commitment for construction of any facility and prior to the making of any final decision on the plan of operation of the center. Failure or refusal to make comments promptly shall be deemed a negative comment.

Subd. 3. No money shall be expended for construction of the Vinland National Center until a certificate of need has been obtained pursuant to sections 145.72 to 145.83."

Renumber the sections in sequence

Page 1, line 7, strike "\$500,000" and insert "\$200,000"

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

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

H. F. No. 223 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.
223	1238				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 223 be amended as follows:

Page 2, delete lines 31 and 32

Page 3, delete lines 1 to 5

Page 3, line 6, delete "3" and insert "2" and delete "Section 1" and insert "This act"

Further amend the title in line 2, by deleting "telephones" and insert "taxation"

Page 1, lines 4 and 5, delete "requiring telephone number publications;"

Page 1, lines 6 and 7, delete “; and Chapter 237, by adding a section”

And when so amended, H. F. No. 223 will be identical to S. F. No. 1238 and further recommends that H. F. No. 223 be given its second reading and substituted for S. F. No. 1238 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. Moe from the Committee on Finance, to which was referred

S. F. No. 1361: A bill for an act relating to health; providing state grants to finance health related research activities; directing the state health coordinating council to establish a health research subcommittee; providing for its powers and duties; appropriating money.

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

Page 1, line 19, after the period strike “At least 50 percent of the”

Page 1, strike lines 20 and 21

Page 4, line 16, after “agency” insert “for the biennium ending June 30, 1979”

Page 4, line 22, strike “\$2,000,000” and insert “\$1,200,000”

Page 4, after line 22, insert, “At least \$50,000 of this appropriation shall be used for a study of the relationship, if any, of the fluoridation of municipal water supplies to cancer. The study shall be conducted by the University of Minnesota medical school. Any municipal water supply not fluoridated in compliance with Minnesota Statutes, Section 144.145 and the rules of the state board of health as of January 1, 1977, need not comply with the law and the rules until July 1, 1979.”

Page 4, line 25, strike “\$2,000,000” and insert “\$1,300,000”

Page 4, line 32, after the period insert “The approved complement of the state planning agency is increased by two persons.”

Page 5, delete lines 1 to 3

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

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

S. F. No. 80: A bill for an act relating to ambulance services; reimbursing political subdivisions, non-profit hospitals or corporations for expenses of training volunteer ambulance attendants;

appropriating money; amending Minnesota Statutes 1976, Chapter 144, by adding a section.

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. 1521: A bill for an act relating to claims against the state; appropriating money for the payment thereof; establishing procedures for consideration of certain claims.

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

Page 3, line 27, before "county" insert "commissioner of agriculture, upon recommendation of the"

Page 3, line 28, before "agent" insert "commissioner, upon recommendation of the"

Page 3, line 29, after "officer" insert a comma

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. 336: A bill for an act relating to Spanish-speaking people; creating a state board on affairs of the Spanish-speaking people; appropriating money.

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

Page 1, line 13, strike "and shall be persons of Puerto Rican, Cuban, Central"

Page 1, line 14, strike "American or South American descent"

Page 1, line 21, strike "who has a Spanish surname,"

Page 1, line 22, strike "who is primarily of"

Page 2, strike line 1

Page 2, line 2, strike "American or other Spanish descent,"

Page 2, line 2, strike "one"

Page 2, line 3, strike "of the foregoing" and insert "a person who does"

Page 3, line 26, after "commissioner" insert "of administration"

Page 4, line 4, strike "1" and insert "15"

Page 4, line 19, strike "\$150,000" and insert "\$145,500"

Page 4, line 20, after "1977" insert "and shall expire before June 30, 1981"

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. 669: A bill for an act relating to energy; extending the application of the state building code to all cities and counties; clarifying state agency rulemaking regarding building code subject matter; further defining large energy facility; imposing duties on the director of the energy agency; requiring promulgation of certain energy conservation standards; revising certain requirements; exempting certain solar energy systems from property taxation; providing a ten percent credit against income tax for the cost of certain solar energy systems; appropriating funds; amending Minnesota Statutes 1976, Sections 16.84; 16.851; 16.86, Subdivision 4; 116H.02, Subdivision 5; 116H.07, Subdivision 1; 116H.12, Subdivision 5, and by adding subdivisions; 116H.121; 116H.126; 116H.13, Subdivision 4; 126.111; 272.02, Subdivision 1; and 290.06, Subdivision 9; repealing Minnesota Statutes 1976, Sections 116H.12, Subdivision 10; 325.811; and 325.812.

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

Page 19, after line 8, insert:

"Sec. 19. The university of Minnesota, the departments of agricultural engineering, and agricultural and applied economics shall carry out a research and demonstration project to study the feasibility of developing an agriculturally derived ethyl alcohol supplement to be blended with diesel fuel so as to produce a liquid fit for use as a fuel in diesel engines used for agricultural purposes. In carrying out the project, the departments shall utilize to the fullest extent possible studies, data and reports of public agencies, private organizations and corporations, research institutes and other institutions of higher education. Before the project begins it shall be presented to the energy agency for review and comment.

An interim report shall be provided by September 1, 1978, to the energy agency and the Minnesota department of agriculture for review and comment. The university shall then provide the legislature with a final report and recommendations by January 1, 1979.

The project report shall include, but is not limited to, results from field studies of demonstration projects, and a review of the technical feasibility, possible energy impacts, biomass options, economic feasibility, agricultural sources and policy recommendations. A review of the relevant literature and a glossary shall also be included."

Page 19, line 14, strike "fiscal" and insert "biennium"

Page 19, line 15, strike "year"

Page 19, line 27, strike "Notwithstanding Minnesota Statutes, Section"

Page 19, strike lines 28 through 30.

Page 20, after line 2, insert:

"Subd. 6. The sum of \$50,000 is appropriated from the general fund to the university of Minnesota for the purpose of section 19. This appropriation shall not lapse but shall be available for expenditure until January 1, 1979."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, after "requirements;" insert "requiring research on fuel supplements;"

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

SECOND READING OF SENATE BILLS

S. F. Nos. 464, 185, 1071, 1334, 707, 455, 1058, 1486, 227, 1199, 691, 1395, 599, 263, 615, 202, 1360, 883, 1361, 80, 1521, 336 and 669 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. No. 223 was read the second time.

H. F. Nos. 1030, 967, 351, 962 and 1040 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Schaaf moved that H. F. No. 1582 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 759 now on General Orders. The motion prevailed.

Mr. Schaaf moved that S. F. No. 350 be withdrawn from the Committee on Finance and re-referred to the Committee on Elections. The motion prevailed.

Pursuant to Rule 21, Mr. Merriam moved that the following members be excused for a Conference Committee on H. F. No. 550 at 6:00 o'clock p.m.:

Messrs. Anderson, Dieterich, Hughes, Merriam and Sillers. The motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 8:00 o'clock p.m. The motion prevailed.

The hour of 8:00 o'clock p.m. having arrived, the President called the Senate to order.

Pursuant to Rule 21, Mr. Humphrey moved that the following members be excused for a Conference Committee on S. F. No. 1467:

Messrs. Humphrey, Willet, Borden, Solon and Dunn. The motion prevailed.

Pursuant to Rule 21, Mr. McCutcheon moved that the following members be excused for a Conference Committee on H. F. No. 1475:

Messrs. Hanson, Johnson, McCutcheon, Peterson and Stokowski. The motion prevailed.

CALL OF THE SENATE

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

Ashbach	Gunderson	Milton	Schrom	Tennesen
Bang	Jensen	Nichols	Setzepfandt	Ulland, J.
Benedict	Keefe, S.	Ogdahl	Sieloff	Vega
Bernhagen	Kirchner	Olson	Sikorski	Wegener
Coleman	Kleinbaum	Penny	Solon	Willet
Davies	Knoll	Perpich	Spear	
Dunn	Laufenburger	Pillsbury	Staples	
Engler	Luther	Purfeerst	Strand	
Gearly	Menning	Schmitz	Stumpf	

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

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

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. 1023 and 1293.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 13, 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. 1362: A bill for an act relating to game and fish; exempting certain disabled residents from the requirements of

obtaining a fishing license; amending Minnesota Statutes 1976, Section 98.47, by adding a subdivision.

Senate File No. 1362 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 13, 1977

CONCURRENCE AND REPASSAGE

Mr. Kleinbaum moved that the Senate concur in the amendments by the House to S. F. No. 1362 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1362 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 46 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Milton	Purfeerst	Tennessen
Bang	Jensen	Moe	Schmitz	Ueland, A.
Bernhagen	Keefe, S.	Nelson	Schrom	Ulland, J.
Brataas	Kirchner	Nichols	Setzepfandt	Vega
Chmielewski	Kleinbaum	Ogdahl	Sieloff	Wegener
Coleman	Knoll	Olhoft	Sikorski	Willet
Davies	Laufenburger	Olson	Solon	
Dunn	Lewis	Penny	Spear	
Engler	Luther	Perpich	Strand	
Gearty	Menning	Pillsbury	Stumpf	

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. 270: A bill for an act relating to motor vehicles; increasing gross weight limitations on interstate highways and routes designated by the commissioner of transportation; increasing truck registration taxes on heaviest trucks; establishing procedures for route designation and undesignation; requiring weight enforcement reports by county sheriffs; providing penalties; amending Minnesota Statutes 1976, Sections 168.013, Subdivisions 1c, 1e and 12; 169.79; 169.83, Subdivisions 1 and 2; 169.85; 169.86, by adding a subdivision; and Chapter 169, by adding sections.

Senate File No. 270 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 13, 1977

CONCURRENCE AND REPASSAGE

Mr. Laufenburger moved that the Senate concur in the amendments by the House to S. F. No. 270 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 270 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 40 and nays 10, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Menning	Penny	Sieloff
Benedict	Kirchner	Milton	Perpich	Sikorski
Bernhagen	Kleinbaum	Moe	Pillsbury	Solon
Brataas	Knoll	Nelson	Purfeerst	Staples
Chmielewski	Knutson	Nichols	Renneke	Strand
Dunn	Laufenburger	Ogdahl	Schmitz	Stumpf
Engler	Lessard	Olhoft	Schrom	Vega
Gearty	Lewis	Olson	Setzepfandt	Wegener

Those who voted in the negative were:

Ashbach	Davies	Keefe, S.	Spear	Ueland, A.
Coleman	Jensen	Luther	Tennessen	Ulland, J.

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. 102: A bill for an act relating to taxation; removing levy limitations on certain towns having population of less than 3,500; allowing electors of exempt towns to determine mill rates; amending Minnesota Statutes 1976, Sections 275.09, Subdivision 3; 275.10, Subdivision 1; 275.31; and 275.59.

Senate File No. 102 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 13, 1977

CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate concur in the amendments by the House to S. F. No. 102 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 102: A bill for an act relating to the town of Thomson in Carlton county; authorizing a special tax levy for certain purposes.

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 46 and nays 4, as follows:

Those who voted in the affirmative were:

Ashbach	Gerty	Luther	Pillsbury	Staples
Bang	Gunderson	Menning	Purfeerst	Strand
Benedict	Jensen	Milton	Renneke	Ueland, A.
Bernhagen	Kirchner	Moe	Schmitz	Ulland, J.
Brataas	Kleinbaum	Nelson	Schrom	Vega
Chmielewski	Knoll	Nichols	Setzepfandt	Wegener
Coleman	Knutson	Ogdahl	Sieloff	
Davies	Laufenburger	Olhoff	Sikorski	
Dunn	Lessard	Olson	Solon	
Engler	Lewis	Penny	Spear	

Messrs. Keefe, S.; Perpich; Stumpf and Tennessen voted in the negative.

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have 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. 625: A bill for an act relating to employment services; authorizing the summer employment of young persons for state and local service; appropriating money.

Senate File No. 625 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 13, 1977

CONCURRENCE AND REPASSAGE

Mr. Solon moved that the Senate concur in the amendments by the House to S. F. No. 625 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 625 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 50 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Davies	Jensen	Laufenburger	Moe
Benedict	Dunn	Keefe, S.	Lessard	Nelson
Bernhagen	Engler	Kirchner	Lewis	Nichols
Brataas	Gerty	Kleinbaum	Luther	Ogdahl
Chmielewski	Gunderson	Knoll	Menning	Olhoff
Coleman	Humphrey	Knutson	Milton	Olson

Penny	Renneke	Sieloff	Strand	Ulland, J.
Perpich	Schmitz	Solon	Stumpf	Vega
Pillsbury	Schrom	Spear	Tennesen	Wegener
Purfeerst	Setzepfandt	Staples	Ueland, A.	Willet

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

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

Senate File No. 1070 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 13, 1977

Mr. Davies moved that S. F. No. 1070 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 875.

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.

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

Kroening, Hanson and Friedrich have been appointed as such committee on the part of the House.

House File No. 875 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 13, 1977

Mr. Knoll moved that the Senate accede to the request of the

House for a Conference Committee on H. F. No. 875, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1102.

H. F. No. 1102: A bill for an act relating to state agencies; purchasing and furnishing goods and services; amending Minnesota Statutes 1976, Chapter 16, by adding a section; Sections 15.047, Subdivision 1; 16.02, Subdivisions 2, 13, 16, 19, and by adding a subdivision; 16.07, Subdivision 8, and by adding a subdivision; 16.72, Subdivision 2; 16.75, Subdivision 7; 16.80, Subdivision 1; 238.04, Subdivision 2; and 327.51, Subdivisions 1 and 3, and by adding a subdivision.

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

Reding, Beauchamp and Zubay have been appointed as such committee on the part of the House.

House File No. 1102 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 13, 1977

Mr. Schaaf moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1102, 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 the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 181: A bill for an act relating to retirement; increasing the size of the boards of trustees of the public employees retirement association, Minnesota state retirement system, teachers retirement system and Minneapolis municipal employees retirement board; providing for election processes; survivor benefits for deceased legislators; making miscellaneous changes in the public employees retirement association provisions; amending Minnesota Statutes 1976, Sections 3A.04, Subdivision 1, and by adding a subdivision; 352.03, Subdivisions 1, 2, and by adding a subdivision; 353.01, Subdivisions 2a, 2b, 6, 15, and 20; 353.03, Subdivi-

sion 1; 353.27, Subdivision 4; 353.29, Subdivisions 4 and 8; 353.31, Subdivision 8; 353.32, Subdivision 7; 353.33, Subdivisions 1, 9 and 11; 353.36, Subdivision 2; 353.37; 353.46, by adding a subdivision; and 353.651, Subdivision 3; 354.05, by adding a subdivision; 354.06, Subdivision 1; 422A.02; and 422A.03, Subdivision 1; repealing Minnesota Statutes 1976, Sections 353.016; 353.018; 353.019; 353.03; 353.03, Subdivision 2a; 353.31, Subdivision 11; 353.36, Subdivision 2d; 353.46, Subdivision 3; and 353.64, Subdivision 5.

There has been appointed as such committee on the part of the House:

Patton, Reding and Biersdorf.

Senate File No. 181 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 16, 1977

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of five members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 896: A bill for an act relating to the establishment of a power plant site and transmission line route selection authority in the environmental quality board; eliminating the corridor designation process; clarifying certain procedures; authorizing certain options concerning the amount of land to be condemned and annual payments for owners of land condemned for routes or sites; requiring the board and the office of hearing examiners to adopt emergency and permanent rules; authorizing the board to revoke or suspend permits; specifying amounts for route application fees; providing for a property tax credit for land crossed by high voltage transmission lines; providing penalties; amending Minnesota Statutes 1976, Sections 116C.52, Subdivisions 3 and 7, and by adding subdivisions; 116C.53; 116C.54; 116C.55, Subdivisions 2 and 3; 116C.57; 116C.58; 116C.59, Subdivision 1, and by adding subdivisions; 116C.61, Subdivisions 2 and 3; 116C.62; 116C.63; 116C.64; 116C.65; 116C.66; 116C.67; 116C.68; 116C.69; 273.42; 276.04; and Chapters 116C, by adding a section; and 273, by adding a section; repealing Minnesota Statutes 1976, Sections 116C.55, Subdivision 1; and 116C.56.

There has been appointed as such committee on the part of the House:

Sieben, H.; Munger; Skoglund; Wenstrom and Biersdorf.

Senate File No. 896 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 16, 1977

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 16:

H. F. No. 16: A bill for an act relating to insurance; providing for interest on unpaid benefits; amending Minnesota Statutes 1976, Chapter 61A, by adding a section.

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

Kempe, R.; Hanson and Savelkoul have been appointed as such committee on the part of the House.

House File No. 16 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 16, 1977

Mr. McCutcheon moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 16, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 129:

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

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

Pehler, Kroening and Peterson have been appointed as such committee on the part of the House.

House File No. 129 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 16, 1977

Mr. Penny moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 129, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 256:

H. F. No. 256: A bill for an act relating to insurance; providing for regulation of aircraft and inland marine insurance; amending Minnesota Statutes 1976, Sections 70A.02, Subdivision 2; and 70A.06, Subdivision 3.

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

Wynia, McCollar and Anderson, R., have been appointed as such committee on the part of the House.

House File No. 256 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 16, 1977

Mr. Humphrey moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 256, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 259:

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.

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

Kelly, R.; Suss and George have been appointed as such committee on the part of the House.

House File No. 259 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 16, 1977

Mr. Solon moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 259, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 343:

H. F. No. 343: A bill for an act relating to obscenity; prohibiting the dissemination of obscene photographs or other similar visual representations which depict minors involved in scenes of patently offensive sexual conduct; prescribing penalties; amending Minnesota Statutes 1976, Chapter 617, by adding a section.

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

Nelson, Forsythe and Clark have been appointed as such committee on the part of the House.

House File No. 343 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 16, 1977

Mr. Olhoft moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 343, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 398:

H. F. No. 398: A bill for an act relating to protection of the environment; prohibiting sale of pressurized containers using certain chlorofluorocarbon propellants; prescribing penalties.

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

Wynia, Stoa and Dean have been appointed as such committee on the part of the House.

House File No. 398 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 16, 1977

Mr. Humphrey moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 398, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 451:

H. F. No. 451: A bill for an act relating to banks; authorizing a bank to establish two detached banking facilities; providing for notice and approval procedures; amending Minnesota Statutes 1976, Sections 47.51; 47.52; 47.53; 47.54; and 47.55.

And the House respectfully requests that a Conference Committee of five members be appointed thereon.

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

House File No. 451 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 16, 1977

Mr. Kleinbaum moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 451, 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 appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 856:

H. F. No. 856: A bill for an act relating to welfare; authorizing the establishment of a centralized disbursement system for payments and for food stamp benefit documents; amending Minnesota Statutes 1976, Section 256.01, by adding a subdivision.

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

Clawson, Neisen and Wigley have been appointed as such committee on the part of the House.

House File No. 856 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 16, 1977

Mr. Perpich moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 856, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 544.

H. F. No. 544: A bill for an act relating to highways; removing the construction moratorium on a certain interstate route, and extending it through the city of St. Paul; removing a certain route from the trunk highway system; amending Minnesota Statutes 1976, Sections 161.117; 161.12; and 161.123.

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

Kempe, A; Tomlinson and Osthoff have been appointed as such committee on the part of the House.

House File No. 544 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 16, 1977

Mr. Vega moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 544, 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. 287, 1416, 769, 83, 180, 331, 522 and 1300.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 13, 1977

FIRST READING OF HOUSE BILLS

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

H. F. No. 287: A bill for an act relating to obscenity; prohibiting the showing of obscene motion pictures at drive-in theatres; providing for a hearing in the courts to determine if a motion picture is obscene; prescribing penalties.

Referred to the Committee on Judiciary.

H. F. No. 1416: A bill for an act relating to the legislature; requiring that bodies wholly or principally composed of legislators submit budgets and complement requests to the legislative coordinating commission; amending Minnesota Statutes 1976, Chapter 3, by adding a section.

Referred to the Committee on Rules and Administration.

H. F. No. 769: A bill for an act relating to cities; exempting transit systems owned by the cities of Mankato and North Mankato from gasoline and special fuels tax.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 979 now on General Orders.

H. F. No. 83: A bill for an act relating to crime victims reparations; eliminating the minimum claim amount necessary for reparations; raising the amount of reparations paid to claimants suffering economic loss; amending Minnesota Statutes 1976, Sections 299B.02, 299B.03, Subdivision 2; 299B.04; 299B.05, by adding a subdivision; 299B.06, Subdivisions 1 and 2; and 299B.07, by adding a subdivision.

Mr. Davies moved that H. F. No. 83 be laid on the table. The motion prevailed.

H. F. No. 180: A bill for an act relating to health; appropriating money to fund a program of graduate training in family practice for physicians.

Referred to the Committee on Finance.

H. F. No. 331: A bill for an act relating to motor vehicles; requiring information as to all owners in applications for registration or certificate of title; appropriating money; amending Minnesota Statutes 1976, Sections 168.10, Subdivision 1; 168A.04, Subdivision 1; and 168A.05, Subdivision 3.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 418 now on General Orders.

H. F. No. 522: A bill for an act relating to energy; extending the application of the state building code to all cities and counties; clarifying state agency rulemaking regarding the building code subject matter; extending and clarifying the expiration of the Minnesota energy agency; requiring promulgation of certain energy conservation standards; revising certain requirements; requiring certain efficiencies for air conditioners; prohibiting certain open flame pilot lights; appropriating money; amending Minnesota Statutes 1976, Sections 16.84; 16.851; 16.86, Subdivision 4; 16.861, Subdivision 4; 116H.02, Subdivision 5; 116H.07, Subdivision 1, and by adding a subdivision; 116H.12, Subdivisions 5 and 10, and by adding subdivisions; 116H.121; 116H.124; 116H.126; 116H.13, Subdivision 4; 126.111; and Chapter 116H, by adding sections; repealing Laws 1974, Chapter 307, Section 19.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 669 now in the Subcommittee on Bill Scheduling.

H. F. No. 1300: A bill for an act relating to outdoor recreation; appropriating money for acquisition and betterment of parks, trails, wildlife lands, outdoor athletic courts, and for other purposes; authorizing sale of bonds; amending Minnesota Statutes

1976, Sections 85.016; 97.49, Subdivision 3; 473.121, Subdivision 14; 473.302; 473.303, by adding a subdivision; 473.315, Subdivision 1; Chapter 4, by adding a section; and Chapter 85, by adding a section.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1360 now in the Subcommittee on Bill Scheduling.

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. 679, 514, 1444, 137, 743 and H. F. Nos. 789, 6 and 818 makes the following report:

That S. F. Nos. 679, 514, 1444, 137, 743, H. F. Nos. 789, 6 and 818 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. 932, pursuant to the request of the Senate:

Messrs. Menning, Knutson and Olson.

H. F. No. 801, pursuant to the request of the House:

Messrs. Stokowski, Kleinbaum and Kirchner.

S. F. No. 1172, pursuant to the request of the Senate:

Messrs. Borden, Schaaf and Sieloff.

S. F. No. 274, pursuant to the request of the Senate:

Messrs. Perpich, Nelson and Willet.

H. F. No. 1102, pursuant to the request of the House:

Messrs. Schaaf, Gunderson and Ulland, Jr.

H. F. No. 875, pursuant to the request of the House:

Messrs. Knoll, Anderson and Willet.

H. F. No. 1610, pursuant to the request of the House:

Messrs. Kleinbaum, Schaaf, Purfeerst, Gearty and Ogdahl.

S. F. No. 977, pursuant to the request of the Senate:

Messrs. Olson, Chmielewski and Ueland, A.

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

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated the following bills a Special Orders Calendar for immediate consideration:

S. F. Nos. 1015, 1 and H. F. No. 1337.

SPECIAL ORDER

H. F. No. 1337: A bill for an act relating to taxation; removing membership dues, fees and assessments received by certain homeowners associations from definition of gross income for corporate income tax purposes; amending Minnesota Statutes 1976, Section 290.01, Subdivision 20.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 45 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Lewis	Perpich	Sikorski
Bang	Gunderson	Luther	Pillsbury	Spear
Benedict	Jensen	Menning	Purfeerst	Strand
Bernhagen	Kirchner	Nelson	Renneke	Stumpf
Brataas	Kleinbaum	Nichols	Schaaf	Tennessee
Chmielewski	Knoll	Ogdahl	Schmitz	Ueland, A.
Coleman	Knutson	Olhoft	Schrom	Ulland, J.
Davies	Laufenburger	Olson	Setzepfandt	Vega
Dunn	Lessard	Penny	Sieloff	Wegener

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1015: A bill for an act relating to the environment; establishing a program of state assistance for the removal of dilapidated buildings; increasing surcharges on certain building permits; requiring certain units of government to establish dilapidated building removal accounts; authorizing the commissioner of transportation to remove certain dilapidated buildings; appropriating money; amending Minnesota Statutes 1976, Section 16.866.

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 7, as follows:

Those who voted in the affirmative were:

Bang	Jensen	Luther	Perpich	Strand
Benedict	Keefe, S.	Menning	Purfeerst	Stumpf
Bernhagen	Kirchner	Milton	Schmitz	Tennessee
Chmielewski	Kleinbaum	Moe	Setzepfandt	Ueland, A.
Coleman	Knoll	Nelson	Sieloff	Ulland, J.
Davies	Laufenburger	Nichols	Sikorski	Vega
Engler	Lessard	Olhoft	Spear	Wegener
Gearty	Lewis	Penny	Staples	Willet

Those who voted in the negative were:

Ashbach	Knutson	Pillsbury	Renneke	Schrom
Brataas	Ogdahl			

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1: A bill for an act relating to solid waste pollution; requiring beverage containers to have certain refund values after a certain date; providing penalties.

CALL OF THE SENATE

Mr. Luther imposed a call of the Senate for the proceedings on S. F. No. 1.

The following Senators answered to their names:

Ashbach	Gunderson	Menning	Purfeerst	Tennessee
Bang	Jensen	Milton	Renneke	Ueland, A.
Benedict	Keefe, S.	Nelson	Schaaf	Ulland, J.
Bernhagen	Kirchner	Nichols	Schmitz	Vega
Brataas	Kleinbaum	Ogdahl	Schrom	Wegener
Chmielewski	Knoll	Olhoft	Sieloff	Willet
Coleman	Knutson	Olson	Spear	
Davies	Laufenburger	Penny	Staples	
Engler	Lessard	Perpich	Strand	
Gearty	Luther	Pillsbury	Stumpf	

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

Mr. Laufenburger moved to amend S. F. No. 1 as follows:

Page 2, line 6, strike "ten" and insert "25"

Page 2, line 12, strike "90" and insert "80"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 6 and nays 34, as follows:

Those who voted in the affirmative were:

Brataas	Lessard	Purfeerst	Schrom	Ueland, A.
Kleinbaum				

Those who voted in the negative were:

Benedict	Johnson	Milton	Peterson	Staples
Chmielewski	Keefe, S.	Nelson	Pillsbury	Strand
Coleman	Kirchner	Nichols	Schmitz	Stumpf
Dunn	Knoll	Olhoft	Setzepfandt	Ulland, J.
Gearty	Lewis	Olson	Sieloff	Vega
Gunderson	Luther	Penny	Sikorski	Willet
Hanson	Menning	Perpich	Spear	

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

Mr. Peterson moved to amend S. F. No. 1 as follows:

Page 1, line 8, strike "4" and insert "6"

Page 2, after line 2, insert:

"Subd. 6. "Local recycling center" means a commercial establishment approved by a county board where any person may return empty beverage containers having a refund value displayed thereon pursuant to section 4.

Subd. 7. "Nonrefillable beverage container" means a beverage container which is not suitable for refilling because of its construction or the raw materials used in its production or because of any information stated on the beverage container.

Subd. 8. "Refillable beverage container" means a beverage container, other than a nonrefillable beverage container.

Sec. 2. [116.452] [COUNTY COMPREHENSIVE SOLID WASTE PLAN.] Before March 1, 1979, each county located within the metropolitan area, as defined in section 473.121, subdivision 2, shall complete a solid and hazardous waste policy plan required in section 473.803 and each county located outside the metropolitan area shall complete and adopt a comprehensive solid waste management plan which identifies the source, supply, collection, transportation, storage, disposal treatment and recycling of solid waste as defined in section 116.06, subdivision 10. Each county plan shall identify all existing facilities which perform these activities and specifically state the need, capacity and location of new facilities, including recycling centers to be licensed pursuant to section 3.

Sec. 3. [116.453] [LOCAL RECYCLING CENTERS.] Subdivision 1. [APPLICATION FOR APPROVAL.] Any person may file with the county board an application for approval to operate a local recycling center. The application shall state the name and address of the person responsible for the establishment and operation of the center, the kinds, sizes and brand names of beverage containers which will be accepted and the names and addresses of dealers to be served and their distances from the local recycling center. The application shall also specify all of the other types of solid waste the proposed center will accept.

Subd. 2. [APPROVAL.] The county board shall approve a local recycling center if it finds that the center will provide a convenient and necessary service for the return of empty beverage containers and is consistent with the county's comprehensive solid waste man-

agement plan. The license to operate a local recycling center shall state the dealers to be served and the kinds, sizes and brand names of empty beverage containers which the center shall accept. The license shall also state any other conditions deemed appropriate by the county board.

Subd. 3. [POSTED LISTS.] A list of the dealers served and the kinds, sizes and brand names of empty beverage containers accepted shall be prominently displayed at each local recycling center. All dealers shall prominently display the name and location of all local recycling centers licensed to serve the area.

Subd. 4. [WITHDRAWAL OF APPROVAL.] The county board may review at any time approval of a local recycling center. After written notice to the person responsible for the establishment and operation of the local recycling center and to the dealers served by the center, the county board may, after hearing, withdraw approval of a local recycling center if it finds there has not been compliance with the license or if the local recycling center no longer provides a convenient and necessary service to the public. "

Renumber and recodify the remaining sections

Page 2, line 4, strike "June 30, 1978" and insert "September 1, 1979"

Page 2, line 8, strike "June 30, 1978" and insert "September 1, 1979"

Page 2, line 10, after "clean" insert "refillable"

Page 2, line 12, strike "90 percent of" and insert "at least"

Page 2, line 13, strike "3" and insert "5"

Page 2, after line 13, insert:

"(b) A local recycling center shall accept an empty nonrefillable beverage container of the kind, size and brand posted by the center pursuant to section 3, subdivision 3, and shall pay to the person returning the nonrefillable beverage container at least 80 percent of the refund value displayed thereon pursuant to section 5. A center may accept a previously used empty refillable beverage container and shall pay at least the refund value displayed thereon pursuant to section 5."

Page 2, line 14, strike "(b)" and insert "(c)"

Page 2, line 15, after "dealer" insert "or local recycling center"

Page 2, line 15, after "empty" insert "refillable"

Page 2, line 18, strike "3" and insert "5"

Page 2, line 24, after "dealer" insert "or a local recycling center"

Page 2, line 26, after "empty" insert "refillable"

Page 2, line 27, strike "3" and insert "5"

Page 2, line 27, after the period insert "A dealer, distributor, bottler or designee shall not accept any previously used, empty

nonrefillable beverage container from any person, except a local recycling center.

Subd. 4. After September 1, 1979, before the last day of each month, each dealer in the state shall complete a report on a form supplied by the commissioner of revenue specifying the total amount of deposits collected for the sale of nonrefillable beverage containers during the reporting period and forward the report and the total amount collected to the auditor of the county where the dealer's establishment is located.

Subd. 5. The county auditor shall pay each local recycling center the refund value specified on each empty nonrefillable beverage container returned at the center. Based upon estimates of the number of returned empty nonrefillable beverage containers submitted by each local recycling center located in the county, the county auditor shall direct monthly advance payments to be made from the funds collected pursuant to subdivision 4 to each local recycling center commencing September 1, 1979. The county auditor shall direct adjustment of any overestimate in a succeeding month based upon each local recycling center's monthly report of the number of empty nonrefillable beverage containers returned to that center.

Subd. 6. After September 1, 1979, each county auditor shall file an annual report prior to March 1 to the commissioner of revenue on a form supplied by him specifying the total amount of money collected by the county pursuant to subdivision 4 and the total amount of payments pursuant to subdivision 5 during the previous calendar year. Any county which collected an amount pursuant to subdivision 4 greater than the payments pursuant to subdivision 5 during the previous calendar year shall forward the surplus to the commissioner of revenue who shall distribute the surpluses among those counties which paid more pursuant to subdivision 5 than they collected pursuant to subdivision 4, on a basis proportional to that deficit.

After the commissioner has made this distribution, if the amount collected pursuant to subdivision 4 plus the amount of distribution from the commissioner pursuant to this subdivision equals the amount paid pursuant to subdivision 5 in each county, then the commissioner shall distribute any remaining surplus among all counties on a basis proportional to the amounts paid pursuant to subdivision 5."

Page 2, line 28, strike "June 30" and insert "September 1"

Page 2, line 29, strike "1978" and insert "1979"

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

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

Amend the title as follows:

Line 2, after the semicolon, insert "requiring each county to adopt a comprehensive solid waste management plan; authorizing counties to license recycling centers;"

Mr. Wegener questioned whether the amendment was germane.
The President ruled the amendment was germane.

The question was taken on the adoption on the amendment.

The roll was called, and there were yeas 34 and nays 25, as follows:

Those who voted in the affirmative were:

Benedict	Hanson	McCutcheon	Perpich	Staples
Bernhagen	Johnson	Merriam	Peterson	Stokowski
Brataas	Keefe, S.	Milton	Pillsbury	Strand
Davies	Kirchner	Moe	Schaaf	Stumpf
Dieterich	Knoll	Olhoft	Setzepfandt	Ulland, J.
Dunn	Lewis	Olson	Sikorski	Willet
Gunderson	Luther	Penny	Spear	

Those who voted in the negative were:

Ashbach	Gearty	Lessard	Purfeerst	Solon
Bang	Jensen	Menning	Renneke	Tennessen
Borden	Kleinbaum	Nelson	Schmitz	Ueland, A.
Chmielewski	Knutson	Nichols	Schrom	Vega
Engler	Laufenburger	Ogdahl	Sieloff	Wegener

The motion prevailed. So the amendment was adopted.

Mr. Schrom moved that S. F. No. 1 be stricken from the Special Orders Calendar and re-referred to the Committee on Local Government.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 11 and nays 47, as follows:

Those who voted in the affirmative were:

Chmielewski	Menning	Olson	Schmitz	Stumpf
Jensen	Ogdahl	Renneke	Schrom	Ueland, A.
Kleinbaum				

Those who voted in the negative were:

Bang	Gearty	Laufenburger	Olhoft	Staples
Benedict	Gunderson	Lessard	Penny	Stokowski
Bernhagen	Hanson	Lewis	Perpich	Strand
Borden	Humphrey	Luther	Peterson	Tennessen
Brataas	Johnson	McCutcheon	Pillsbury	Ulland, J.
Coleman	Keefe, J.	Merriam	Setzepfandt	Vega
Davies	Keefe, S.	Milton	Sieloff	Willet
Dieterich	Kirchner	Moe	Sikorski	
Dunn	Knoll	Nelson	Solon	
Engler	Knutson	Nichols	Spear	

The motion did not prevail.

Mr. Stokowski moved to amend S. F. No. 1 as follows:

Page 1, line 21, after "container" insert "or a daily newspaper"

Page 2, line 3, delete "[REFUNDS.]" and insert "[REFUND VALUES.]"

Page 2, lines 3 and 4, delete "[VALUE OF CONTAINERS.]" and insert "[AMOUNT.]"

Page 2, line 4, delete "a" and insert "every"

Page 2, line 5, after "container" insert "and every daily newspaper"

Page 2, line 9, delete "an" and insert "every daily newspaper and every"

Page 2, line 12, before "beverage" insert "daily newspaper or"

Page 2, after line 23, insert the following:

"(c) The publisher of a daily newspaper or his designee shall accept from a dealer any daily newspaper published by the publisher and shall pay the dealer a refund value as provided in subdivision 1."

Page 2, line 25, before "distributor" insert "publisher,"

Page 2, line 26, after "container" insert "or daily newspaper"

Page 3, line 1, after "container." insert "After June 30, 1978, the publisher of every daily newspaper shall on or near the masthead of the newspaper print the retail price of the newspaper showing both the refund value of the newspaper and the price not attributable to refund value."

Further, amend the title as follows:

Page 1, line 3, after "containers" insert "and daily newspapers"

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

Mr. Luther moved to amend S. F. No. 1 as follows:

Page 1, after line 6 insert:

"Section 1. Minnesota Statutes 1976, Section 116E.03, Subdivision 7, is amended to read:

Subd. 7. [EMPLOYMENT OF STAFF.] The state board and the regional councils may employ such the administrative and clerical staff as may be necessary to carry out the functions of the state board and regional councils as described in sections 116E.01 to 116E.04 ; including, but not limited to, an executive director to represent and manage the affairs of the state board, and/or regional councils, as the case be . All employees, except the executive director, serving the board who were hired after July 1, 1976, shall be in the classified civil service of the state. In addition, the state board and regional councils may employ and fix the compensation of each any experts and consultants as may be necessary to carry out their functions under sections 116E.01 to 116E.04.

Sec. 2. Minnesota Statutes 1976, Section 116E.03, Subdivision 7a, is amended to read:

Subd. 7a. [EXECUTIVE DIRECTOR.] The executive director of the state board shall be experienced in the administration of environment-related programs. All employees serving the board shall be in the classified civil service of the state. This subdivision

shall not apply to board employees serving on July 1, 1976. He shall be appointed by the governor with the consent of the senate for a four year term, which shall coincide with the term of the governor and shall serve until his successor is duly appointed and qualifies. The governor may remove the director at any time at his pleasure. A vacancy in the office of executive director shall be filled by the governor with the consent of the senate, for the unexpired term.

Sec. 3. Minnesota Statutes 1976, Section 116E.03, Subdivision 8, is amended to read:

Subd. 8. [CONTRACTS.] The chief administrative officer executive director of the state board may contract with persons, firms, corporations, organizations, units of government or institutions of higher learning for doing any of the work of his office, and none of the provisions of chapter 16, relating to bids, shall apply to such contracts. The regional councils may contract with the regional development commissions designated by the governor pursuant to Minnesota Statutes 1971, Section 462.385, to accomplish the purposes of sections 116E.01 to 116E.04. All personnel employed and all contracts entered into pursuant to this subdivision shall be subject to the approval of the state board. Agreements to exercise delegated powers shall be by written order filed with the secretary of state.

Sec. 4. Minnesota Statutes 1976, Section 174.02, Subdivision 2, is amended to read:

Subd. 2. [UNCLASSIFIED POSITIONS.] The commissioner may establish ~~four~~ five positions in the unclassified service at the deputy and assistant commissioner, assistant to commissioner or personal secretary levels. No more than two of these positions shall be at the deputy commissioner level. *The commissioner shall delegate his responsibilities and duties specified in sections 11 to 24 of this act to one of the persons in the unclassified service.*

Page 1, line 8, strike "1 to 4" and insert "5 to 10"

Page 2 line 13, strike "3" and insert "9"

Page 2, lines 18 and 27, strike "3" and insert "9"

Page 3, line 2, strike "2" and insert "8"

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

Page 3, delete lines 5 and 6 and insert:

"Sec. 11. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.61] [DEFINITIONS.] Subdivision 1. For the purposes of sections 11 to 24, the terms defined in this section have the meanings given them unless the context clearly indicates otherwise.

Subd. 2. "Commissioner" means the commissioner of transportation.

Subd. 3. "Department" means the department of transportation.

Subd. 4. "Importer" means any person who initially imports into this state for subsequent sale, use or consumption in this state products manufactured outside this state.

Subd. 5. "Litter" means all waste material including but not limited to any glass, bottles, nails, tacks, wire, cans, garbage, swill, papers, carcass of any dead animal, offal, trash or rubbish.

Subd. 6. "Litter bag" means a bag or container with a capacity of at least one quart, but not more than eight quarts intended for the temporary storage of litter.

Subd. 7. "Manufacturer" means any person who performs or provides the last act, function or process respecting the manufacture, formulation, fabrication or conversion of any product for sale, use or consumption in this state.

Subd. 8. "Person" means any corporation, partnership, association, or individual.

Subd. 9. "Vehicle" has the meaning specified in section 169.467, subdivision 2, excluding motorcycles and snowmobiles.

Subd. 10. "Watercraft" means any watercraft required to be licensed pursuant to section 361.03, subdivision 3.

Subd. 11. "Public place" means any area that is used or held out for use by the public, whether owned or operated by public or private interests.

Subd. 12. "Peace officer" has the meaning specified in section 352E.01, subdivision 2.

Sec. 12. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.62] [RULES; APPLICATION.] In addition to his other powers and duties, the commissioner shall promulgate rules necessary to carry out the provisions of sections 11 to 24, provided the rules are not inconsistent with any rules promulgated by the pollution control agency concerning the transporting, storing, dumping, or removing of solid waste. The rules shall specify standards concerning the distribution and location of litter receptacles in public places.

Sec. 13. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.63] [ENFORCEMENT.] All peace officers shall enforce the provisions of sections 11 to 22 and all rules adopted thereunder and may issue citations to, and arrest without warrant, persons violating any provision of sections 11 to 22 or any of the rules adopted thereunder. Any person may file a complaint in regard to a violation of sections 11 to 22 or the rules adopted thereunder with the appropriate law enforcement agency. All law enforcement officials may serve and execute all warrants, citations, and other process issued by courts in enforcing the provisions of sections 11

to 22 and rules adopted thereunder. Mailing by certified mail of a warrant, citation, or other process to the last known place of residence of the person charged shall be deemed personal service.

Sec. 14. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.64] [LITTERING PROHIBITED.] *Subdivision 1. No person shall throw, place, dump, discard or otherwise deposit, or cause to be thrown, placed, dumped, discarded or otherwise deposited any litter in any public place or on any public street, highway, land, water or the ice thereon except with the permission of or in the manner prescribed by the governing body having jurisdiction over the public places.*

Subd. 2. No person shall throw, place, dump, discard or otherwise deposit, or cause to be thrown, placed, dumped, discarded or otherwise deposited any litter on any privately owned land or water or the ice thereon except with the permission of or in the manner prescribed by the owner thereof.

Subd. 3. Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped within any highway right-of-way from the vehicle.

Subd. 4. No person shall drop or hurl any destructive or injurious material or object at or upon any motor vehicle or the occupants thereof within any highway right-of-way.

Sec. 15. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.65] [OWNER OR OPERATOR LIABILITY.] *It shall be unlawful for the owner of a vehicle or watercraft, if he is then present in the vehicle or watercraft, or the driver of the vehicle as defined in section 169.01, subdivision 25, or the operator of the watercraft as defined in section 361.02, subdivision 6, to allow a passenger in his vehicle or watercraft to violate section 14, subdivision 1 or 2. This section shall not apply to a school bus or a vehicle transporting passengers for hire.*

Sec. 16. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.66] [LITTER RECEPTACLES; PUBLIC PLACES.] *Every person owning or operating any public place in which litter receptacles are required by the rules of the commissioner shall obtain and place receptacles at his own expense on the premises in accordance with the rules adopted by the commissioner. The owner or person operating a public place may limit the litter placed in litter receptacles to that quantity and composition which is normally contained in a litter bag.*

Sec. 17. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.67] [LITTER BAGS REQUIRED.] *No person shall operate a vehicle or a watercraft unless it contains a litter bag.*

Sec. 18. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.68] [LITTER BAGS; DESIGN AND DISTRIBUTION.] *The department may make available litter bags and other promotional material bearing the statewide anti-litter symbol. These litter bags may be distributed by the department of public safety, at no charge, to the owner of every licensed vehicle in this state at the time of license renewal. The department may provide these litter bags at no charge at rest areas, field offices and other locations deemed appropriate by the commissioner of transportation. The department of natural resources may make these litter bags available to the owners of watercraft in this state at the time of license renewal and at any locations deemed appropriate by the commissioner of natural resources.*

Sec. 19. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.69] [LITTER CONTROL PROGRAMS; PUBLIC EDUCATION; DISTRIBUTION OF FUNDS.] *The commissioner shall coordinate programs involving public and private agencies for the purposes of research, development, and public education concerning the litter problem. He shall actively encourage the cooperation and support of labor, industry and other persons interested in anti-litter activities. The commissioner shall be the agent of the state for receipt of public or private funds and gifts made available for purposes of sections 11 to 24. Any funds or gifts received pursuant to this section are annually appropriated to the commissioner for the purposes of sections 11 to 24. He may make grants available for the purposes stated in this section to those persons he deems appropriate and qualified.*

Sec. 20. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.70] [PENALTIES.] *Subdivision 1. Any person who violates the provisions of section 14 is guilty of a misdemeanor. Upon the conviction of any person for a violation of section 14, subdivision 1 or 2, the court may stay imposition or execution of sentence and may, as a condition of probation, order the violator to work under the supervision of a conservation officer or the department for up to eight hours in any program of litter removal or beautification.*

Subd. 2. Any person who fails to provide litter receptacles as required by section 16, is guilty of a petty misdemeanor.

Subd. 3. Any person who violates the provisions of section 17, may be fined not more than \$10.

Sec. 21. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.71] [FINES; GOVERNMENTAL SHARING.] *Any political subdivision which collects a fine or bail forfeiture under the provisions of sections 11 to 24 shall forward one half of the collected amounts to the general fund of the state treasury. These*

funds are hereby appropriated to the commissioner for the purposes of implementing sections 11 to 24.

Sec. 22. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.72] [NOTICE TO PUBLIC.] *The commissioner, with the approval and cooperation of the Minnesota environmental education board, shall take appropriate action as necessary to inform the public of the contents of sections 11 to 24 and the penalties for violation thereof.*

Sec. 23. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.73] [LITTER COLLECTION AND SURVEY RULES.] *The department shall make a collection and survey of litter to be completed by November 30, 1977, of the types and kinds of litter that are discarded in violation of the laws of the state. The survey shall include litter found throughout the state, including standard metropolitan statistical areas and rural and recreational areas. To the fullest extent possible, in standard metropolitan statistical areas the department shall make use of local litter and trash collection services through arrangements with local governing bodies and appropriate agencies, in the discharge of the duties imposed by this section. The department shall report to the governor and the legislature on the amount of litter collected pursuant to this section and shall include in its report an analysis by item, weight and volume, and, where practicable, the biodegradability of the types of products, packages, wrappings and containers which compose significant amounts of the litter collected. Prior to January 1, 1978, the commissioner shall adopt rules pursuant to chapter 15 which define the categories of products which constitute significant amounts of litter and whose packages, wrappings or containers constitute significant amounts of litter, excluding products in beverage containers which are required to display a refund value upon the effective date of section 9 of this act.*

Sec. 24. Minnesota Statutes 1976, Chapter 174, is amended by adding a section to read:

[174.74] [LITTER LICENSE FEE; AMOUNT; COLLECTION APPROPRIATION.] *There is hereby levied and imposed upon every person in the state engaged in business as a manufacturer or importer of products described in the department of transportation rules promulgated pursuant to section 23, whose gross sales of such products exceed \$100,000, an annual litter fee of .05 percent of annual gross sales in excess of \$100,000 of such products within the state of Minnesota. In calculating gross sales for purposes of the litter fee, all sales within the meaning of section 297A.25, subdivision 1, clause (d), shall be exempt. The license fee shall be due and payable on or before January 25 of each year and shall be collected annually and administered by the department of revenue in the same manner as the sales and use tax imposed under Minnesota Statutes, Chapter 297A. The receipts of the litter license fee and any unappropriated and un-*

expended revenue from the tax imposed pursuant to section 168B.11 shall be deposited in the general fund.

Sec. 25. [REPEALER.] *Minnesota Statutes 1976, Sections 85.20, Subdivision 6; 169.42 and 609.68, are repealed.*

Sec. 26. [APPROPRIATIONS.] *Subdivision 1. There is appropriated from the general fund to the commissioner of transportation the following amounts for the following purposes for the period from July 1, 1977, to June 30, 1979:*

- (a) *For a contract with the Minnesota environmental education board for public education concerning litter, resource conservation, recycling, and resource recovery* 369,000
- (b) *For administrative expenses to implement sections 11 to 24 of this act* 600,000

The approved complement of the department of transportation is increased by one person.

Subd. 2. There is appropriated from the general fund to the director of the pollution control agency the following amounts for the period from July 1, 1977, to June 30, 1979:

- (a) *For the purpose of assisting and making grants for resource conservation, recycling and resource recovery projects* 416,000
 - (b) *For the packaging review program* 193,321.
- \$51,385 for fiscal 1978 and \$90,519 for fiscal 1979 is not available for expenditure and four complement positions are not approved, until after a final court determination that the program is legal. None of these amounts shall be expended nor shall the positions be filled except with the approval of the governor after consultation with the legislative advisory commission.*
- (c) *For automobile recycling* 300,000

Subd. 3. There is appropriated from the general fund to the commissioner of revenue the sum of \$15,000 for the period from July 1, 1977, to June 30, 1979, for the administrative expenses of collecting the litter license fee established in section 24 of this act.

Sec. 27. [EFFECTIVE DATE.] *Sections 1 to 15, 18 to 23, and 25 are effective the day following final enactment. Sections 16, 17 and 24 are effective July 1, 1978."*

Renumber the sections in sequence

Underline all new language in the bill

Amend the title as follows:

Line 2, after the semicolon, insert "requiring the director of the Minnesota environmental education board to be appointed by the governor;"

Line 4, after the semicolon, insert "prohibiting littering; prescribing the powers and duties of the commissioner of transportation in regard thereto; requiring litter bags in certain vehicles and watercraft and litter receptacles in public places; prescribing a litter license fee on certain manufacturers and importers; appropriating money;"

Line 4, before the period, insert "amending Minnesota Statutes 1976, Sections 116E.03, Subdivisions 7, 7a and 8; and 174.02, Subdivision 2; and Chapter 174, by adding sections; repealing Minnesota Statutes 1976, Sections 85.20, Subdivision 6; 169.42; and 609.68"

Mr. Laufenburger questioned whether the amendment was germane.

The President ruled the amendment was germane.

Mr. Tennesen moved to amend the Luther amendment to S. F. No. 1, as follows:

Section 13 of the Luther amendment, next to last sentence, strike "*law enforcement officials*" and insert "*peace officers*"

The motion prevailed. So the amendment to the Luther amendment was adopted.

The question recurred on the Luther amendment, as amended.

The roll was called, and there were yeas 35 and nays 30, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Knutson	Olhoff	Spear
Benedict	Hanson	Lewis	Penny	Staples
Bernhagen	Humphrey	Luther	Perpich	Stokowski
Coleman	Jensen	Merriam	Peterson	Strand
Davies	Johnson	Milton	Schaaf	Tennesen
Dieterich	Keefe, S.	Moe	Setzepfandt	Ulland, J.
Dunn	Knoll	Nelson	Sikorski	Willet

Those who voted in the negative were:

Ashbach	Gearty	Lessard	Pillsbury	Sillers
Bang	Hughes	McCutcheon	Purfeerst	Solon
Borden	Keefe, J.	Menning	Renneke	Stumpf
Brataas	Kirchner	Nichols	Schmitz	Ueland, A.
Chmielewski	Kleinbaum	Ogdahl	Schrom	Vega
Engler	Laufenburger	Olson	Sieloff	Wegener

The motion prevailed. So the amendment was adopted.

S. F. No. 1: A bill for an act relating to solid waste pollution; requiring each county to adopt a comprehensive solid waste management plan; authorizing counties to license recycling centers; requiring the director of the Minnesota environmental education board to be appointed by the governor; requiring beverage containers to have certain refund values after a certain date; prohibiting littering; prescribing the powers and duties of the commis-

sioner of transportation in regard thereto; requiring litter bags in certain vehicles and watercraft and litter receptacles in public places; prescribing a litter license fee on certain manufacturers and importers; appropriating money; providing penalties; amending Minnesota Statutes 1976, Sections 116E.03, Subdivisions 7, 7a and 8; and 174.02, Subdivision 2; and Chapter 174, by adding sections; repealing Minnesota Statutes 1976, Sections 85.20, Subdivision 6; 169.42; and 609.68.

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.

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

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 28 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	McCutcheon	Purfeerst	Stumpf
Bang	Jensen	Menning	Renneke	Ueland, A.
Bernhagen	Keefe, J.	Ogdahl	Schmitz	Vega
Brataas	Kleinbaum	Olhoft	Schrom	Wegener
Chmielewski	Knutson	Olson	Sieloff	
Dunn	Laufenburger	Pillsbury	Sillers	

Those who voted in the negative were:

Anderson	Hanson	Luther	Peterson	Strand
Benedict	Hughes	Merriam	Schaaf	Tennesen
Borden	Humphrey	Milton	Setzepfandt	Ulland, J.
Coleman	Johnson	Moe	Sikorski	Willet
Davies	Keefe, S.	Nelson	Solon	
Dieterich	Kirchner	Nichols	Spear	
Gearty	Knoll	Penny	Staples	
Gunderson	Lewis	Perpich	Stokowski	

The motion did not prevail.

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

The roll was called, and there were yeas 31 and nays 34, as follows:

Those who voted in the affirmative were:

Benedict	Hanson	Merriam	Peterson	Tennesen
Bernhagen	Humphrey	Milton	Schaaf	Ulland, J.
Borden	Keefe, J.	Moe	Setzepfandt	Willet
Davies	Keefe, S.	Nichols	Sikorski	
Dieterich	Knoll	Olhoft	Spear	
Dunn	Lewis	Penny	Staples	
Gunderson	Luther	Perpich	Strand	

Those who voted in the negative were:

Anderson	Gearty	Laufenburger	Pillsbury	Solon
Ashbach	Hughes	Lessard	Purfeerst	Stokowski
Bang	Jensen	McCutcheon	Renneke	Stumpf
Brataas	Johnson	Menning	Schmitz	Ueland, A.
Chmielewski	Kirchner	Nelson	Schrom	Vega
Coleman	Kleinbaum	Ogdahl	Sieloff	Wegener
Engler	Knutson	Olson	Sillers	

So the bill failed to pass.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Olson moved that H. F. No. 1052 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration. The motion prevailed.

Mr. Laufenburger moved that H. F. No. 180 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration. The motion prevailed.

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

REPORTS OF COMMITTEES

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

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

H. F. No. 1004: A bill for an act relating to worker's compensation; limiting expenses and profit includable in workers' compensation insurance premiums; permitting the commissioner of insurance to employ an actuary; including legislators in coverage; requiring owners to elect non-coverages; excluding certain family corporations and certain nonprofit associations from coverage; increasing benefit levels; vesting certain benefits; excluding certain employment; regulating attorney's fees; providing for depending surviving spouses; providing for supplemental benefits; altering notice requirements; providing for the distribution of physician's reports; providing for adjustments to benefit payments; creating a workers' compensation study commission; appropriating money; amending Minnesota Statutes 1976, Sections 79.07; 79.30; 176.011, Subdivisions 9 and 11a; 176.012; 176.021, Subdivision 3; 176.041, Subdivision 1; 176.051; 176.081, Subdivisions 1, 2, 3, 4, and 6; 176.101; 176.111, Subdivisions 6, 11 and 21; 176.132, Subdivisions 1, 2, and 3; 176.141; 176.155, Subdivision 1; 176.221, by adding a

subdivision; 176.511, Subdivision 3; 176.645; and Chapter 79 by adding a section; repealing Minnesota Statutes 1976, Sections 176.111, Subdivision 13; and 176.185, Subdivision 8.

Reports the same back with the recommendation that the report from the Committee on Finance that "when so amended the bill do pass" be adopted, and the bill placed on the General Orders Calendar. Amendments adopted. Report adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 1004 was read the second time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 1:45 o'clock p.m., Tuesday, May 17, 1977. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate