

FIFTY-EIGHTH DAY

St. Paul, Minnesota, Thursday, May 19, 1977

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

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

Ashbach	Gearly	Luther	Purfeerst	Stokowski
Bernhagen	Gunderson	Milton	Schmitz	Strand
Brataas	Hughes	Nelson	Setzepfandt	Stumpf
Coleman	Jensen	Olhoft	Sikorski	Tennessee
Dieterich	Johnson	Olson	Sillers	Ueland, A.
Dunn	Keefe, S.	Penny	Solon	Ulland, J.
Engler	Kirchner	Peterson	Spear	Vega
Frederick	Kleinbaum	Pillsbury	Staples	Wegener

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

Prayer was offered by the Chaplain, Divinity student, Kevin McDonough.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Hanson and McCutcheon were excused from the early

part of today's Session. Mr. Knutson was excused from this morning's Session.

Pursuant to Rule 21, Mr. Tennesen moved that the following members be excused for a Conference Committee on H. F. No. 415 at 9:30 a.m.:

Messrs. Tennesen, Davies, Nelson, Merriam and Keefe, J. 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. McCutcheon, Johnson, Hanson, Stokowski and Peterson. The motion prevailed.

Pursuant to Rule 21, Mr. Kleinbaum moved that the following members be excused for a Conference Committee on H. F. No. 1610:

Messrs. Kleinbaum, Schaaf, Purfeerst and Ogdahl. The motion prevailed.

Pursuant to Rule 21, Mr. Vega moved that the following members be excused for a Conference Committee on H. F. No. 980:

Messrs. Vega, Perpich and Mrs. Brataas. The motion prevailed.

Pursuant to Rule 21, Mr. Knoll moved that the following members be excused for a Conference Committee on H. F. No. 875:

Messrs. Knoll, Willet and Anderson. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Knutson and Milton introduced—

S. F. No. 1540: A bill for an act relating to the mentally ill; permitting the lease of Hastings state hospital facilities; providing for the leasing of metropolitan excess hospital bed space; amending Minnesota Statutes 1976, Section 253.015.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Keefe, S.; Nelson; Ogdahl and Kleinbaum introduced—

S. F. No. 1541: A bill for an act relating to labor; providing for agricultural labor; defining unfair labor practices; regulating agricultural employers and employees; creating a board; providing for representation elections; providing for investigations and hearings; providing for court review; providing penalties; providing an appropriation.

Referred to the Committee on Employment.

Messrs. Keefe, S. and Johnson introduced—

S. F. No. 1542: A bill for an act relating to labor; limiting the amount of weight an employee can be required to lift to 75 pounds; prescribing a penalty.

Referred to the Committee on Employment.

Messrs. Peterson, Laufenburger, Kleinbaum, Dunn and Keefe, S. introduced—

S. F. No. 1543: A bill for an act relating to unemployment compensation; making certain daytime activity center teachers ineligible for benefits during certain periods; amending Minnesota Statutes 1976, Section 268.08, Subdivision 5.

Referred to the Committee on Employment.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 1087.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 18, 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. 73: A bill for an act relating to weather modification; prohibiting the use of cloud seeding apparatus located on the ground; prescribing a penalty.

Senate File No. 73 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 18, 1977

Mr. Nichols moved that the Senate do not concur in the amendments by the House to S. F. No. 73 and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which

amendments the concurrence of the Senate is respectfully requested :

S. F. No. 311: A bill for an act relating to courts; providing for the selection of chief judges; permitting the assignment of judges to serve in other judicial districts; prescribing duties of the chief justice; providing for the rotation of the duties of family court in Hennepin county; providing for the rotation of the duties of juvenile court in Hennepin and Ramsey counties; prescribing duties of the supreme court administrator; providing continuous terms of court; providing for the payment of judges' salaries and expenses; abolishing de novo jurisdiction of district courts when hearing appeals; creating the office of district administrator; abolishing the office of justice of the peace; providing for appellate panels in district court; providing for the compensation of certain judges upon compliance with certain provisions of the law; amending Minnesota Statutes 1976, Sections 2.724; 260.021, Subdivisions 2 and 3; 480.15, by adding subdivisions; 480.17; 480.18; 484.08; 484.34; 484.54; 484.62; 484.63; 484.65, Subdivisions 1 and 6; 484.66; 485.01; 485.018, by adding a subdivision; 487.01, Subdivisions 1, 3, 5 and 6; 487.02, Subdivision 1; 487.08; 487.25, Subdivision 6; 487.35, Subdivision 1; 487.39; 488.20; 488A.01, Subdivision 10 and by adding a subdivision; 488A.021, Subdivision 8; 488A.10, Subdivisions 1 and 6; 488.111; 488A.12, Subdivision 5; 488A.18, Subdivision 11 and by adding a subdivision; 488A.19, Subdivision 10; 488A.27, Subdivisions 1 and 6; 488A.281; 488A.29, Subdivision 5; and 525.081, Subdivision 7; Chapters 480, by adding a section; 484, by adding a section; 487, by adding a section; and Laws 1977, Chapter 35, Section 18; repealing Minnesota Statutes 1976, Sections 484.05; 484.09; 484.10; 484.11; 484.12; 484.13; 484.14; 484.15; 484.16; 484.17; 484.18; 484.28; 484.29; 484.47; 485.02; 487.03, Subdivision 4; 487.10, Subdivision 6; 487.35, Subdivisions 2, 3, 4, 5 and 6; 487.39, Subdivision 3; 487.41; 488A.01, Subdivision 11; 488A.021, Subdivision 7; 488A.18, Subdivision 12; 488A.19, Subdivisions 8 and 9; 490.124, Subdivision 7; and Chapters 530; 531; 532; and 633.

Senate File No. 311 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 18, 1977

Mr. Tennesen moved that the Senate do not concur in the amendments by the House to S. F. No. 311 and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 176 and repassed said bill in accordance with the report of the Committee, so adopted.

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

Senate File No. 176 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 18, 1977

CONFERENCE COMMITTEE REPORT ON H. F. NO. 176

A bill for an act relating to drivers licenses; providing that nonqualification certificates may be issued to applicants who are 14 years of age or older; amending Minnesota Statutes 1976, Section 171.07, Subdivision 3.

May 17, 1977

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

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 176, report that we have agreed upon the items in dispute and recommend as follows:

That the House accede to the Senate amendments, and H. F. No. 176 be further amended as follows:

Page 1, line 18, strike "nonqualification"

Page 1, line 19, before the period, strike "certificate" and insert "*Minnesota identification card*"

Page 1, line 19, after "The" strike "certificate" and insert "*card*"

Page 2, line 2, strike "nonqualification certificate" and insert "*Minnesota identification card*"

Page 2, line 4, after the period insert "*The fee for a Minnesota identification card issued to any person who is mentally retarded, as defined in section 252A.02, subdivision 2, shall be 50 cents.*"

Page 2, after line 4, insert:

"Sec. 2. Minnesota Statutes 1976, Section 171.07, Subdivision 4, is amended to read:

Subd. 4. The expiration date of each nonqualification certificate *Minnesota identification cards* of applicants under the age of 65 shall be the birthday of the applicant in the fourth year following the date of issuance of the nonqualification certificate card. ~~Non-qualification certificates~~ *Minnesota identification cards* issued to applicants age 65 or over shall be valid for the lifetime of the applicant.

Sec. 3. Minnesota Statutes 1976, Section 171.07, Subdivision 5, is amended to read:

Subd. 5. The department may provide a donor document to each person making application for a driver's license or a ~~nonqualification certificate~~ *Minnesota identification card* whereby any such person, 18 years of age or more, may execute an anatomical gift, pursuant to the provisions of the uniform anatomical gift act, sections 525.921 to 525.93. The commissioner of public safety shall prescribe the form of the donor document. The donor document must be signed by the donor in the presence of two witnesses who must sign the donor document in the donor's presence. If the donor cannot sign, the donor document may be signed for the donor at the donor's direction, in the donor's presence, and in the presence of two witnesses who must sign the donor document in the donor's presence. The department shall identify donors of anatomical gifts by the designation "donor" on the front side of the donor's driver's license or ~~nonqualification certificate~~ *Minnesota identification card*. The designation "donor" shall constitute sufficient legal authority for the removal of all body organs or parts upon death of the donor for the purpose of transplantation and the designation shall be removed only upon written notice to the department. No designation may be noted upon the driver's license or ~~nonqualification certificate~~ *Minnesota identification card* of any person under 18. Delivery of the license or ~~nonqualification certificate~~ *Minnesota identification card* during the donor's lifetime is not necessary to make the gift valid.

Sec. 4. Minnesota Statutes 1976, Section 340.039, is amended to read:

340.039 [DRIVER'S LICENSE OR MINNESOTA IDENTIFICATION CARD.] Proof of age for purposes of consuming, purchasing, or possessing an alcoholic beverage, the consumption, sale, or possession of which is regulated by age, may only be established by a valid driver's license or a current ~~nonqualification certificate~~ *Minnesota identification card* issued pursuant to Minnesota Statutes 1974, section 171.07."

Renumber the remaining section

Further, amend the title as follows:

Page 1, line 3, delete "nonqualification certificates" and insert "Minnesota identification cards and the use thereof"

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

Page 1, line 6, delete "Subdivision 3" and insert "Subdivisions 3, 4 and 5; and 340.039"

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

House Conferees: (Signed) Wayne A. Simoneau, Thomas R. Berkelman, Kenneth P. Zubay.

Senate Conferees: (Signed) Eugene E. Stokowski, Marion Menning, Howard D. Olson.

Mr. Stokowski moved that the foregoing recommendations and Conference Committee Report on H. F. No. 176 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 176: A bill for an act relating to drivers licenses; providing for the issuance of Minnesota identification cards and the use thereof; amending Minnesota Statutes 1976, Sections 171.07, Subdivisions 3, 4 and 5; and 340.039.

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

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

The roll was called, and there were yeas 39 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Moe	Pillsbury	Stokowski
Bang	Jensen	Nelson	Renneke	Strand
Brataas	Johnson	Nichols	Schmitz	Stumpf
Chmielewski	Keefe, S.	Olhoff	Setzepfandt	Tennessen
Coleman	Lewis	Olson	Sikorski	Ueland, A.
Dieterich	Luther	Penny	Sillers	Vega
Dunn	Menning	Perpich	Spear	Wegener
Engler	Milton	Peterson	Staples	

Mr. Schrom voted in the negative.

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 324 and repassed said bill in accordance with the report of the Committee, so adopted.

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

Senate File No. 324 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 18, 1977

CONFERENCE COMMITTEE REPORT ON H. F. NO. 324

A bill for an act relating to sheriffs; fees and mileage allowance; amending Minnesota Statutes 1976, Section 357.09, Subdivisions 1, 2, and 4; repealing Minnesota Statutes 1976, Sections 357.09, Subdivision 5; and 357.10.

May 16, 1977

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

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 324 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and H. F. No. 324 be amended as follows:

Page 4, line 16, strike "of", delete "20", and insert "provided pursuant to section 43.327, plus four"

Page 4, line 16, after "mile" insert "notwithstanding any other provisions of law to the contrary"

Page 5, after line 3, insert

"Sec. 5. Section 357.09 shall not relate to or affect the fees of the sheriff of Ramsey county."

Sec. 6. [SPECIAL LAWS SUPERSEDED.] *All special laws relating to sheriffs' fees and mileage allowance which are inconsistent with the provisions of this act are superseded to the extent of the inconsistency.*

Amend the title as follows:

Page 1, line 2, after "sheriffs;" insert "increasing certain"

Page 1, line 2, delete "allowance" and insert "allowances"

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

House Conferees: (Signed) John T. Clawson, Ted Suss, Robert Anderson.

Senate Conferees: (Signed) Robert J. Schmitz, Wayne Olhoft, Robert G. Dunn.

Mr. Schmitz moved that the foregoing recommendations and Conference Committee Report on H. F. No. 324 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

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

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

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

The roll was called, and there were yeas 44 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Moe	Renneke	Stokowski
Bang	Gunderson	Nelson	Schmitz	Strand
Bernhagen	Jensen	Nichols	Schrom	Stumpf
Brataas	Johnson	Olhoff	Setzepfandt	Tennessen
Chmielewski	Keefe, S.	Olson	Sikoraki	Ueland, A.
Coleman	Lewis	Penny	Sillers	Ulland, J.
Dieterich	Luther	Perpich	Solon	Vega
Dunn	Menning	Peterson	Spear	Wegener
Engler	Milton	Pillsbury	Staples	

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 562.

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

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

Prahl, Biersdorf and Stanton have been appointed as such committee on the part of the House.

House File No. 562 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 18, 1977

Mr. Lessard moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 562, 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. 1054.

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

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

Brandl, Rice and Forsythe have been appointed as such committee on the part of the House.

House File No. 1054 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 18, 1977

Mr. Tennesen moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1054, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 826 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 826: A bill for an act relating to seaway port authorities; personnel; contracts; authorizing port authorities to employ a certified public accountant to audit the books of the authority and authorizing the state auditor to accept such audits in lieu of his audit; amending Minnesota Statutes 1976, Section 458.18.

Senate File No. 826 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 18, 1977

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1489 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 1489: A bill for an act relating to the organization and operation of state government; appropriating money for maintenance of various semi-state activities and for other purposes; amending Minnesota Statutes 1976, Sections 139.08, Subdivision 5; 139.10, by adding a subdivision; 343.08; 343.12; 346.216; Chapter 139, by adding a section; repealing Minnesota Statutes 1976, Sections 343.02; and 343.03.

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

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 18, 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 three members of the House, on the amendments adopted by the House to the following Senate File:

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

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

Wynia, Casserly and Pehler.

Senate File No. 695 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 18, 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 three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 743: A bill for an act relating to health; establishing a health program for pre-school children; providing for payments to school districts; appropriating money.

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

Byrne, Faricy and Carlson, A.

Senate File No. 743 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 18, 1977

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 49 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 49: A bill for an act relating to business or agricultural loans; rate of interest therein; amending Minnesota Statutes 1976, Section 334.011, Subdivisions 1 and 4.

Senate File No. 49 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 18, 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. 597: A bill for an act relating to game and fish; requiring a migratory waterfowl stamp; providing for the disposition of proceeds; appropriating funds; amending Minnesota Statutes 1976, Chapter 97, by adding sections; Sections 98.46, Subdivision 2a; and 98.50, Subdivision 5.

Senate File No. 597 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 18, 1977

Mr. Coleman, for Mr. Merriam, moved that S. F. No. 597 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

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

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

H. F. Nos. 723, 613 and 1630 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
723	675				
1630	1521				
613	599				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 723 be amended as follows:

Page 2, line 1, after "to" insert "the"

Page 4, delete lines 1 to 7

Renumber the sections in sequence

Further, amend the title as follows

Lines 4 and 5, delete "appropriating funds;"

And when so amended, H. F. No. 723 will be identical to S. F. No. 675 and further recommends that H. F. No. 723 be given its second reading and substituted for S. F. No. 675 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1630 be amended as follows:

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

Page 3, line 28, after the period insert "The commissioner, upon recommendation of"

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

Page 5, delete lines 17 to 20

Page 5, line 21, delete "6 and 7" and insert "and 6"

And when so amended, H. F. No. 1630 will be identical to S. F. No. 1521 and further recommends that H. F. No. 1630 be given its second reading and substituted for S. F. No. 1521 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 613 be amended as follows:

Page 1, line 12, after "office," insert "The office shall be under the supervision and administration of an executive director to be appointed by the governor and hereinafter referred to as "director". The director shall be regarded as an employee of the governor."

Page 1, line 17, delete "office" and insert "director"

Page 1, after line 18 insert

"Subd. 2. The director may recommend standards and guidelines relating to the establishment and use of volunteer programs and the training and supervision of volunteer personnel. The director may assist in establishing volunteer programs in the state."

Page 1, line 19, delete "office" and insert "director"

Page 1, line 23, delete "office" and insert "director" and after "accept" insert "and disburse"

Page 2, line 3, delete "office" and insert "director"

Page 2, line 5, delete "office" and insert "director"

Page 2, delete lines 7 to 14 and insert

"Subd. 6. The governor shall appoint an advisory committee of not more than 21 members, at least one member from each economic development region, to advise and make recommendations to him and the director of volunteer services. Notwithstanding this numerical limitation, members currently serving on an advisory group to the governor's office of volunteer services shall complete their prescribed terms of office; thereafter, appointments of successors shall be made so as to be consistent with the numerical limitation contained in this section. Membership terms, compensation, removal and filling of vacancies of members of the

advisory committee shall be as provided in section 15.059; provided, that members shall not be eligible for a per diem.

Sec. 2. The office and position of executive director created pursuant to this act shall be deemed to supersede and replace the "governor's office of volunteer services" created pursuant to executive order of the governor."

Renumber the subdivisions accordingly

Page 2, line 16, delete "office" and insert "director"

Page 2, line 17, delete "\$200,000" and insert "289,000 for the biennium beginning July 1, 1977,"

Renumber the sections in order

And when so amended, H. F. No. 613 will be identical to S. F. No. 599 and further recommends that H. F. No. 613 be given its second reading and substituted for S. F. No. 599 and that the Senate File be indefinitely postponed.

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

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

H. F. Nos. 167, 1060, and 1252 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
167	1486				
1060	227				
1252	1444				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 167 be amended as follows:

Page 1, line 13, delete "liability"

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

Page 1, line 15 delete "or," and insert " , or"

Page 1, line 17, before the period 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 3, 1979*"

And when so amended, H. F. No. 167 will be identical to S. F. No. 1486 and further recommends that H. F. No. 167 be given its second reading and substituted for S. F. No. 1486 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1060 be amended as follows:

Page 3, after line 4, insert:

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

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

Page 3, line 5, delete "2" and insert "3" and delete "June" and insert "July"

Further, amend the title as follows:

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

Page 1, line 5, before the period insert "and 147.31"

And when so amended, H. F. No. 1060 will be identical to S. F. No. 227 and further recommends that H. F. No. 1060 be given its second reading and substituted for S. F. No. 227 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1252 be amended as follows:

Page 2, delete lines 7 to 15 and insert:

"No municipality except the metropolitan waste control commission created by section 473.503 shall be eligible to construct more than one wastewater treatment facility using state grants financed through the Minnesota state water pollution control fund unless other facilities are needed to abate an immediate health hazard."

And when so amended, H. F. No. 1252 will be identical to S. F. No. 1444 and further recommends that H. F. No. 1252 be given its second reading and substituted for S. F. No. 1444 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted

by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 723, 1630, 613, 167, 1060 and 1252 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Chmielewski moved that S. F. No. 1029 be taken from the table. The motion prevailed.

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

CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate concur in the amendments by the House to S. F. No. 1029 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1029: A bill for an act relating to counties; authorizing inclusion of cities in sewer and water districts; allowing certain special assessments; providing a flexible accounting system for multi-county projects; amending Minnesota Statutes 1976, Sections 116A.01, Subdivisions 1, 1a, 2 and 4; 116A.02, by adding a subdivision; 116A.09; 116A.11, Subdivision 4; 116A.12, by adding a subdivision; 116A.16; 116A.20, Subdivisions 2 and 6; and 116A.24, Subdivisions 1, 2 and 3; 375.18, Subdivision 9; repealing Minnesota Statutes 1976, Section 116A.24, Subdivision 4.

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 43 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Menning	Pillsbury	Stokowski
Bang	Gearty	Milton	Renneke	Strand
Benedict	Hughes	Moe	Schrom	Stumpf
Bernhagen	Jensen	Nichols	Setzerfandt	Ueland, A.
Chmielewski	Johnson	Olhoft	Sieloff	Ulland, J.
Coleman	Keefe, S.	Olson	Sillers	Vega
Dieterich	Lessard	Penny	Solon	Wegener
Dunn	Lewis	Perpich	Spear	
Engler	Luther	Peterson	Staples	

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

MOTIONS AND RESOLUTIONS—CONTINUED

S. F. No. 932 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 932

A bill for an act relating to motor vehicles; registration and taxation; increasing fees for filing applications; amending Minnesota Statutes 1976, Section 168.33, Subdivisions 2 and 7.

May 16, 1977

The Honorable Edward J. Gearty
President of the Senate

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

We, the undersigned conferees for S. F. No. 932, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and S. F. No. 932 be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 168.29, is amended to read:

168.29 [DUPLICATE PLATES.] In the event of the defacement, loss or destruction of any number plates, the registrar, upon receiving and filing a sworn statement of the vehicle owner, setting forth the circumstances of the defacement, loss, destruction or theft of the number plates, together with any defaced plates and the payment of the fee of \$3 shall issue a new set of plates, *provided that if the \$3 fee exceeds the annual tax, the fee shall be the same as the annual tax.* The registrar shall then note on his records the issue of such new number plates and shall proceed in such manner as he may deem advisable to cancel and call in the original plates so as to insure against their use on another motor vehicle. Duplicate registration certificates plainly marked as duplicates may be issued in like cases upon the payment of a 50 cent fee.

Sec. 2. Minnesota Statutes 1976, Section 168.33, Subdivision 2, is amended to read:

Subd. 2. [POWERS.] The registrar shall have the power to appoint, hire and discharge and fix the compensation of the necessary employees, in the manner provided by law, as may be required to enable him to properly carry out the duties imposed upon him by the provisions of this chapter. As of April 14, 1976, the registrar may appoint, and for cause discontinue, a deputy registrar for any city as the public interest and convenience may require, without regard to whether the county auditor of the county in which the city is situated has been appointed as the deputy registrar for the county or has been discontinued as the deputy registrar for the county, and without regard to whether the county in which the city is situated has established a county license bureau which issues motor vehicle licenses as provided in section 373.32.

Effective August 1, 1976, the registrar may appoint, and for

cause discontinue, a deputy registrar for any city as the public interest and convenience may require, if the auditor for the county in which the city is situated chooses not to accept appointment as the deputy registrar for the county or is discontinued as a deputy registrar, or if the county in which the city is situated has not established a county license bureau which issues motor vehicle license as provided in section 373.32. Any person appointed as a deputy registrar for any city shall be a resident of the county in which the city is situated.

The registrar may appoint, and for cause discontinue, the county auditor of each county as a deputy registrar. The auditor, with the approval of the director of motor vehicles, may appoint, and for cause discontinue, the clerk or equivalent officer of each city or any other person as a deputy registrar as public interest and convenience may require. Notwithstanding any other provision, a person other than a county auditor or a director of a county license bureau, who was appointed by the registrar before August 1, 1976, as a deputy registrar for any city, may continue to serve as deputy registrar and may be discontinued for cause only by the registrar. The county auditor shall be responsible for the acts of deputy registrars appointed by him. Each such deputy, before entering upon the discharge of his duties, shall take and subscribe an oath to faithfully discharge his duties and to uphold the laws of the state. If a deputy registrar appointed hereunder is not an officer or employee of a county or city, such deputy shall in addition give bond to the state in the sum of \$10,000, or such larger sum as may be required by the registrar, conditioned upon the faithful discharge of his duties as deputy registrar. Each deputy registrar appointed hereunder shall keep and maintain, in a convenient public place within the place for which he is appointed, a registration and motor vehicle tax collection bureau, to be approved by the registrar, for the registration of motor vehicles and the collection of motor vehicle taxes thereon. He shall keep such records and make such reports to the registrar as that officer, from time to time, may require. Such records shall be maintained at the facility of the deputy registrar. The records and facilities of the deputy registrar shall at all times be open to the inspection of the registrar or his agents. He shall charge and receive for each application presented a filing fee of \$1, and shall report daily to the registrar all registrations made and taxes and fees collected by him. The filing fee of \$1 imposed pursuant to subdivision 7 shall be deposited in the treasury of the place for which he is appointed, or if such deputy is not a public official, he shall retain the filing fee, but the registration tax and any additional fees for delayed registration he has collected he shall deposit each day in an approved state depository to the credit of the state through the state treasurer. The place for which the deputy registrar is appointed through its governing body shall provide the deputy registrar with facilities and personnel to carry out the duties imposed by this subdivision if such deputy is a public official. In all other cases, the deputy shall maintain a suitable facility for serving the public.

Sec. 3. Minnesota Statutes 1976, Section 168.33, Subdivision 7, is amended to read:

Subd. 7. [FILING FEES.] The registrar shall charge and receive for each application presented through the United States mail a filing fee of 50 cents and for each application at the state office a filing fee of \$1. Such fee shall be in addition to all other statutory fees and taxes, a filing fee is imposed on every application. The filing fee shall be \$1.50 effective August 1, 1977, and \$1.75 effective January 1, 1979. The filing fee shall be shown as a separate item on all registration renewal notices sent out by the department of public safety.

Sec. 4. [EFFECTIVE DATES.] Section 1 is effective the day following its final enactment. The remaining provisions of this act are effective August 1, 1977."

Further, amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to motor vehicles; registration and taxation; increasing filing fees for certain applications; reducing fees for duplicate plates under certain circumstances; amending Minnesota Statutes 1976, Sections 168.29; and 168.33, Subdivisions 2 and 7."

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

Senate Conferees: (Signed) Mike Menning, Howard A. Knutson, Howard D. Olson.

House Conferees: (Signed) C. Thomas Osthoff, Russell P. Stanton, Henry J. Kalis.

Mr. Menning moved that the foregoing recommendations and Conference Committee Report on S. F. No. 932 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 932: A bill for an act relating to motor vehicles; registration and taxation; increasing fees for filing applications; amending Minnesota Statutes 1976, Section 168.33, Subdivisions 2 and 7.

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

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

The roll was called, and there were yeas 40 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Menning	Purfeerst	Staples
Bang	Gearty	Nichols	Renneke	Stokowski
Benedict	Gunderson	Ogdahl	Schaaf	Strand
Borden	Hughes	Olhoft	Schmitz	Ueland, A.
Chmielewski	Johnson	Olson	Setzepfandt	Ulland, J.
Coleman	Keefe, S.	Penny	Sikorski	Vega
Dunn	Kleinbaum	Peterson	Sillers	Wegener
Engler	Knoll	Pillsbury	Solon	Willet

Those who voted in the negative were:

Ashbach
Dieterich
Jensen

Lewis
Luther
Milton

Moe
Perpich

Schrom
Sieloff

Spear
Stumpf

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

MOTIONS AND RESOLUTIONS—CONTINUED

S. F. No. 1290 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1290

A bill for an act relating to juveniles; prescribing venue for neglect cases; amending Minnesota Statutes 1976, Section 260.121, Subdivision 1.

May 16, 1977

The Honorable Edward J. Gearty
President of the Senate

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

We, the undersigned conferees for S. F. No. 1290, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 1290 be amended as follows:

Page 1, after line 19, insert:

"Sec. 2. Minnesota Statutes 1976, Section 260.015, Subdivision 17, is amended to read:

Subd. 17. "Shelter care facility" means a physically unrestricting detention facility, such as a group home or a licensed facility for foster care, excluding a detention home.

Sec. 3. Minnesota Statutes 1976, Section 260.171, Subdivision 1, is amended to read:

260.171 [RELEASE OR DETENTION.] Subdivision 1. If a child is taken into custody as provided in section 260.165, the parent, guardian, or custodian of the child shall be notified as soon as possible. Unless there is reason to believe that the child would physically endanger himself or others, not return for a court hearing, not remain in the care or control of the person to whose lawful custody he is released, or that the child's health or welfare would be immediately endangered, the child shall be released to the custody of his parent, guardian, custodian, or other suitable person. That person shall promise to bring the child to the court, if necessary, at the time the court may direct. If the person taking the child into custody believes it desirable he may request the parent, guardian, custodian, or other person designated by the court to sign a written

promise to bring the child to court as provided above. The intentional violation of such a promise, whether given orally or in writing, shall be punishable as contempt of court.

The court may require the parent, guardian, custodian or other person to whom the child is released, to post any reasonable bail or bond required by the court which shall be forfeited to the court if the child does not appear as directed. The court may also release the child on his own promise to appear in Juvenile Court.

Sec. 4. Minnesota Statutes 1976, Section 260.171, Subdivision 2, is amended to read:

Subd. 2. If the child is not released as provided in subdivision 1, the person taking the child into custody shall notify the court as soon as possible of the detention of the child and the reasons for detention. No child may be detained in a detention facility longer than 24 hours, excluding *Saturdays*, *Sundays* and holidays, after the taking into custody unless an order for detention, specifying the reason for detention, is signed by the judge or referee. No child may be held longer than 36 hours, excluding *Saturdays*, *Sundays* or holidays, after the taking into custody unless a petition has been filed and the judge or referee determines pursuant to section 260.172 that the child shall remain in detention. If a child described in section 260.173, subdivision 4, is to be detained in a jail up to 48 hours, the judge or referee, in accordance with rules and procedures established by the commissioner of corrections, shall notify the commissioner of the place of the detention and the reasons therefor. The commissioner shall thereupon assist the court in the relocation of the child in an appropriate detention facility within the county or elsewhere in the state, or in determining suitable alternatives. If approved regional juvenile detention facilities exist, the commissioner may direct that the child be detained in the nearest approved regional juvenile detention facility. If the court refers the matter to the prosecuting authority pursuant to section 260.125, notice to the commissioner shall not be required.

Sec. 5. Minnesota Statutes 1976, Section 260.171, Subdivision 4, is amended to read:

Subd. 4. If the person who has taken the child into custody determines that the child should be placed in a detention facility, he shall advise the child and as soon as is possible, the child's parent, guardian, or custodian:

(a) of the reasons why the child has been taken into custody and why he is being placed in a detention facility; and

(b) of the location of the detention facility; and

(c) that the child's parent, guardian, or custodian and attorney may make an initial visit to the detention facility at any time. Subsequent visits by a parent, guardian, or custodian may be made on a reasonable basis during visiting hours and by the child's attorney at reasonable hours; and

(d) that the child may telephone his parents and an attorney from the detention facility immediately after being admitted to the

detention facility and thereafter on a reasonable basis to be determined by the director of the facility; and

(e) that the child may not be held at the detention facility longer than 36 hours, excluding *Saturdays*, *Sundays* and holidays, unless a petition has been filed within that time and the court orders the child's continued detention.

Sec. 6. Minnesota Statutes 1976, Section 260.172, Subdivision 1, is amended to read:

260.172 [DETENTION HEARING.] Subdivision 1. Within 36 hours of a child's being taken into custody, excluding *Saturdays*, *Sundays* and holidays, a hearing shall be held to determine whether the child should continue in detention. Unless there is reason to believe that the child would be dangerous to endanger himself or others, not return for a court hearing, not remain in the care or control of the person to whose lawful custody he is released, or that the child's health or welfare would be immediately endangered, the child shall be released to the custody of his parent, guardian, custodian or other suitable person.

Sec. 7. Minnesota Statutes 1976, Section 260.172, Subdivision 2, is amended to read:

Subd. 2. If the court determines that the child should continue in detention, it may order detention continued for eight days, excluding *Saturdays*, *Sundays* and holidays, from and including the date of the order. The court shall include in its order the reasons for continued detention and the findings of fact which support these reasons.

Sec. 8. Minnesota Statutes 1976, Section 260.172, Subdivision 3, is amended to read:

Subd. 3. Copies of the court's order shall be served upon the parties, including the supervisor of the detention facility, who shall release the child or continue to hold him as the court orders.

When the court's order is served upon these parties, notice shall also be given to the parties of the subsequent reviews provided by subdivision 4. The notice shall also inform each party that he may submit to the court for informal review any new evidence regarding whether the child should be continued in detention and that he may request a hearing to present the evidence to the court.

Sec. 9. Minnesota Statutes 1976, Section 260.172, Subdivision 4, is amended to read:

Subd. 4. If a child held in detention under a court order issued under subdivision 2 has not been released prior to expiration of the order, ~~an additional hearing the court or referee shall informally review the child's case file to determine, under the standards provided by subdivision 1, shall be held to determine whether~~ detention should be continued. If detention is continued thereafter, ~~hearings informal reviews~~ such as these shall be held within every eight days, excluding *Saturdays*, *Sundays* and holidays, of the child's detention.

A hearing, rather than an informal review of the child's case file, shall be held at the request of any one of the parties notified pursuant to subdivision 3, if that party notifies the court that he wishes to present to the court new evidence concerning whether the child should be continued in detention."

Further, amend the title as follows:

Page 1, line 3, after the semicolon insert "providing limitations on procedures for juvenile detention;"

Page 1, line 4, delete "Section" and insert "Sections 260.015, Subdivision 17;" and after "1" insert "; 260.171, Subdivisions 1, 2, and 4; and 260.172"

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

Senate Conferees: (Signed) Emily Anne Staples, Allan H. Spear, John B. Keefe.

House Conferees: (Signed) Ken G. Nelson, Shirley A. Hokanson, Mary M. Forsythe.

Mrs. Staples moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1290 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

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

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

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

The roll was called, and there were yeas 37 and nays 9, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Milton	Schaaf	Stokowski
Bang	Hughes	Moe	Setzenfandt	Strand
Benedict	Jensen	Nichols	Sieloff	Stumpf
Borden	Keefe, S.	Ogdahl	Sikorski	Ueland, A.
Coleman	Kirchner	Olhoft	Sillers	Wegenier
Dieterich	Kleinbaum	Olson	Solon	
Dunn	Lewis	Penny	Spear	
Gearty	Luther	Pillsbury	Staples	

Those who voted in the negative were:

Chmielewski	Frederick	Menning	Schmitz	Ulland, J.
Engler	Lessard	Renneke	Schrom	

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

MOTIONS AND RESOLUTIONS—CONTINUED

S. F. No. 875 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 875

A bill for an act relating to the county of Hennepin; changing duties of personnel board; providing for referral of additional eligible names to fill vacancies; amending Laws 1965, Chapter 855, Section 4, Subdivision 2.

May 17, 1977

The Honorable Edward J. Gearty
President of the Senate

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

We, the undersigned conferees for S. F. No. 875 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 875 be amended as follows:

Page 3, line 4, delete "five" and insert "seven"

We request adoption of this report and repassage of the bill.
Senate Conferees: (Signed) Emily Anne Staples, Myrton O. Wegener, Hubert H. Humphrey III.

House Conferees: (Signed) Arne H. Carlson, John E. Brandl, Janet H. Clark.

Mrs. Staples moved that the foregoing recommendations and Conference Committee Report on S. F. No. 875 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 875: A bill for an act relating to the county of Hennepin; changing duties of personnel board; providing for referral of additional eligible names to fill vacancies; amending Laws 1965, Chapter 855, Section 4, Subdivision 2.

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

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

Mr. Ulland, J. moved that those not voting be excused from voting. The motion did not prevail.

The roll was called, and there were yeas 35 and nays 18, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Lewis	Olhoff	Spear
Benedict	Hughes	Luther	Penny	Staples
Borden	Johnson	McCutcheon	Peterson	Stokowski
Coleman	Keefe, S.	Menning	Pillsbury	Strand
Dieterich	Kleinbaum	Milton	Schaaf	Stumpf
Gearty	Knoll	Moe	Schmitz	Wegener
Gunderson	Lessard	Nichols	Sikorski	Willet

Those who voted in the negative were:

Ashbach	Engler	Ogdahl	Schrom	Ueland, A.
Bang	Frederick	Olson	Setzenfandt	Ulland, J.
Chmielewski	Jensen	Purfeerst	Sieloff	
Dunn	Kirchner	Renneke	Sillers	

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

Pursuant to Rule 21, Mr. Merriam moved that the following members be excused for a Conference Committee on S. F. No. 876:

Messrs. Olhoff, Dunn, Luther, Anderson and Merriam. The motion prevailed.

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, Dunn, Borden and Solon. The motion prevailed.

Pursuant to Rule 21, Mr. Humphrey moved that the following members be excused for a Conference Committee on H. F. No. 256:

Messrs. Humphrey, Sikorski and Kirchner. The motion prevailed.

Pursuant to Rule 21, Mr. Humphrey moved that the following members be excused for a Conference Committee on H. F. No. 398:

Messrs. Humphrey, Willet and Bernhagen. The motion prevailed.

Pursuant to Rule 21, Mr. Stumpf moved that the following members be excused for a Conference Committee on S. F. No. 695:

Messrs. Stumpf, Lewis and Sieloff. The motion prevailed.

Pursuant to Rule 21, Mr. Borden moved that the following members be excused for a Conference Committee on H. F. No. 415:

Messrs. Borden, Kleinbaum, Davies, Bang and Solon. The motion prevailed.

SUSPENSION OF RULES

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

GENERAL ORDERS

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

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

H. F. Nos. 756 and 1283, which the committee recommends to pass.

S. F. No. 1300 which the committee recommends be returned to its author.

H. F. No. 530 which the committee recommends to pass, subject to the following motion:

Mr. Luther moved that the amendment made to H. F. No. 530 by the Committee on Rules and Administration in the report adopted May 11, 1977, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 823, which the committee recommends to pass with the following amendments offered by Mr. Nichols:

Mr. Nichols moved to amend H. F. No. 823 as follows:

Page 1, after line 22, insert:

"Prior to January 31, 1978, the state board of health shall adopt rules pursuant to chapter 15 concerning the installation and use of plastic water well casing pipes and couplings."

Mr. Nichols then moved to amend H. F. No. 823 as follows:

Page 1, after line 22, insert:

"Sec. 2. This act applies only to the counties of Traverse, Grant, Douglas, Stevens, Pope, Big Stone, Swift, Lac qui Parle, Chippewa, Kandiyohi, Yellow Medicine, Renville, Lincoln, Lyon, Pipestone, Murray, Rock, and Nobles."

Page 2, line 1, strike "*bill shall become*" and insert "*act is*"

Renumber the sections in sequence

Amend the title as follows:

Line 3, after "casings" insert "in certain counties"

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

RECESS

Mr. Coleman moved that the Senate do now recess until 12:30 p.m. The motion prevailed.

The hour of 12:30 o'clock p.m. having arrived, the President called the Senate to order.

Pursuant to Rule 21, Mr. Sikorski moved that the following members be excused for a Conference Committee on S. F. No. 743:

Messrs. Milton and Sikorski from 1:00 to 1:45 p.m. The motion prevailed.

CALL OF THE SENATE

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

Anderson	Gunderson	Luther	Peterson	Spear
Bang	Hanson	Menning	Pillsbury	Stumpf
Benedict	Johnson	Merriam	Purfeerst	Tennessen
Chenoweth	Keefe, S.	Milton	Schmitz	Vega
Chmielewski	Kirchner	Nelson	Setzepfandt	Willet
Coleman	Kleinbaum	Olson	Sieloff	
Dunn	Knoll	Penny	Sikorski	
Gearty	Lessard	Perpich	Sillers	

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated H. F. No. 559 a Special Order to be heard immediately.

H. F. No. 559: A bill for an act relating to education; higher education coordinating board; student financial aid; changing certain requirements for scholarships, aids and grants to students; increasing the bonding and loan making authority of the board; transferring the program of nursing student grants to the board; appropriating money; amending Minnesota Statutes 1976, Sections 124.48; 136A.121; 136A.144; 136A.16, Subdivisions 3, 4, 6 and 7; 136A.17, Subdivisions 3, 4, 5, 6, 7 and 8; 136A.171; 136A.233; and Chapter 136A, by adding a section.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcom-

mittee on Bill Scheduling, designated H. F. No. 331 a Special Order to be heard immediately.

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.

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 46 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Lessard	Peterson	Strand
Benedict	Hanson	Luther	Pillsbury	Stumpf
Bernhagen	Hughes	McCutcheon	Purfeerst	Ueland, A.
Brataas	Humphrey	Menning	Renneke	Ulland, J.
Chmielewski	Jensen	Moe	Schmitz	Vega
Dieterich	Johnson	Nelson	Setzepfandt	Willet
Dunn	Keefe, S.	Nichols	Sieloff	
Engler	Kirchner	Ogdahl	Sillers	
Frederick	Knutson	Olhoff	Spear	
Gearty	Laufenburger	Penny	Staples	

Mr. Tennesen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated H. F. No. 769 a Special Order to be heard immediately.

H. F. No. 769: A bill for an act relating to taxation; providing an exemption from the gasoline and special fuels tax for certain municipal transit systems; amending Minnesota Statutes 1976, Sections 296.02 and 296.025, by adding subdivisions.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Lessard	Penny	Spear
Benedict	Hughes	Luther	Perpich	Staples
Bernhagen	Humphrey	McCutcheon	Peterson	Strand
Chmielewski	Jensen	Menning	Pillsbury	Stumpf
Dieterich	Johnson	Merriam	Purfeerst	Tennesen
Dunn	Keefe, S.	Moe	Renneke	Ueland, A.
Engler	Kirchner	Nelson	Schmitz	Ulland, J.
Frederick	Knoll	Nichols	Setzepfandt	Vega
Gearty	Knutson	Ogdahl	Sieloff	Willet
Gunderson	Laufenburger	Olhoff	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated H. F. No. 157 a Special Order to be heard immediately.

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

Mr. Luther moved to amend H. F. No. 157 as follows:

Page 5, line 11, strike "or"

Page 5, line 13, strike the period and insert "; or"

Page 5, after line 13, insert:

"(d) Is designed primarily to promote good will for the public utility or improve the utility's public image."

The motion prevailed. So the amendment was adopted.

Mr. Luther then moved to amend H. F. No. 157 as follows:

Page 2, lines 30 to 32, reinstate the stricken language

Page 3, lines 1 to 4, reinstate the stricken language

Page 3, line 4, strike "suspension, but in no event"

Page 3, lines 5 to 14, strike the new language and insert *"For the purposes of this subdivision, "final determination" means the initial decision of the commission and not any order which may be entered by the commission in response to a petition for rehearing or other further relief. The commission may further suspend rates until it determines all such petitions"*

The motion prevailed. So the amendment was adopted.

Mr. Luther then moved to amend H. F. No. 157 as follows:

Page 9, line 32, strike "scrutinize all"

Page 10, line 1, strike "contributions and" and "only 50 percent of those"

Page 10, line 2, strike "contributions"

Page 10, line 2, after "expenses" insert *"only those charitable contributions"*

Page 10, line 4, after the period insert *"Only 50 percent of the qualified contributions shall be allowed as operating expenses."*

The motion prevailed. So the amendment was adopted.

H. F. No. 157 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated H. F. No. 789, a Special Order to be heard immediately.

H. F. No. 789: A bill for an act relating to elections; establishing voter registration in all counties; changing required voter registration information; providing for reports of changes; amending Minnesota Statutes 1976, Sections 201.061, Subdivisions 3 and 6; 201.071; 201.091, by adding a subdivision; 201.14; 201.15; 201.27; 204A.37, Subdivision 1; 204A.46, Subdivision 2; and Chapter 201, by adding a section; repealing Minnesota Statutes 1976, Section 201.061, Subdivision 2.

Mr. Keefe, S. moved to amend the amendment placed on H. F. No. 789 by the Committee on Finance, adopted by the Senate May 13, 1977, as follows:

In the committee amendment, strike section 1

Before section 5, insert:

"Sec. 4. Minnesota Statutes 1976, Section 201.091, Subdivision 2, is amended to read:

Subd. 2. On the 60th day before each primary and on the 25th day before *Within 90 days after* each general election, the county auditor shall have available current registered voter lists by precinct for the county. *An up to date* *The list shall be periodically corrected and updated by the auditor, and a final corrected list shall be available from the county auditor 15 days before each primary election. The A* corrected list may be either in the form of a complete corrected list or as a separate list of additions and deletions to the *preceding* list which was available 60 days before each primary election."

Before section 9, insert:

"Sec. 9. Minnesota Statutes 1976, Section 204A.37, Subdivision 1, is amended to read:

204A.37 [PERSONS IN POLLING PLACE.] Subdivision 1. Except as provided in this subdivision and except when a voter is unable to read English or is physically disabled and a voter is called upon to assist him, no person may remain inside the polling place except members of the election board, peace officers, challengers, and voters who are about to vote. No individual other than an election judge, peace officer or challenger may remain inside the polling place unless he is in the process of voting, is providing proof of residence for an individual who is registering to vote, or is assisting a physically handicapped voter or a voter unable to read English to vote.

Sec. 10. Minnesota Statutes 1976, Section 207.03, is amended to read:

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

"APPLICATION FOR BALLOTS

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

Dated, 19.....

(Signature of Applicant)"

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

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

Subd. 2. An eligible voter may apply for an absentee ballot on election day if he becomes a resident or patient on the day before election in a health care facility or hospital located in the municipality to which he applies. The voter may request an absentee ballot application directly from the judges engaged in delivering ballots pursuant to section 11 or by telephone to the municipal clerk not later than 5 p.m. on the day before election day. An application shall be delivered to any such voter by the judges designated to deliver ballots pursuant to section 11.

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

Sec. 11. Minnesota Statutes 1976, Chapter 207, is amended by adding a section to read:

[207.31] [HOSPITAL PATIENTS AND HEALTH CARE FACILITY RESIDENTS.] *Each municipal clerk shall designate election judges to deliver absentee ballots to any eligible voter who has applied for an absentee ballot as provided in section 207.03 and who is a resident or patient in a health care facility or hospital located in the municipality to which the application has been submitted. The ballots shall be delivered to any such voter by two election judges, each of whom is affiliated with a different political party. When the judges are engaged in delivering or returning ballots as provided in this section, they shall travel together in the same vehicle. Both judges shall be present when an applicant completes his voter's certificate and casts his absentee ballot, and may assist an applicant to mark his ballot in the manner provided in section 204A.34. The judges shall deposit the return envelopes containing the voted absentee ballots in a sealed container and deliver them to the clerk on the same day that they are delivered and cast. Except as provided in subdivision 2, the judges shall deliver absentee ballots to the applicant during the ten days preceding an election.*

Sec. 12. Minnesota Statutes 1976, Section 207.05, Subdivision 1, is amended to read:

207.05 [APPLICATIONS FILED WITH AUDITOR OR MUNICIPAL CLERK; DELIVERY OF BALLOT.] Subdivision 1. [APPLICATION, DELIVERY.] If any application is made either

in person or by mail more than 30 days before election, the auditor or the municipal clerk shall file the same and forthwith on the delivery to him of the ballots, shall mail to the applicant without charge, at the address specified in the application one each of the several ballots the applicant is entitled to vote upon at the next election; also the envelope hereinafter specified. If the application is made within 30 days of the election, he shall forthwith upon receipt of such application or as soon thereafter as ballots are available, mail, or deliver to the applicant, without charge, if he apply therefor in person, and fill out and sign the application blank specified in the manner provided in section 207.03, one each of the several ballots the applicant is entitled to vote upon at the next election; also the envelopes hereinafter specified. *The provisions of this subdivision shall not be construed to require mailing of absentee ballots to applicants to whom delivery by election judges is required pursuant to section 11.*

Sec. 13. Minnesota Statutes 1976, Section 207.10, is amended to read:

207.10 [VOTER TO MAIL BALLOT.] Any qualified voter of any precinct of this state to whom ballots have been delivered by the county auditor or by the municipal clerk, may mark and mail the ballots so delivered to him at any place, the same to be marked and mailed in the manner specified in the directions to voters, set forth in section 207.08, and before an attesting witness belonging to one of the classes specified in the directions to voters. *Ballots delivered to qualified voters pursuant to section 11 may be returned in person to the municipal clerk by the judges who delivered the ballots. The municipal clerk shall forthwith deliver those ballots to the judges of the appropriate precincts either by mail or in person.*

Sec. 14. Minnesota Statutes 1976, Section 207.101, is amended to read:

207.101 [CLERK OF MUNICIPALITY TO DELIVER BALLOTS IN CERTAIN CASES.] Any clerk of a municipality who receives "Return Envelopes" as provided for in sections 207.08 and 207.20, subdivision 1 by mail, or by delivery in person by election judges pursuant to section 11, before the closing hours of the polls shall forthwith deliver them to the judges of election of the appropriate precincts in his municipality. "Return Envelopes" not delivered as provided herein shall promptly be sent to the county auditor by the clerk with a notation on the "Return Envelope" of the reason for nondelivery."

In the committee amendment, strike section 10

Renumber the sections in sequence

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

"A bill for an act relating to elections; establishing voter registration in all counties; changing required voter registration information; providing for reports of changes; delaying the availability of registration lists; requiring proof of residence; permitting

applications for absentee ballots; providing for delivery and return of election ballots; appropriating money; amending Minnesota Statutes 1976, Sections 201.061, Subdivisions 3 and 6; 201.071; 201.091, Subdivisions 2 and 6 and by adding a subdivision; 201.14; 204A.37, Subdivision 1; 207.03; 207.05, Subdivision 1; 207.10; 207.101; Chapter 201, by adding a section; and Chapter 207, by adding a section."

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

Mr. Ulland, J. moved to amend the amendment placed on H. F. No. 789 by the Committee on Finance, adopted by the Senate May 13, 1977, as follows:

Before section 9 insert:

"Sec. 9. Minnesota Statutes 1976, Section 202A.72, is amended to read:

202A.72 [UNITED STATES SENATOR, VACANCY.] *Subdivision 1. Upon failure to choose a senator in congress or upon a vacancy in the office the vacancy shall be filled for the unexpired term at the following biennial state election, provided said vacancy occurs not less than 60 days prior to the date of the primaries for nominating candidates to be vetoed for at such election, otherwise at the biennial state election next following. Pending such election If a vacancy occurs in the office of senator in congress, the governor shall may make a temporary appointment to fill the vacancy, and the person so appointed shall serve until the election and qualification of the person duly elected to fill such vacancy. A special election to fill the vacancy shall be held as follows:*

(a) *Except as provided in paragraph (c), if the vacancy occurs in the period beginning 34 days prior to the primary held before the general election in any year, and ending 182 days prior to the next occurring general election, within five days after the vacancy occurs the governor shall issue a writ calling for a special election to be held on a Tuesday not less than 83 nor more than 97 days after the date on which the vacancy occurred. The special primary shall be held 42 days before the special election, and the period for filing affidavits of candidacy and petitions to appear on the ballot shall begin 35 days and end 21 days before the primary.*

(b) *Except as provided in paragraph (c), if the vacancy occurs in the period beginning 181 days prior to a general election and ending 35 days prior to the primary held before the general election, the special primary and election shall be held at the time of the regular primary and the general election. The period for filing affidavits of candidacy and petitions to appear on the ballot shall coincide with the period established for filing affidavits of candidacy and petitions to appear on the ballot for the general election.*

If the vacancy occurs in the period beginning 70 days and ending 35 days prior to the primary, the period for filing affidavits of candidacy and petitions to appear on the ballot shall begin on a Tuesday no later than eight days after the vacancy occurs and shall end 14 days after the first day for filing.

(c) ; provided, that There may not be an election to fill the unexpired term at any biennial election for any vacancy occurring in a year immediately preceding the expiration of such term and . In that event the person appointed by the governor to fill the vacancy shall serve until the expiration of such the term.

Subd. 2. An individual who is elected at any special election held pursuant to this section shall be eligible to take office on the eighth day following the day on which the state canvassing board certifies the results of the election, and shall serve until the expiration of the term for the office.

Subd. 3. If elections are held statewide on the uniform municipal election day, every special election to fill a vacancy in the office of senator in congress shall be held only on the day of the general or uniform municipal election.

Subd. 4. Any special election held pursuant to this section shall be conducted in so far as practical according to the provisions of Minnesota election law governing general and special elections."

After section 10 insert:

"Sec. 12. Section 9 is effective the day after final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after "changes;" insert "providing that vacancies in the United States senate be filled by special election;"

Page 1, line 8, after "201.27;" insert "202A.72;"

Mr. Keefe, S. questioned whether the amendment was germane.

The President ruled that the amendment was germane.

CALL OF THE SENATE

Mr. Ulland, J. imposed a call of the Senate for the balance of the proceedings on H. F. No. 789. The following Senators answered to their names:

Anderson	Gearty	Knutson	Perpich	Sillers
Ashbach	Gunderson	Luther	Peterson	Spear
Bang	Hanson	McCutcheon	Pillsbury	Staples
Benedict	Hughes	Menning	Purfeerst	Stokowski
Chmielewski	Jensen	Merriam	Renneke	Strand
Coleman	Johnson	Moe	Schaaf	Stumpf
Davies	Keefe, S.	Nelson	Schmitz	Tennessee
Dieterich	Kirchner	Nichols	Setzepfandt	Ueland, A.
Dunn	Kleinbaum	Ogdahl	Siehoff	Ulland, J.
Engler	Knoll	Olhoft	Sikorski	Vega

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

The question was taken on the Ulland, J. amendment.

Mr. Keefe, S. moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 25 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Keefe, J.	Menning	Sieloff
Bang	Dunn	Kirchner	Ogdahl	Sillers
Bernhagen	Engler	Knutson	Penny	Spear
Brataas	Frederick	Laufenburger	Pillsbury	Ueland, A.
Chmielewski	Jensen	Lessard	Renneke	Ulland, J.

Those who voted in negative were:

Anderson	Hanson	McCutcheon	Peterson	Stokowski
Benedict	Johnson	Merriam	Purfeerst	Strand
Borden	Keefe, S.	Milton	Schaaf	Stumpf
Coleman	Kleinbaum	Moe	Schmitz	Tennessen
Davies	Knoll	Nichols	Sikorski	Vega
Gearty	Lewis	Olhoff	Solon	Wegener
Gunderson	Luther	Olson	Staples	Willett

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

H. F. No. 789 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated H. F. No. 6 a Special Order to be heard immediately.

H. F. No. 6: A bill for an act relating to human rights; prohibiting employment and education discrimination based on age;

amending Minnesota Statutes 1976, Sections 363.01, by adding a subdivision; 363.02, Subdivision 1, and by adding a subdivision; 363.03, Subdivisions 1 and 5, and by adding a subdivision; 363.05, Subdivision 1; 363.11; 363.115; and 363.12, Subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Luther	Purfeerst	Stumpf
Bernhagen	Hughes	Menning	Renneke	Tennessee
Brataas	Jensen	Merriam	Schaaf	Ulland, J.
Chmielewski	Johnson	Moe	Sieloff	Vega
Davies	Keefe, J.	Nelson	Sikorski	Wegener
Dieterich	Keefe, S.	Nichols	Sillers	Willet
Dunn	Knoll	Olhoft	Spear	
Engler	Knutson	Penny	Staples	
Frederick	Laufenburger	Perpich	Stokowski	
Gearty	Lewis	Peterson	Strand	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated H. F. No. 1630 a Special Order to be heard immediately.

SUSPENSION OF RULES

Mr. Menning moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 1630 and that the rules of the Senate be so far suspended as to give H. F. No. 1630, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

H. F. No. 1630: A bill for an act relating to claims against the state; appropriating money for the payment thereof; establishing procedures for consideration of certain claims.

Mr. Menning moved to amend H. F. No. 1630, as amended pursuant to Rule 49, adopted by the Senate May 19, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 1521.)

Page 5, after line 17, insert:

"Sec. 7. The section of law enacted at the 1977 session of the legislature known as H. F. No. 384, Section 6, is repealed."

Page 5, line 18, delete "and" and insert a comma, and after "6" insert "and 7"

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.

Mr. Menning then moved to amend H. F. No. 1630, as amended pursuant to Rule 49, adopted by the Senate May 19, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 1521.)

Page 4, line 27 to page 5, line 7, strike subdivision 2, and insert:

"Subd. 2. [EVALUATION OF CLAIMS.] Claims arising under this section shall be paid pursuant to legislative appropriation following evaluation of each claim by the appropriate committees of the senate and house of representatives. Compensation will not be paid for pain and suffering."

Page 5, strike subdivision 3

Renumber the remaining subdivision

The motion prevailed. So the amendment was adopted.

H. F. No. 1630 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Anderson	Hanson	Lessard	Penny	Sillers
Ashbach	Hughes	Luther	Perpich	Spear
Benedict	Jensen	Menning	Peterson	Staples
Dieterich	Johnson	Merriam	Pillsbury	Stokowski
Dunn	Keefe, J.	Milton	Purfeerst	Strand
Engler	Keefe, S.	Moe	Renneke	Stumpf
Frederick	Kirchner	Nelson	Schmitz	Ueland, A.
Gearty	Knutson	Nichols	Setzepfandt	Ulland, J.
Gunderson	Laufenburger	Olson	Sikorski	Vega

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated H. F. No. 1300 a Special Order to be heard immediately.

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; 473.121, Subdivision 14; 473.302; 473.303, by adding a subdivision; 473.315, Subdivision 1; and Chapter 85, by adding a section.

CALL OF THE SENATE

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

Anderson	Gearty	Knutson	Penny	Solon
Ashbach	Gunderson	Lessard	Perpich	Spear
Bang	Hanson	Luther	Purfeerst	Staples
Benedict	Hughes	Merriam	Renneke	Stokowski
Chmielewski	Jensen	Moe	Schmitz	Strand
Dieterich	Johnson	Nelson	Setzenfandt	Stumpf
Dunn	Keefe, S.	Nichols	Sieloff	Ueland, A.
Engler	Kirchner	Ogdahl	Sikorski	Vega
Frederick	Kleinbaum	Olson	Sillers	

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

Pursuant to Rule 21, Mr. Tennesen moved that the following members be excused for a Conference Committee on H. F. No. 415 at 3:30 p.m.:

Messrs. Tennesen, Nelson, Merriam, Davies and Keefe, J. 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 at 4:00 p.m.:

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

Mr. Anderson moved to amend H. F. No. 1300, as amended pursuant to Rule 49, adopted by the Senate May 18, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 1360.)

Page 8, line 20, strike "\$62,500,000" and insert "\$61,500,000"

Page 13, line 11, strike "\$4,800,000" and insert "\$3,800,000"

Page 13, line 16, strike "2,700,000" and insert "1,700,000"

The motion prevailed. So the amendment was adopted.

Mr. Dunn moved to amend H. F. No. 1300, as amended pursuant to Rule 49, adopted by the Senate May 18, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 1360.)

Page 3, after line 2, insert:

"Subd. 3. The director of the state planning agency shall administer a program to provide grants to local units of government outside the metropolitan area for the acquisition of parks, trails and other open space areas serving a regional need. 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 commis-

sion regarding such expenditures. The local contribution required shall be identical to that required by the legislative commission on Minnesota resources for grants-in-aid for recreation open space of regional significance. The program shall be administered so as to ensure the maximum possible use of available federal funds."

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

Page 3, line 12, strike "4" and insert "5"

Page 3, line 25, strike "5" and insert "6"

Page 3, line 30, strike "and regulations"

Page 3, line 31, strike "and"

Page 3, line 32, strike "regulations"

Page 8, line 20, strike "\$62,500,000" and insert "\$58,000,000"

Page 9, line 1, strike "\$5,100,000" and insert "\$14,100,000"

Page 9, after line 9, insert:

"Subd. 3. Grants for parks, trails and other open space serving a regional need pursuant to section 2, subdivision 3 9,000,000"

Page 9, line 11, strike "3" and insert "4"

Page 9, line 20, strike "4" and insert "5"

Page 14, line 9, strike "27,300,000" and insert "15,800,000"

Page 14, line 10, strike "24,000,000" and insert "11,500,000"

Page 14, line 12, strike "and betterment"

Page 14, line 24, strike "and betterment"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 21 and nays 34, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Olson	Setzepfandt	Willet
Bernhagen	Laufenburger	Penny	Sillers	
Chmielewski	Lessard	Peterson	Strand	
Dunn	Nelson	Renneke	Ulland, J.	
Frederick	Olhoff	Schrom	Wegener	

Those who voted in the negative were:

Anderson	Gearty	Kleinbaum	Pillsbury	Spear
Ashbach	Hanson	Knoll	Purfeerst	Staples
Benedict	Hughes	Luther	Schaaf	Stokowski
Borden	Humphrey	Merriam	Schmitz	Stumpf
Coleman	Johnson	Moe	Sieloff	Tennesen
Davies	Keefe, J.	Ogdahl	Sikorski	Vega
Dieterich	Kirchner	Perpich	Solon	

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

Mr. Gunderson moved to amend H. F. No. 1300, as amended pursuant to Rule 49, adopted by the Senate May 18, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 1360.)

Page 11, line 30, after the period insert "*If any parcel acquired for the Memorial Hardwood forest after the effective date of this act contains more than 10 contiguous acres of tillable land adjacent to other tillable land or to a public road, the commissioner of natural resources shall declare that tillable land as surplus land to the commissioner of administration. The commissioner of administration shall offer the land for sale in the manner provided by law not less than six months after acquisition by the state and once thereafter in each of the next two years. Tillable land is land classified as class 1, 2, or 3 as defined by the United States soil conservation service. Notwithstanding any law to the contrary neither the state nor any of its subdivisions shall be required to construct or maintain any street, highway or other road to provide access to any parcel of land sold pursuant to this subdivision.*"

The motion prevailed. So the amendment was adopted.

H. F. No. 1300 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 52 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Penny and Schrom voted in the negative.

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 1334 a Special Order to be heard immediately.

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, cerebral palsied 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.

Mr. Perpich moved to amend S. F. No. 1334 as follows:

Page 2, line 19, strike "or"

Page 2, line 20, strike "*who has cerebral palsy*"

Page 3, line 2, strike "or"

Page 3, line 3, strike "*child with cerebral palsy*"

Amend the title as follows:

Page 1, line 4, strike "*, cerebral palsied*"

The motion prevailed. So the amendment was adopted.

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.

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

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

The roll was called, and there were yeas 41 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Luther	Schmitz	Stumpf
Ashbach	Gunderson	Menning	Schrom	Ueland, A.
Benedict	Hughes	Moe	Setzeofandt	Ulland, J.
Chmielewski	Kirchner	Olhoft	Sieloff	Vega
Coleman	Kleinbaum	Penny	Sikorski	Willett
Dieterich	Knoll	Perpich	Sillers	
Dunn	Knutson	Pillsbury	Spear	
Engler	Laufenburger	Purfeerst	Staples	
Frederick	Lessard	Renneke	Strand	

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 202 a Special Order to be heard immediately.

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.

Mr. Chenoweth moved to amend S. F. No. 202 as follows:

Page 11, lines 22 and 23, reinsert the stricken language

Page 21, line 11, strike "*Subdivision 1.*"

Page 21, strike lines 18 to 25

Page 22, line 9, strike "*The creation of a department of vocational*"

Page 22, strike lines 10 to 14

Renumber the sections

Amend the title as follows:

Page 1, strike lines 6 and 7

Page 1, line 15, strike "; repealing Minnesota"

Page 1, line 16, strike everything before the period

CALL OF THE SENATE

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

Benedict	Frederick	Lessard	Penny	Sikorski
Bernhagen	Gearity	Luther	Perpich	Spear
Brataas	Gunderson	Menning	Pillsbury	Strand
Chenoweth	Hughes	Moe	Purfeerst	Stumpf
Chmielewski	Kirchner	Nelson	Schmitz	Ueland, A.
Coleman	Kleinbaum	Olhoff	Setzenfandt	Ulland, J.
Engler	Knutson	Olson	Sieloff	Vega

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

Pursuant to Rule 21, Mr. Lewis moved that the following members be excused for a Conference Committee on S. F. No. 1416 at 5:00 p.m.:

Messrs. Lewis, Kirchner, Milton, Moe and Perpich. The motion prevailed.

The question recurred on the Chenoweth amendment.

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 38 and nays 26, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Merriam	Sillers
Ashbach	Dunn	Kirchner	Olhoff	Solon
Bang	Engler	Knoll	Olson	Spear
Bernhagen	Frederick	Knutson	Pillsbury	Stumpf
Borden	Gunderson	Laufenburger	Renneke	Ueland, A.
Brataas	Hughes	Lessard	Schrom	Ulland, J.
Chenoweth	Humphrey	Luther	Setzenfandt	
Chmielewski	Jensen	Menning	Sieloff	

Those who voted in the negative were:

Benedict	Keefe, S.	Nichols	Schmitz	Wegener
Coleman	Kleinbaum	Ogdahl	Staples	Willet
Dieterich	Lewis	Penny	Stokowski	
Gearty	Milton	Perpich	Strand	
Hanson	Moe	Peterson	Tennesen	
Johnson	Nelson	Schaaf	Vega	

The motion prevailed. So the amendment was adopted.

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 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.

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

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

The roll was called, and there were yeas 43 and nays 8, as follows:

Those who voted in the affirmative were:

Benedict	Gunderson	Menning	Schaaf	Strand
Bernhagen	Hughes	Moe	Schmitz	Stumpf
Chenoweth	Keefe, S.	Nelson	Schrom	Tennesen
Chmielewski	Kirchner	Nichols	Setzenfandt	Ulland, J.
Coleman	Kleinbaum	Ogdahl	Sieloff	Vega
Davies	Knoll	Olhott	Sillers	Wegener
Dieterich	Laufenburger	Olson	Solon	Willet
Engler	Lessard	Penny	Spear	
Gearty	Luther	Purfeerst	Staples	

Those who voted in the negative were:

Ashbach	Brataas	Jensen	Pillsbury	Ueland, A.
Bang	Frederick	Knutson		

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 1395 a Special Order to be heard immediately.

S. F. No. 1395: A bill for an act relating to education; public television and radio; altering the calculation of matching funds required by public stations; appropriating money; amending Minnesota Statutes 1976, Section 139.18, Subdivisions 1 and 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 43 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Menning	Purfeerst	Staples
Benedict	Hughes	Merriam	Renneke	Strand
Bernhagen	Keefe, J.	Moe	Schmitz	Stumpf
Brataas	Keefe, S.	Nichols	Setzepfandt	Ueland, A.
Chmielewski	Kleinbaum	Ogdahl	Sieloff	Ulland, J.
Coleman	Knutson	Olhoff	Sikorski	Vega
Dieterich	Laufenburger	Olson	Sillers	Wegener
Engler	Lessard	Penny	Solon	
Gearty	Luther	Pillsbury	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 1361 a Special Order to be heard immediately.

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.

Mr. Dunn moved to amend S. F. No. 1361 as follows:

Page 4, strike lines 22 to 29

The question was taken on the adoption of the amendment.

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

The roll was called, and there were yeas 21 and nays 27 as follows:

Those who voted in the affirmative were:

Anderson	Engler	Milton	Setzepfandt	Ulland, J.
Bang	Gunderson	Perpich	Sieloff	
Bernhagen	Knoll	Pillsbury	Sillers	
Dieterich	Knutson	Schaaf	Spear	
Dunn	Luther	Schmitz	Ueland, A.	

Those who voted in the negative were:

Ashbach	Gearty	Menning	Purfeerst	Vega
Benedict	Hughes	Moe	Renneke	Wegener
Borden	Humphrey	Nichols	Sikorski	Willet
Chenoweth	Keefe, S.	Olhoff	Staples	
Chmielewski	Kleinbaum	Olson	Strand	
Frederick	Lessard	Penny	Stumpf	

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

Mr. Renneke moved to amend S. F. No. 1361 as follows:

Page 1, line 19, after the period insert "No members of the Minnesota Legislature shall serve on the health research subcommittee."

The motion prevailed. So the amendment was adopted.

S. F. No. 1361 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 49 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Laufenburger	Perpich	Spear
Ashbach	Frederick	Lessard	Pillsbury	Staples
Bang	Gearty	Luther	Purfeerst	Strand
Benedict	Gunderson	Menning	Renneke	Stumpf
Bernhagen	Hughes	Milton	Schaaf	Ueland, A.
Borden	Humphrey	Moe	Schmitz	Ulland, J.
Brataas	Keefe, S.	Nichols	Setzepfandt	Vega
Chenoweth	Kirchner	Olhoft	Sieloff	Wegener
Dieterich	Kleinbaum	Olson	Sikorski	Willet
Dunn	Knoll	Penny	Sillers	

Mr. Schrom voted in the negative.

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated H. F. No. 613 a Special Order to be heard immediately.

SUSPENSION OF RULES

Mr. Menning moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 613 and that the rules of the Senate be so far suspended as to give H. F. No. 613, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

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

Mr. Schaaf moved to amend H. F. No. 613, as amended pursuant to Rule 49, adopted by the Senate May 18, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

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

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

H. F. No. 613 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 39 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knoll	Perpich	Strand
Bang	Engler	Laufenburger	Pillsbury	Stumpf
Benedict	Gearty	Lessard	Purfeerst	Ueland, A.
Bernhagen	Gunderson	Luther	Setzepfandt	Ulland, J.
Brataas	Hughes	Menning	Sikorski	Vega
Chmielewski	Humphrey	Moe	Sillers	Wegener
Coleman	Keefe, S.	Olhoft	Spear	Willet
Dieterich	Kleinbaum	Penny	Staples	

Those who voted in the negative were:

Nichols Renneke Schmitz Schrom Sieloff

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated H. F. No. 1030 a Special Order to heard immediately.

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, Subdivision 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.

Mr. Sikorski moved to amend H. F. No. 1030, as amended by the Committee on Finance, adopted by the Senate May 16, 1977, as follows:

Page 5, line 30, strike "not"

Page 5, line 30, after "sold" insert "by an insurer"

Page 5, line 31, after "is" insert "not"

Page 10, line 17, strike "clause (a)" and insert "clauses (a) and (e)"

Page 10, line 27, strike "; and" and insert a period

Page 10, line 28, strike "(4)" and insert "(e)"

Strike the Finance Committee amendment to page 10, line 28

Page 10, line 28, after "1979" insert ", the minimum benefits of a qualified plan shall include, in addition to those benefits specified in clause (a),"

Page 11, after line 18, insert:

"Sec. 12. Minnesota Statutes 1976, Section 62E.08, is amended to read:

62E.08 [STATE PLAN PREMIUM.] Subdivision 1. For the first year *eighteen months* of operation of the comprehensive health insurance plan the association shall establish the following premiums to be charged for membership in the comprehensive health insurance plan:

(a) The premium for the number one qualified plan shall be the

average of rates charged by the five insurers with the largest number of individuals in a number one individual qualified plan of insurance in force in Minnesota;

(b) The premium for the number two qualified plan shall be the average of rates charged by the five insurers with the largest number of individuals in a number two individual qualified plan of insurance in force in Minnesota;

(c) The premium for a qualified medicare supplement plan shall be the average of rates charged by the five insurers with the largest number of individuals enrolled in a qualified medicare supplement plan; and

(d) The charge for health maintenance organization coverage shall be based on generally accepted actuarial principles.

Subd. 2. For the second and subsequent years *enrollees or renewals of membership*, the schedule of premiums for membership in the comprehensive health insurance plan shall be designed to be self-supporting and based on generally accepted actuarial principles."

Strike the Finance Committee amendment to page 18

Strike the Finance Committee amendment to page 21, lines 26 and 27

Page 21, line 27, after "1978" insert "*and section 2, which is effective on July 1, 1979*"

Renumber the sections in sequence

Amend the title as follows:

Strike the Finance Committee amendment to page 1, line 19

The motion prevailed. So the amendment was adopted.

Mr. Laufenburger moved to amend H. F. No. 1030, as amended by the Committee on Finance, adopted by the Senate May 16, 1977, as follows:

Pages 1 to 3, strike section 1

Page 21, line 26, strike "*except for section 1 which*" and insert a period

Page 21, strike line 27

Renumber the sections in sequence

Amend the title as follows:

Line 2, strike "requiring minimum"

Strike line 3

Line 4, strike "plans;"

Line 15, strike "62A.02, Subdivision 3;"

The question was taken on the adoption of the amendment.

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

The roll was called, and there were yeas 20 and nays 25, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Laufenburger	Purfeerst	Sillers
Bang	Frederick	Olson	Renneke	Solon
Bernhagen	Gunderson	Penny	Schmitz	Strand
Brataas	Kleinbaum	Pillsbury	Sieloff	Ueland, A.

Those who voted in the negative were:

Anderson	Dieterich	Lessard	Olhoft	Staples
Benedict	Dunn	Luther	Schaaf	Stumpf
Borden	Gearity	Menning	Setzepfandt	Ulland, J.
Chmielewski	Keefe, S.	Milton	Sikorski	Vega
Coleman	Knoll	Moe	Spear	Willet

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

Mr. Ashbach moved to amend H. F. No. 1030 as follows:

Page 21, line 27, strike "*January*" and insert "*July*"

The motion prevailed. So the amendment was adopted.

H. F. No. 1030 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 37 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Gearity	Moe	Schmitz	Strand
Ashbach	Keefe, S.	Nelson	Setzepfandt	Stumpf
Benedict	Kirchner	Nichols	Sieloff	Ulland, J.
Borden	Kleinbaum	Ogdahl	Sikorski	Vega
Chmielewski	Knoll	Olhoft	Sillers	Willet
Coleman	Luther	Olson	Solon	
Dieterich	Menning	Perpich	Spear	
Dunn	Milton	Schaaf	Staples	

Those who voted in the negative were:

Bang	Engler	Jensen	Pillsbury	Ueland, A.
Bernhagen	Frederick	Laufenburger	Purfeerst	
Brataas	Gunderson	Penny	Renneke	

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

RECONSIDERATION

Mr. Chmielewski moved that the vote whereby H. F. No. 1030 was passed by the Senate on May 19, 1977, be now reconsidered.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 29 and nays 19, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Menning	Schmitz	Strand
Bang	Engler	Nichols	Schrom	Stumpf
Benedict	Frederick	Olson	Setzepfandt	Ueland, A.
Bernhagen	Gunderson	Pillsbury	Sieloff	Ulland, J.
Brataas	Kleinbaum	Purfeerst	Sillers	Vega
Chmielewski	Lessard	Renneke	Solon	

Those who voted in the negative were:

Borden	Keefe, S.	Luther	Olhoft	Sikorski
Coleman	Knoll	Milton	Penny	Spear
Dieterich	Laufenburger	Moe	Perpich	Staples
Gearty	Lewis	Nelson	Schaaf	

The motion prevailed. So the vote was reconsidered.

Mr. Chmielewski moved to amend H. F. No. 1030 as follows:

Page 21, after line 9, insert:

"Sec. 23. 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."

Renumber the sections in sequence

Amend the title as follows:

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

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 12 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Gunderson	Schrom	Ueland, A.
Benedict	Dunn	Renneke	Sieloff	Ulland, J.
Bernhagen	Engler			

Those who voted in the negative were:

Anderson	Kirchner	Menning	Perpich	Solon
Borden	Kleinbaum	Milton	Purfeerst	Spear
Coleman	Knoll	Nelson	Schaaf	Staples
Dieterich	Laufenburger	Nichols	Schmitz	Strand
Frederick	Lessard	Olhoft	Setzepfandt	Stumpf
Gearty	Lewis	Olson	Sikorski	Vega
Keefe, S.	Luther	Penny	Sillers	

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

H. F. No. 1030 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 45 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Luther	Pillsbury	Solon
Ashbach	Gunderson	Menning	Purfeerst	Spear
Benedict	Keefe, S.	Milton	Schaaf	Staples
Bernhagen	Kirchner	Nelson	Schmitz	Strand
Borden	Kleinbaum	Nichols	Schrom	Stumpf
Chmielewski	Knoll	Olhoff	Setzepfandt	Ueland, A.
Coleman	Laufenburger	Olson	Sieloff	Ulland, J.
Dieterich	Lessard	Penny	Sikorski	Vega
Dunn	Lewis	Perpich	Sillers	Willet

Messrs. Bang, Frederick and Renneke voted in the negative.

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

Without objection, the Senate reverted to the Order of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 522:

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.

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

Munger, Beauchamp and Dean have been appointed as such committee on the part of the House.

House File No. 522 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 19, 1977

Mr. Anderson moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 522, and 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 File, herewith transmitted:

H. F. No. 917

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1977

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H. F. No. 917: A bill for an act relating to public welfare; appropriating money for the Vinland National Center.

SUSPENSION OF RULES

Mr. Milton moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 917 and that the rules of the Senate be so far suspended as to give H. F. No. 917 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 917 was read the second time.

H. F. No. 917: A bill for an act relating to public welfare; appropriating money for the Vinland National Center.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Laufenburger	Perpich	Staples
Ashbach	Engler	Lessard	Pillsbury	Strand
Bang	Frederick	Luther	Purfeerst	Stumpf
Benedict	Gearty	Menning	Renneke	Tennessee
Bernhagen	Gunderson	Merriam	Schaaf	Ueland, A.
Borden	Humphrey	Milton	Schrom	Ulland, J.
Brataas	Keefe, J.	Moe	Setzenfandt	Vega
Chmielewski	Keefe, S.	Nelson	Sieloff	Willet
Coleman	Kirchner	Nichols	Sikorski	
Davies	Kleinbaum	Olhoff	Sillers	
Dieterich	Knoll	Penny	Solon	

So the bill passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 8:30 o'clock p.m. The motion prevailed.

The hour of 8:30 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Solon was excused from this evening's Session at 10:00 o'clock p.m.

CALL OF THE SENATE

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

Benedict	Gunderson	McCutcheon	Pillsbury	Stokowski
Borden	Hughes	Menning	Purfeerst	Strand
Chmielewski	Humphrey	Merriam	Renneke	Stumpf
Coleman	Keefe, S.	Milton	Schaaf	Tennessen
Davies	Kirchner	Nelson	Schmitz	Ueland, A.
Dieterich	Knoll	Nichols	Setzepfandt	Ulland, J.
Dunn	Laufenburger	Olhoft	Sikorski	Vega
Frederick	Lessard	Olson	Sillers	Willet
Gearty	Luther	Penny	Spear	

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Olhoft moved that H. F. No. 585 be recalled from the House of Representatives for further consideration. The motion prevailed.

APPOINTMENTS

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

H. F. No. 562, pursuant to the request of the House:

Messrs. Lessard, Laufenburger, and Frederick.

H. F. No. 1054, pursuant to the request of the House:

Messrs. Tennessen, Perpich, and Renneke.

S. F. No. 73, pursuant to the request of the Senate:

Messrs. Nichols, Setzepfandt, Renneke, Strand, and Hanson.

H. F. No. 522, pursuant to the request of the House:

Messrs. Anderson, Bernhagen, and Mrs. Staples.

S. F. No. 311, pursuant to the request of the Senate:

Messrs. Tennessen, Dieterich, and Davies.

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

Pursuant to Rule 21, Mr. Anderson moved that the following members be excused for a Conference Committee on H. F. No. 522: Messrs. Anderson, Bernhagen and Mrs. Staples. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Merriam moved that S. F. No. 597 be taken from the table. The motion prevailed.

S. F. No. 597: A bill for an act relating to game and fish; requiring a migratory waterfowl stamp; providing for the disposition of proceeds; appropriating funds; amending Minnesota Statutes 1976, Chapter 97, by adding sections; Sections 98.46, Subdivision 2a; and 98.50, Subdivision 5.

CONCURRENCE AND REPASSAGE

Mr. Merriam moved that the Senate concur in the amendments by the House to S. F. No. 597 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 597 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 35 and nays 17, as follows:

Those who voted in the affirmative were:

Benedict	Hughes	Knutson	Olson	Spear
Coleman	Humphrey	Laufenburger	Pillsbury	Stumpf
Davies	Jensen	Luther	Purfeerst	Tennessen
Dieterich	Keefe, J.	Merriam	Renneke	Ueland, A.
Dunn	Keefe, S.	Milton	Schaaf	Ulland, J.
Engler	Kirchner	Nelson	Setzepfandt	Vega
Gearty	Knoll	Nichols	Sikorski	Willet

Those who voted in the negative were:

Ashbach	Johnson	Ogdahl	Sieloff	Wegener
Bang	Kleinbaum	Penny	Sillers	
Chmielewski	Lessard	Schmitz	Solon	
Gunderson	Menning	Schrom	Strand	

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

Without objection, the Senate reverted to the Order of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

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. 649: A bill for an act relating to taxation; permitting certain appeals of assessments to the commissioner of revenue; providing for appointment of local assessors or termination of their offices; refining terms of senior citizens property tax freeze; eliminating assessors' bonds; eliminating certification of local treasurers' bonds; providing for appeal of property classification; defining certain powers of boards of equalization; clarifying redemption period for tax-forfeited lands; amending Minnesota Statutes 1976, Sections 270.11, Subdivision 7; 270.50; 273.011, Subdivision 4; 273.012, Subdivision 2; 273.04; 273.05, Subdivisions 1 and 2; 273.06; 273.061, Subdivision 3; 274.01, Subdivision 1; 274.13, Subdivision 1; 276.12; and 281.17; and Chapter 270, by adding a section.

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

Vanasek, Schulz and Evans.

Senate File No. 649 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 19, 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. 1337: A bill for an act relating to state employees; providing for wage and fringe benefits for certain state employees; ratifying collective bargaining agreements; providing emergency rule making authority; increasing salary ranges; appropriating money; amending Minnesota Statutes 1976, Chapter 43, by adding a section; Sections 43.09, Subdivision 3; 43.12, Subdivisions 2, 3, 5, 6, 7, 8, 10, 11, 14, 16, 17, and 18, and by adding a subdivision; 43.121, Subdivision 3; 43.122, Subdivision 3, and by adding a subdivision; 43.126, Subdivision 1; 43.323, by adding a subdivision; 43.42; 43.44, Subdivision 1; 43.46; and 43.50, Subdivision 1; repealing Minnesota Statutes 1976, Sections 43.09, Subdivision 7; and 43.12, Subdivisions 4 and 9.

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

Pehler, Sabo, Patton, Enebo and Arlandson.

Senate File No. 1337 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 19, 1977

Mr. President:

I have the honor to announce that the House has adopted the

recommendation and report of the Conference Committee on Senate File No. 875 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 875: A bill for an act relating to the county of Hennepin; changing duties of personnel board; providing for referral of additional eligible names to fill vacancies; amending Laws 1965, Chapter 855, Section 4, Subdivision 2.

Senate File No. 875 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 19, 1977

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 932 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 932: A bill for an act relating to motor vehicles; registration and taxation; increasing fees for filing applications; amending Minnesota Statutes 1976, Section 168.33, Subdivisions 2 and 7.

Senate File No. 932 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 19, 1977

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1290 and repassed said bill in accordance with the report of the Committee, so adopted.

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

Senate File No. 1290 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 19, 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. 160: A bill for an act relating to the tax court; establishing the tax court as a full time court; creating a small claims division; providing penalties; appropriating money; amending Min-

nesota Statutes 1976, Sections 15A.083, Subdivision 4; 124.212, Subdivision 11; 271.01, Subdivisions 1 and 4a, and by adding a subdivision; 271.02; 271.04; 271.06, Subdivisions 1, 2, 3, 4, 6, and by adding a subdivision; 271.07; 271.08; 271.09, Subdivisions 1, 2, and 3; 271.10, Subdivision 2; 271.12; 271.13; 271.15; 271.17; 271.18; 271.20; and 490.121, Subdivision 2; and Chapter 271, by adding sections; repealing Minnesota Statutes 1976, Sections 271.001; 271.01, Subdivisions 2 and 2a; 271.11; 271.14; and 271.16.

Senate File No. 160 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 19, 1977

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 160 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 160 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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Asbach	Hughes	Laufenburger	Penny	Sillers
Brataas	Humphrey	Lessard	Perpich	Spear
Coleman	Jensen	Lewis	Pillsbury	Strand
Davies	Johnson	Luther	Purfeerst	Stumpff
Dieterich	Keefe, J.	Menning	Renneke	Tennessen
Dunn	Keefe, S.	Milton	Schaaf	Ueland, A.
Engler	Kirchner	Moe	Schrom	Ulland, J.
Frederick	Kleinbaum	Nelson	Setzepfandt	Vega
Gearty	Knoll	Nichols	Sieloff	Willet
Gunderson	Knutson	Olson	Sikorski	

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. 899: A bill for an act relating to nursing homes; clarifying requirements for administration and inspections; changing provisions for reimbursement of expenses for interest on capital indebtedness; deleting certain provisions and adding new provisions on investment allowance; providing depreciation allowances; providing for reimbursable expenses; providing for a study on nursing assistant training; authorizing Chisago county to issue revenue bonds to finance the cost of facilities for the county nursing home;

providing for the administration and rental of the facilities; amending Minnesota Statutes 1976, Sections 144.652, Subdivision 2; 144A.04, Subdivisions 3 and 5; 144A.05; 144A.10, Subdivisions 2 and 5; 144A.61, Subdivision 6; 256B.27, by adding a subdivision; 256B.43, by adding a subdivision; 256B.44, Subdivisions 2 and 3; 256B.45, Subdivisions 1 and 4; 256B.47, Subdivisions 1 and 2; 256B.48, Subdivision 1; Chapter 144A, by adding a section; and repealing Minnesota Statutes 1976, Section 256B.45, Subdivisions 2 and 3.

Senate File No. 899 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 19, 1977

Mr. Milton moved that S. F. No. 899 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 1051.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 19, 1977

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H. F. No. 1051: A bill for an act relating to public welfare; aid to families with dependent children, medical assistance, and supplemental aid; altering eligibility criteria; appropriating money; amending Minnesota Statutes 1976, Sections 256.73, Subdivision 2; 256B.06, Subdivision 1; 256B.14; and 256D.37, Subdivision 2.

SUSPENSION OF RULES

Mr. Keefe, S. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 1051 and that the rules of the Senate be so far suspended as to give H. F. No. 1051 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 1051 was read the second time.

Mr. Keefe, S. moved to amend H. F. No. 1051 as follows:

Strike everything after the enacting clause and 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 sections 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.

Sec. 2. Minnesota Statutes 1976, Section 256B.06, Subdivision 1, is amended to read:

256B.06 [ELIGIBILITY REQUIREMENTS.] Subdivision 1. Medical assistance may be paid for any person:

(1) Who is eligible for or receiving public assistance under the aid to families with dependent children program; or

(2) Who is eligible for or receiving supplemental security income for the aged, blind and disabled; or

(3) Who except for the amount of income or resources would qualify for supplemental security income for the aged, blind and disabled, or aid to families with dependent children and is in need of medical assistance; or

(4) Who is under 21 years of age and in need of medical care that neither he nor his relatives responsible under sections 256B.01 to 256B.26 are financially able to provide; or

(5) Who is residing in a hospital for treatment of mental disease or tuberculosis and is 65 years of age or older and without means sufficient to pay the per capita hospital charge; and

(6) Who resides in Minnesota, or, if absent from the state, is deemed to be a resident of Minnesota in accordance with the regulations of the state agency; and

(7) Who alone, or together with his spouse, does not have equity in real property in excess of \$15,000 \$25,000 ; and

(8) Who, if single, does not have more than \$750 in cash or liquid assets or, if married, whose cash or liquid assets do not exceed \$1,000 plus \$150 for each additional legal dependent , *except that the value of one automobile shall be disregarded up to \$1,500;* and

(9) Who has or anticipates receiving an annual income not in excess of \$2,600 for a single person, or \$3,250 for two family members (man and wife, parent and child, or two siblings), plus \$625 for each additional legal dependent, or who has income in excess of these maxima and in the month of application, or during the three months prior to the month of application, incurs expenses for medical care that total more than one-half of the annual excess income in accordance with the regulations of the state agency. In excess income cases, eligibility shall be limited to a period of six months beginning with the first of the month in which these medical obligations are first incurred.

Who has continuing monthly expenses for medical care that are more than the amount of his excess income, computed on a monthly basis, in which case eligibility may be established before the total income obligation referred to in the preceding paragraph is incurred, and medical assistance payments may be made to cover the monthly unmet medical need. In licensed nursing home and state hospital cases, both excess income and income over and above that required for justified needs are to be applied to the cost of institutional care; *provided, however, that the state agency, if permitted to do so by the department of health, education and welfare, shall by rule establish a sliding fee schedule based on income which will permit the spouse of a married person who is a resident of a nursing home, to retain a higher income than is otherwise provided by law;* and

(10) Who has applied or agrees to apply all proceeds received or receivable by him or his spouse from automobile accident coverage and private health care coverage to the costs of medical care for himself, his spouse, and children. The state agency may require from any applicant or recipient of medical assistance the assignment of any rights accruing under private health care coverage. Any rights or amounts so assigned shall be applied against the cost of medical care paid for under this chapter. Any assignment shall not be effective as to benefits paid or provided under automobile accident coverage and private health care coverage prior to receipt of the assignment by the person or organization providing the benefits.

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.

Sec. 4. *The sum of \$7,680,000 for the biennium ending June 30, 1979 is appropriated from the general fund to the department of public welfare for the purposes of this act.*

Amend the title by striking it and inserting:

"A bill for an act relating to public welfare; changing eligibility standards for aid to families with dependent children, medical assistance, and supplemental aid; appropriating money; amending Minnesota Statutes 1976, Sections 256.73, Subdivision 2; 256B.06, Subdivision 1; and 256D.37, Subdivision 2."

The motion prevailed. So the amendment was adopted.

H. F. No. 1051 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 53 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Jensen voted in the negative.

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated H. F. No. 967 a Special Order to be heard immediately.

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.

Mr. Hughes moved to strike the amendment placed on H. F. No. 967 by the Committee on Finance, adopted by the Senate May 16, 1977.

The motion prevailed. So the amendment was stricken.

H. F. No. 967 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Luther	Perpich	Spear
Bang	Hughes	Menning	Pillsbury	Strand
Benedict	Humphrey	Milton	Renneke	Stumpf
Brataas	Johnson	Moe	Schmitz	Tennessen
Chmielewski	Keefe, J.	Nelson	Schrom	Ueland, A.
Coleman	Keefe, S.	Nichols	Setzepfandt	Ulland, J.
Dieterich	Knoll	Ogdahl	Sieloff	Vega
Dunn	Knutson	Olhoft	Sikorski	Willet
Engler	Laufenburger	Olson	Sillers	
Gearity	Lewis	Penny	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 514 a Special Order to be heard immediately.

S. F. No. 514: A bill for an act relating to victims of crime; directing the commissioner of corrections to establish crime victim crisis centers; appropriating money.

Mr. Lewis moved to amend S. F. No. 514 as follows:

Page 2, line 28, strike "\$400,000" and insert "\$250,000"

Page 3, strike section 7

Mr. Tennessen requested division of the amendment as follows:

First portion:

Page 2, line 28, strike "\$400,000" and insert "\$250,000"

Second portion:

Page 3, strike section 7

The question was taken on the adoption of the first portion of the amendment. The motion prevailed. So the first portion of the amendment was adopted.

The question was taken on the adoption of the second portion of the amendment. The motion prevailed. So the second portion of the amendment was adopted.

S. F. No. 514 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 48 and nays 4, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Knutson	Perpich	Spear
Benedict	Hanson	Laufenburger	Peterson	Stokowski
Borden	Hughes	Lewis	Pillsbury	Strand
Brataas	Humphrey	Luther	Schaaf	Stumpf
Davies	Johnson	Menning	Schmitz	Ueland, A.
Dieterich	Keefe, J.	Milton	Setzepfandt	Ulland, J.
Dunn	Keefe, S.	Moe	Sieloff	Vega
Engler	Kirchner	Nelson	Sikorski	Wegener
Frederick	Kleinbaum	Olhoft	Sillers	
Gearty	Knoll	Penny	Solon	

Messrs. Chmielewski, Renneke, Tennessen and Willet voted in the negative.

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated H. F. No. 180 a Special Order to be heard immediately.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knoll	Peterson	Spear
Bang	Gearty	Knutson	Pillsbury	Stokowski
Benedict	Gunderson	Laufenburger	Purfeerst	Strand
Borden	Hughes	Luther	Renneke	Stumpf
Brataas	Humphrey	Menning	Schaaf	Tennessen
Chmielewski	Johnson	Milton	Schmitz	Ueland, A.
Davies	Keefe, J.	Nelson	Schrom	Ulland, J.
Dieterich	Keefe, S.	Olhoft	Setzepfandt	Vega
Dunn	Kirchner	Penny	Sieloff	Wegener
Engler	Kleinbaum	Perpich	Sikorski	Willet

So the bill passed and its title was agreed to.

Mr. Keefe moved that S. F. No. 464 be stricken from General Orders and returned to its author. The motion prevailed.

Mr. Milton moved that S. F. No. 883 be stricken from General Orders and returned to its author. The motion prevailed.

Mr. Humphrey moved that S. F. No. 889 be stricken from General Orders and re-referred to the Committee on Governmental Operations. The motion prevailed.

Mr. Purfeerst moved that H. F. No. 1098 be stricken from General Orders and re-referred to the Committee on Employment. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 6:

H. F. No. 6: A bill for an act relating to human rights; prohibiting employment and education discrimination based on age; amending Minnesota Statutes 1976, Sections 363.01, by adding a subdivision; 363.02, Subdivision 1, and by adding a subdivision; 363.03, Subdivisions 1 and 5, and by adding a subdivision; 363.05, Subdivision 1; 363.11; 363.115; and 363.12, Subdivision 1.

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

Enebo, Patton and Kahn have been appointed as such committee on the part of the House.

House File No. 6 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 19, 1977

Mr. Spear moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 6, 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. 559:

H. F. No. 559: A bill for an act relating to education; higher education coordinating board; student financial aid; changing certain requirements for scholarships, aids and grants to students; increasing the bonding and loan making authority of the board; transferring the program of nursing student grants to the board; appropriating money; amending Minnesota Statutes 1976, Sections 136A.121; 136A.144; 136A.16, Subdivision 3, 4, 6 and 7; 136A.17, Subdivisions 3, 4, 5, 6, 7 and 8; 136A.171; 136A.233; and Chapter 136A, by adding a section.

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

Fugina, Kroening and Faricy have been appointed as such committee on the part of the House.

House File No. 559 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 19, 1977

Mr. Penny moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 559, 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. 315:

H. F. No. 315: A bill for an act relating to state government; state zoological board; providing for a member designated by the Dakota county board; amending Minnesota Statutes 1976, Section 85A.01, Subdivision 1.

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

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

House File No. 315 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 19, 1977

Mr. Vega moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 315, 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. 1300:

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.

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

Cassery, Munger and Laidig have been appointed as such committee on the part of the House.

House File No. 1300 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 19, 1977

Mr. Borden, for Mr. Anderson, moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1300, 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.

MEMBERS EXCUSED

Mr. Schrom was excused from this evening's Session at 10:30 o'clock p.m.

SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Borden moved to take up the General Orders Calendar and waive the lie-over requirements. The motion prevailed.

GENERAL ORDERS

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

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

H. F. No. 8 which the committee reports progress, subject to the following motions:

Mr. Dieterich moved to amend H. F. No. 8, as amended pursuant to Rule 49, adopted by the Senate May 11, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 116.)

Page 5, line 9, after "sales" insert "of food and food related commodities"

Page 5, line 10, strike "\$1,000,000" and insert "\$1,200,000"

Page 5, line 13, after "sales" insert "of food and food related commodities"

Page 5, line 14, strike "\$1,000,000" and insert "\$1,200,000"

Page 6, after line 17 insert:

"Subd. 6. [HARDSHIP.] A seller may apply to the director of

the consumer services section for an exemption from the provisions of sections 1 to 5 and if the director finds that compliance with these provisions will cause a hardship to the seller, the director shall grant the exemption."

Page 7, line 2, strike "Violation of" and insert "[PENALTIES.] (a) Willful failure to comply with"

Page 7, line 2, after "act" insert "with respect to more than 15 percent of the commodities listed in section 1, subdivision 1, shall be a violation of this act and"

The motion prevailed. So the amendment was adopted.

The question was taken on the recommendation to pass H. F. No. 8.

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

Those who voted in the affirmative were:

Benedict	Hanson	Lewis	Schaaf	Tennessen
Borden	Hughes	Luther	Sikorski	Ulland, J.
Coleman	Humphrey	McCutcheon	Spear	Vega
Davies	Johnson	Merriam	Staples	
Dieterich	Keefe, S.	Milton	Stokowski	
Gearty	Knoll	Olhoft	Stumpf	

Those who voted in the negative were:

Ashbach	Gunderson	Lessard	Pillsbury	Strand
Bang	Jensen	Menning	Purfeerst	Ueland, A.
Brataas	Keefe, J.	Moe	Renneke	Wegener
Chmielewski	Kirchner	Nichols	Schmitz	Willet
Dunn	Kleinbaum	Olson	Schrom	
Engler	Knutson	Penny	Setzenfandt	
Frederick	Laufenburger	Peterson	Sieloff	

The motion did not prevail.

H. F. No. 8 was then progressed.

H. F. No. 242 which the committee reports progress, subject to the following motions:

Mr. Nichols moved to amend H. F. No. 242 as amended by the Committee on Commerce, adopted by the Senate May 3, 1977, as follows:

Page 4, after line 6, insert:

"Sec. 5. Minnesota Statutes 1976, Section 216B.01, is amended to read:

216B.01 [LEGISLATIVE FINDING.] It is hereby declared to be in the public interests that public utilities be regulated as hereinafter provided in order to provide the retail consumers of natural gas and electric service in this state with adequate and reliable services at reasonable rates, consistent with the financial and economic requirements of public utilities and their need to construct facilities to provide such services or to otherwise obtain energy supplies, to avoid unnecessary duplication of facilities which

increase the cost of service to the consumer and to minimize disputes between public utilities which may result in inconvenience or diminish efficiency in service to the consumers. Because municipal utilities are presently effectively regulated by the residents of the municipalities which own and operate them, it is deemed unnecessary to subject such utilities to regulation under Laws 1974, *this chapter 429* except as specifically provided herein. *Because cooperative electric associations are owned by the members whom they serve, it is deemed unnecessary to subject them to regulation of rates under this chapter.*

Sec. 6. Minnesota Statutes 1976, Section 216B.02, Subdivision 4, is amended to read:

Subd. 4. "Public utility" means persons, corporations or other legal entities, their lessees, trustees, and receivers, now or hereafter operating, maintaining, or controlling in this state equipment or facilities for furnishing at retail natural, manufactured or mixed gas or electric service to or for the public or its members, or engaged in the production and retail sale thereof but does not include a municipality, *and for the purposes of sections 216B.03, 216B.16, 216B.48, 216B.49, 216B.50 and 216B.51 only does not include a cooperative electric association, organized under the provisions of chapter 308* producing or furnishing natural, manufactured or mixed gas or electric service; *provided, however, that any cooperative electric association may elect to come under the rate regulatory provisions of this chapter.* Except as otherwise provided, the provisions of Laws 1974, *Chapter 429 this chapter* shall not be applicable to any sale of natural gas or electricity by a public utility to another public utility for resale. No person shall be deemed to be a public utility if it presently furnishes its services only to tenants in buildings owned, leased or operated by such person. No person shall be deemed to be a public utility if it presently furnishes service to occupants of a mobile home or trailer park owned, leased, or operated by such person. No person shall be deemed to be a public utility if it presently produces or furnishes service to less than 25 persons.

Sec. 7. Minnesota Statutes 1976, Section 216B.06, is amended to read:

216B.06 [RECEIVING DIFFERENT COMPENSATION.] No public utility shall directly or indirectly, by any device whatsoever, or in any manner, charge, demand, collect, or receive from any person a greater or less compensation for any service rendered or to be rendered by the utility than that prescribed in the schedules of rates of the public utility applicable thereto when filed in the manner provided in Laws 1974, *Chapter 429 this chapter*, nor shall any person knowingly receive or accept any service from a public utility for a compensation greater or less than that prescribed in the schedules, provided that all rates being charged and collected by a public utility upon January 1, 1975 may be continued until schedules are filed. Nothing in Laws 1974, *this chapter 429* shall prevent a cooperative association from returning to its patrons the whole, or any part of, the net earnings re-

sulting from its operations in proportion to their purchases from or through the association."

Page 5, after line 7, insert:

"Sec. 10. Minnesota Statutes 1976, Section 216B.17, is amended by adding a subdivision to read:

Subd. 6a. For the purposes of this section, public utility shall include cooperative electric associations with respect to service standards and practices only."

Page 17, line 12, strike "Section" and insert "Sections"

Page 17, line 12, after "239.20" insert "; 216B.48, Subdivision 7; 216B.49, Subdivision 6; 216B.50, Subdivision 2; 216B.51, Subdivision 2,"

Page 17, after line 13, insert:

"Sec 25. Sections 5 to 7, section 10, and the repeal of Minnesota Statutes 1976, Sections 216B.48, Subdivision 7; 216B.49, Subdivision 6; 216B.50, Subdivision 2; and 216B.51, Subdivision 2, shall be effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after the semicolon insert "excluding electric cooperative associations from rate regulation;"

Page 1, line 10, after the second semicolon insert "216B.01; 216B.02, Subdivision 4; 216B.06;"

Page 1, line 10, after "216B.16, Subdivision 2," insert "216B.17;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 33 and nays 25, as follows:

Those who voted in the affirmative were:

Borden	Hanson	Moe	Pillsbury	Ueland, A.
Brataas	Jensen	Nelson	Purfeerst	Ulland, J.
Chmielewski	Kirchner	Nichols	Renneke	Vega
Dunn	Knutson	Olhoff	Schmitz	Wegener
Engler	Laufenburger	Olson	Setzepfandt	Willet
Frederick	Lessard	Penny	Sieloff	
Gunderson	Menning	Peterson	Strand	

Those who voted in the negative were:

Bang	Gearty	Kleinbaum	Merriam	Spear
Benedict	Hughes	Knoll	Milton	Staples
Coleman	Humphrey	Lewis	Perpich	Stokowski
Davies	Johnson	Luther	Schaaf	Stumpf
Dieterich	Keefe, S.	McCutcheon	Sikorski	Tennessee

The motion prevailed. So the amendment was adopted.

H. F. No. 242 was then progressed.

H. F. No. 500, which the committee recommends to pass with the following amendments offered by Messrs. Borden and Luther:

Mr. Borden moved to amend H. F. No. 500, as amended pursuant to Rule, 49, adopted by the Senate April 25, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 668.)

Page 2, line 13, after the first comma, insert "*Pub. L. 87-128,*"

Page 2, line 13, strike everything after the second comma

Page 2, line 14, strike "*amended,*"

Page 3, line 23, strike "*and*" and insert "*or*"

Page 4, line 10, strike "*deeds*" and insert "*deed*"

Page 7, line 17, after "*county*" insert "*on or*"

Page 7, line 17, strike "*Bulletin*"

Page 7, line 18, strike "*of the Banking Division for publication in the*"

Page 8, line 28, strike "*pursusnt*" and insert "*pursuant*"

Page 13, line 10, after "*mortgagee*" insert "*offering the following option (c) to a mortgagor but*"

Page 13, line 30, after "*mortgagee*" insert "*offering option (c) above to mortgagor but*"

Page 14, line 6, strike "*this section*" and insert "*the provisions of this act amending the subdivision,*"

Page 14, line 6, after "*mortgagees*" insert "*offering option (c) above to mortgagors but*"

Page 14, line 9, before the period insert "*if the mortgagee continues to offer option (c) above to mortgagors*"

Page 14, line 12, after "*mortgage*" insert "*and offering option (c) above to a prospective mortgagor*"

Page 14, line 13, strike "*a*" and insert "*the*"

The motion prevailed. So the amendment was adopted.

Mr. Luther moved to amend H. F. No. 500, as amended pursuant to Rule 49, adopted by the Senate April 25, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 668.)

Page 12, line 8, strike "*three*" and insert "*four*"

The motion prevailed. So the amendment was adopted.

Mr. Dieterich moved to amend H. F. No. 500, as amended pursuant to Rule 49, adopted by the Senate April 25, 1977, as follows:

(The text of the amended House File is identical to S. F. No. 668.)

Page 13, line 22, strike "*a non-interest*" and insert "*an interest*"

Page 13, line 23, after "(1)" insert "*with interest payable at a rate not less than four percent per annum,*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 12 and nays 42, as follows:

Those who voted in the affirmative were:

Dieterich	Luther	Perpich	Sikorski	Stumpf
Johnson	Milton	Schaaf	Spear	Vega
Keefe, S.	Nelson			

Those who voted in the negative were:

Ashbach	Frederick	Knoll	Pillsbury	Strand
Bang	Gearty	Knutson	Purfeerst	Tennessen
Bernhagen	Gunderson	Laufenburger	Renneke	Ueland, A.
Borden	Hanson	Lessard	Schmitz	Ulland, J.
Brataas	Humphrey	Menning	Setzepfandt	Wegener
Chmielewski	Jensen	Moe	Sieloff	Willet
Davies	Keefe, J.	Nichols	Sillers	
Dunn	Kirchner	Olhoff	Staples	
Engler	Kleinbaum	Peterson	Stokowski	

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

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

H. F. No. 559, pursuant to the request of the House:

Messrs. Penny, Moe, and Sillers.

H. F. No. 1300, pursuant to the request of the House:

Messrs. Anderson, Willet, and Kirchner.

H. F. No. 6, pursuant to the request of the House:

Messrs. Spear, Keefe, J. and Laufenburger.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Gunderson moved that S. F. No. 263, No. 63 on General Orders, be stricken and returned to its author. The motion prevailed.

Mr. Laufenburger moved that S. F. No. 19, No. 3 on General Orders, be stricken and returned to its author. The motion prevailed.

Mr. Stumpf moved that S. F. No. 793, No. 25 on General Orders, be stricken and re-referred to the Committee on Natural Resources and Agriculture. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Friday, May 20, 1977. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate