

SEVENTY-FIRST DAY

St Paul, Minnesota, Monday, February 13, 1978

The Senate met at 9:30 o'clock a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Winfield Johnson.

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

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

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

Mrs. Brataas, Messrs. Chenoweth, Lewis, Ogdahl, and Spear were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated:

February 8, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Public Service Commission is hereby respectfully submitted to the Senate for confirmation as required by law:

Arlen I. Erdahl, 20 West Imperial Drive, West St. Paul, Dakota

County, has been appointed by me, effective January 1, 1978, for a term expiring the first Monday in January, 1984.

Referred to the Committee on Commerce.

January 28, 1978

The following appointment to the Tax Court of Appeals is hereby respectfully submitted to the Senate for confirmation as required by law:

Jack Fena, 311 East Howard Street, Hibbing, St. Louis County, has been appointed by me, effective January 1, 1977, for a term expiring January 1, 1981.

Referred to the Committee on Judiciary.

Sincerely,
Rudy Perpich, Governor

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Johnson, Lessard and Perpich introduced—

S. F. No. 2037: A bill for an act relating to municipalities; purpose and name of range association of municipalities and schools; amending Minnesota Statutes 1976, Section 471.58.

Referred to the Committee on Local Government.

Mrs. Brataas; Messrs. Frederick; Ueland, A.; Knutson and Mrs. Knaak introduced—

S. F. No. 2038: A bill for an act relating to education; school aids; increasing foundation aid; amending Minnesota Statutes, 1977 Supplement, Section 124.212, Subdivision 7b.

Referred to the Committee on Education.

Messrs. Laufenburger, Penny, Purfeerst, Frederick and Bang introduced—

S. F. No. 2039: A bill for an act relating to securities; corporate takeovers; defining target company; amending Minnesota Statutes 1976, Section 80B.01, Subdivision 9.

Referred to the Committee on Judiciary.

Mr. Olhoft introduced—

S. F. No. 2040: A bill for an act relating to waters; clarifying legislative intent with regard to the designation and use of "public waters"; amending Minnesota Statutes 1976, Section 105.38.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Vega introduced—

S. F. No. 2041: A bill for an act relating to the city of South St. Paul; authorizing an on-sale liquor license for Wakota arena.

Referred to the Committee on Commerce.

Messrs. Luther and Humphrey introduced—

S. F. No. 2042: A bill for an act relating to the city of Brooklyn Center; police membership in public employees police and fire fund; repealing Laws 1967, Chapter 736.

Referred to the Committee on Governmental Operations.

Messrs. Luther and Humphrey introduced—

S. F. No. 2043: A bill for an act relating to the city of Brooklyn Center; firemen's relief association; amending Laws 1967, Chapter 815, Sections 1; 2; 3; 4; 5; 7; and 8, Subdivision 1.

Referred to the Committee on Governmental Operations.

Mrs. Brataas, Messrs. Dunn, Frederick, Borden and Ashbach introduced—

S. F. No. 2044: A bill for an act relating to insurance; permitting employees to opt for lower benefits provided by certain group insurance contracts; amending Minnesota Statutes 1976, Section 471.616, Subdivision 1.

Referred to the Committee on Commerce.

Messrs. Nelson, Vega, Setzepfandt and Hanson introduced—

S. F. No. 2045: A bill for an act relating to the division of highway patrol; concerning salaries; increasing the salary of a corporal; amending Minnesota Statutes, 1977 Supplement, Section 299D.03, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Stumpf, Chenoweth, McCutcheon and Benedict introduced—

S. F. No. 2046: A bill for an act relating to metropolitan government; providing for an advisory referendum on whether to issue revenue bonds for a metropolitan sports facility.

Referred to the Committee on Governmental Operations.

Messrs. Olson; Keefe, J.; Penny; Chmielewski and Gunderson introduced—

S. F. No. 2047: A bill for an act relating to veterans; commissioner of veterans affairs; providing for appeals from and enforcement of his decisions; amending Minnesota Statutes 1976, Section 197.481, Subdivision 6, and by adding a subdivision.

Referred to the Committee on General Legislation and Veterans Affairs.

Messrs. Davies, Kirchner and Knoll introduced—

S. F. No. 2048: A bill for an act relating to certain commercial transactions; amending provisions of the uniform commercial code governing investment securities and related provisions; amending Minnesota Statutes 1976, Sections 336.1-201; 336.5-114; 336.8-102; 336.8-103; 336.8-104; 336.8-105; 336.8-106; 336.8-107; 336.8-201; 336.8-202; 336.8-203; 336.8-204; 336.8-205; 336.8-206; 336.8-207; 336.8-208; 336.8-301; 336.8-302; 336.8-303; 336.8-304; 336.8-305; 336.8-306; 336.8-307; 336.8-308; 336.8-309; 336.8-310; 336.8-311; 336.8-312; 336.8-313; 336.8-314; 336.8-315; 336.8-316; 336.8-317; 336.8-318; 336.8-319; 336.8-320; 336.8-401; 336.8-402; 336.8-403; 336.8-404; 336.8-405; 336.8-406; 336.9-103; 336.9-203; 336.9-302; 336.9-304; 336.9-305; 336.9-309; 336.9-312; and Chapter 336, by adding sections; Minnesota Statutes, 1977 Supplement, Section 336.9-105.

Referred to the Committee on Judiciary.

Messrs. Nelson, Vega, Benedict, Olhoft and Penny introduced—

S. F. No. 2049: A bill for an act relating to retirement; excluding public service commission members from the mandatory retirement provisions of the state civil service law; amending Minnesota Statutes, 1977 Supplement, Section 43.051, Subdivision 1.

Referred to the Committee on Governmental Operations.

Mrs. Staples; Messrs. Ulland, J.; Hughes; Keefe, S. and Davies introduced—

S. F. No. 2050: A bill for an act relating to juvenile courts; disposition of delinquent children; counselling program; restitution; amending Minnesota Statutes 1976, Section 260.185, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. McCutcheon, Sikorski, Nelson, Penny and Schmitz introduced—

S. F. No. 2051: A bill for an act relating to taxation; conforming deductions for individual income tax; reducing certain income

tax rates; increasing credits available to certain taxpayers; authorizing the commissioner of revenue to prescribe new forms; exempting newsprint and ink from sales tax; repealing employer's excise tax; amending Minnesota Statutes 1976, Sections 290.06, Subdivision 3d; 290.10; 297A.14; 297A.25, Subdivision 1; and Minnesota Statutes, 1977 Supplement, Sections 290.06, Subdivision 2c; 290.09, Subdivisions 4, 5, and 10; and 290.21, Subdivision 3; repealing Minnesota Statutes 1976, Sections 290.031, Subdivisions 1, 2, 3, 5 and 6; 290.21, Subdivision 7; and Minnesota Statutes, 1977 Supplement, Section 290.031, Subdivision 4.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Luther and Johnson introduced—

S. F. No. 2052: A bill for an act relating to credit insurance; regulating premium rates; requiring anticipated loss ratios of 50 percent or greater; amending Minnesota Statutes 1976, Section 62B.07, Subdivision 2.

Referred to the Committee on Commerce.

Messrs. Kleinbaum, Bang, Laufenburger, Solon and Penny introduced—

S. F. No. 2053: A bill for an act relating to banks; open-end loan account arrangements; authorizing alternative finance charge for use of bank credit cards; amending Minnesota Statutes 1976, Section 48.185, Subdivision 3.

Referred to the Committee on Commerce.

Messrs. Kleinbaum, Renneke and Purfeerst introduced—

S. F. No. 2054: A bill for an act relating to agriculture; appropriating money for construction and renovation of poultry research and teaching facilities at the university of Minnesota.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Kleinbaum and Laufenburger introduced—

S. F. No. 2055: A bill for an act relating to banks; authorizing a bank to establish two detached banking facilities; providing for notice and approval procedures; amending Minnesota Statutes, 1977 Supplement, Sections 47.51; 47.53; and 47.54.

Referred to the Committee on Commerce.

Messrs. Bang, Anderson, Willet, Dunn and Bernhagen introduced—

S. F. No. 2056: A bill for an act relating to the department of administration; implementing a life cycle cost analysis.

Referred to the Committee on Governmental Operations. Mr. Bang questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Gunderson, Johnson and Purfeerst introduced—

S. F. No. 2057: A bill for an act relating to mental health; requiring counties to prepare annual plans for mental health services; providing for review and approval by the commissioner of public welfare; providing for preparation of a statewide plan for mental health services.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Gunderson, Purfeerst and Frederick introduced—

S. F. No. 2058: A bill for an act relating to highway traffic regulations; defining terms; driving rules; pedestrian rules; regulating the operation of motor vehicles, bicycles and other human powered vehicles; prescribing penalties; amending Minnesota Statutes 1976, Sections 169.01, Subdivisions 2, 3, 31, 51, and by adding a subdivision; 169.18, Subdivision 7; 169.19, Subdivisions 1 and 8; 169.20, Subdivision 4; 169.21, Subdivision 3; 169.31; and Chapter 169, by adding sections; repealing Minnesota Statutes 1976, Section 169.221.

Referred to the Committee on Transportation.

Mr. Frederick, Mrs. Brataas, Messrs. Merriam, Engler and Nelson introduced—

S. F. No. 2059: A bill for an act relating to education; transportation aid; removing certain restrictions on transportation between educational facilities; amending Minnesota Statutes, 1977 Supplement, Section 124.223.

Referred to the Committee on Education.

Messrs. Laufenburger, Bang, Spear and Borden introduced—

S. F. No. 2060: A bill for an act relating to the deposit of funds held in trust for prearranged funeral plans; amending Minnesota Statutes 1976, Sections 149.12; and 149.13.

Referred to the Committee on Commerce.

Messrs. Vega, Schmitz, Sikorski, Chmielewski and Sieloff introduced—

S. F. No. 2061: A bill for an act relating to taxation; property tax; removing certain commercial solid waste landfills from the pollution abatement and control property tax exemption; amending Minnesota Statutes 1976, Section 272.02, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sieloff introduced—

S. F. No. 2062: A bill for an act relating to taxation; delaying the effective date of change in allocation of gross income of estates and trusts; amending Laws 1977, Chapter 423, Article I, Section 16.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sieloff and Mrs. Knaak introduced—

S. F. No. 2063: A bill for an act relating to highway traffic regulations; driving while under the influence of an alcoholic beverage; providing that a presentence investigation and report need not be made if a defendant admits in open court to his alcohol problem; providing that a defendant may request that certain persons should not be contacted during the course of a presentence investigation; amending Minnesota Statutes 1976, Section 169.126, Subdivision 1, and by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Keefe, S. introduced—

S. F. No. 2064: A bill for an act relating to unemployment compensation; providing for conformity with federal requirements; providing limited benefits to certain legislative employees; amending Minnesota Statutes, 1977 Supplement, Section 268.04, Subdivisions 12 and 23; and Minnesota Statutes 1976, Chapter 268, by adding a section.

Referred to the Committee on Employment.

Mr. Johnson introduced—

S. F. No. 2065: A bill for an act relating to the metropolitan area; creating the metropolitan wilderness area.

Referred to the Committee on Governmental Operations. Mr. Johnson questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Merriam introduced—

S. F. No. 2066: A bill for an act relating to education; requiring certain notifications if a state agency or court of the state places a child in a district other than his district of residence; amending Minnesota Statutes 1976, Section 124.212, Subdivision 20.

Referred to the Committee on Education.

Mr. Merriam introduced—

S. F. No. 2067: A bill for an act relating to education; allowing the commissioner to disapprove certain aid applications; amend-

ing Minnesota Statutes, 1977 Supplement, Section 124.32, Subdivision 7.

Referred to the Committee on Education.

Messrs. Renneke, Purfeerst and Jensen introduced—

S. F. No. 2068: A bill for an act relating to eminent domain; attorney's fees on appeal; amending Minnesota Statutes 1976, Section 117.175, Subdivision 2.

Referred to the Committee on Judiciary.

Mrs. Brataas; Messrs. Laufenburger and Frederick introduced—

S. F. No. 2069: A bill for an act relating to the city of Rochester; certain positions in the police department.

Referred to the Committee on Local Government.

Messrs. Renneke, Schmitz, Purfeerst, Frederick and Sillers introduced—

S. F. No. 2070: A bill for an act relating to agriculture; providing for the promotion, improvement and development of markets for Minnesota agricultural products; appropriating money; amending Minnesota Statutes 1976, Section 17.101.

Referred to the Committee on Agriculture and Natural Resources.

Mrs. Brataas, Messrs. Lewis, Frederick, Purfeerst and Engler introduced—

S. F. No. 2071: A bill for an act relating to highway traffic regulation; allowing ambulances to use studded tires; amending Minnesota Statutes 1976, Section 169.72, Subdivision 1.

Referred to the Committee on Transportation.

Mrs. Brataas, Messrs. Lewis, Frederick, Laufenburger and Engler introduced—

S. F. No. 2072: A bill for an act relating to traffic regulation; allowing an authorized emergency vehicle to use an oscillating white light; amending Minnesota Statutes 1976, Section 169.55, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections. Mr. Purfeerst questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mrs. Brataas, Messrs. Laufenburger, Frederick, Lewis and Engler introduced—

S. F. No. 2073: A bill for an act relating to highway traffic regulation; concerning authorized emergency vehicles; expanding the definition to include a licensed land emergency ambulance service; amending Minnesota Statutes 1976, Section 169.01, Subdivision 5.

Referred to the Committee on Health, Welfare and Corrections. Mr. Purfeerst questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Olson, Chmielewski, Perpich and Gunderson introduced—

S. F. No. 2074: A bill for an act relating to the Minnesota historical society; designating the site for an agricultural interpretive center.

Referred to the Committee on General Legislation and Veterans Affairs.

Messrs. Johnson, Peterson and Willet introduced—

S. F. No. 2075: A bill for an act relating to employments licensed by the state; concerning architects, engineers, surveyors, and landscape architects; amending Minnesota Statutes 1976, Section 326.03, Subdivision 2.

Referred to the Committee on Commerce.

Messrs. Vega, Borden, Kirchner, Benedict and Solon introduced—

S. F. No. 2076: A bill for an act relating to the departments of state; concerning the administrative procedure act; exempting the public employment relations board from the contested case provisions; amending Minnesota Statutes, 1977 Supplement, Section 15.0411, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Vega, Kirchner, Nelson, Lewis and Solon introduced—

S. F. No. 2077: A bill for an act relating to public health; authorizing the contractual provision of statutorily prescribed public health services by the commissioner of health; modifying the definition of child in the maternal and child nutrition act; increasing the commissioner's rule-making authority regarding children's camps; expanding scope of functions that may be performed by local health agencies; amending Minnesota Statutes 1976, Sections 144.74; 145.031, Subdivision 1; 145.55, Subdivision 1; 145.892; 145.893; 145.918, Subdivision 2; and Chapter 144, by

adding a section; repealing Minnesota Statutes 1976, Sections 12.56; 12.57; and 144.146, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Olson, Chmielewski and Kleinbaum introduced—

S. F. No. 2078: A bill for an act relating to taxation; sales tax; changing definition of common carriers as retailers; amending Minnesota Statutes, 1977 Supplement, Section 297A.211, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson, Wegener, Sikorski, Purfeerst and Ueland, A. introduced—

S. F. No. 2079: A bill for an act relating to veterans; providing for appeals from removals and disciplinary actions; amending Minnesota Statutes 1976, Sections 43.24, Subdivision 1; and 197.481, Subdivision 1.

Referred to the Committee on General Legislation and Veterans Affairs.

Messrs. Purfeerst, Frederick, Stumpf, Penny and Schaaf introduced—

S. F. No. 2080: A bill for an act relating to the division of highway patrol; severing the training funding of the departments of public safety and of transportation; appropriating moneys; amending Minnesota Statutes 1976, Section 299D.03, Subdivision 6.

Referred to the Committee on Transportation.

Messrs. Johnson; Keefe, S.; Spear and Solon introduced—

S. F. No. 2081: A bill for an act relating to public utilities; telephone companies; assessment for costs of regulation; approval of capital expenditures; amending Minnesota Statutes 1976, Chapter 237, by adding sections; and Section 237.01; repealing Minnesota Statutes 1976, Section 237.29, as amended.

Referred to the Committee on Commerce.

Messrs. Stokowski, Chenoweth and Peterson introduced—

S. F. No. 2082: A bill for an act relating to retirement; adjustment of benefits of disabilitants and survivors under public pension funds; amending Minnesota Statutes 1976, Chapter 356, by adding a section.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski, Coleman and Peterson introduced—

S. F. No. 2083: A bill for an act relating to retirement; limitation on average salary used in computing benefits; repealing Minnesota Statutes 1976, Section 356.34, as amended.

Referred to the Committee on Governmental Operations.

Messrs. Sillers, Moe, Purfeerst and Renneke introduced—

S. F. No. 2084: A bill for an act relating to agriculture; grading and classification of barley upon sale.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Johnson, Perpich, Lessard and Willet introduced—

S. F. No. 2085: A bill for an act relating to natural resources; informal sales of state timber; removing the requirement of a certain affidavit; amending Minnesota Statutes 1976, Section 90.191, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Johnson, Perpich, Sikorski, Coleman and Willet introduced—

S. F. No. 2086: A resolution urging the President and Congress to take action to insure environmental safeguards in connection with an electrical generating facility at Atikokan, Ontario, Canada.

Referred to the Committee on Rules and Administration.

Messrs. Johnson, Perpich and Lessard introduced—

S. F. No. 2087: A bill for an act relating to education; adjustments in certain state aid payments; amending Minnesota Statutes, 1977 Supplement, Section 124.212, Subdivision 8a.

Referred to the Committee on Education.

Messrs. Humphrey, Benedict, Schaaf and Sillers introduced—

S. F. No. 2088: A bill for an act relating to charges for utility services; providing relief to homeowners and renters for costs of energy sources needed to sustain life; establishing a lifeline rate break credit program; providing for the distribution of such funds to qualifying homeowners and renters; providing penalties; appropriating funds.

Referred to the Committee on Commerce.

Messrs. Renneke and Davies introduced—

S. F. No. 2089: A bill for an act relating to crimes; criminal sexual conduct; defining complainant; amending Minnesota Statutes 1976, Section 609.341, Subdivision 13.

Referred to the Committee on Judiciary.

Messrs. Peterson, McCutcheon, Stokowski, Nichols and Lessard introduced—

S. F. No. 2090: A bill for an act relating to the environmental education board; repealing Minnesota Statutes 1976, Chapter 116E.

Referred to the Committee on Governmental Operations.

Messrs. Peterson, Willet, Wegener and Olhoft introduced—

S. F. No. 2091: A bill for an act relating to taxation; property tax; eliminating irrigation and potential irrigation as factors in determining market value of agricultural land; amending Minnesota Statutes 1976, Section 273.11, Subdivision 1, and by adding a subdivision; and Minnesota Statutes, 1977 Supplement, Section 273.111, Subdivision 4.

Referred to the Committee on Taxes and Tax Laws.

Mr. Ueland, A., Mrs. Brataas, Messrs. Kirchner, Benedict and Keefe, J. introduced—

S. F. No. 2092: A bill for an act relating to education; school aids; providing aid to schools employing teachers with advanced training and above average experience; appropriating money; amending Minnesota Statutes 1976, Chapter 124, by adding a section.

Referred to the Committee on Education.

Messrs. Merriam, Hughes, Schaaf, Humphrey and Sillers introduced—

S. F. No. 2093: A bill for an act relating to education; requiring promulgation of rules relating to the discipline of handicapped children; amending Minnesota Statutes 1976, Section 120.17, Subdivision 3.

Referred to the Committee on Education.

Messrs. Renneke and Purfeerst introduced—

S. F. No. 2094: A bill for an act relating to public drainage systems; authorizing access to ditches over intervening lands; including wildlife and flood control improvements in benefit computa-

tion; assessing benefits upon lands of landowners with drainage systems who are benefitting from rapid water runoff; amending Minnesota Statutes 1976, Sections 106.121, Subdivision 4; 106.151; 106.201; and Chapter 106, by adding a section.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Luther; Benedict; Merriam; Ulland, J. and Peterson introduced—

S. F. No. 2095: A bill for an act relating to environmental protection; prohibiting retail sale of milk in one gallon nonreturnable, nonrefillable containers; prescribing penalties.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Vega; Solon; Nelson; Keefe, J. and Mrs. Staples introduced—

S. F. No. 2096: A bill for an act relating to juveniles; providing procedures regulating the detention of juveniles; amending Minnesota Statutes 1976, Section 260.173 and Minnesota Statutes, 1977 Supplement, Section 260.171, Subdivision 2.

Referred to the Committee on Judiciary.

Mr. Lewis introduced—

S. F. No. 2097: A bill for an act relating to public welfare; establishing a revolving fund for data processing services; providing an appropriation; amending Minnesota Statutes 1976, Section 256.01, by adding a subdivision.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Lewis, McCutcheon and Sikorski introduced—

S. F. No. 2098: A bill for an act relating to marriage dissolution; concerning the violation of a restraining order; setting forth a penalty; allowing the arrest of a violator without a warrant; amending Minnesota Statutes 1976, Sections 518.15, and 629.34.

Referred to the Committee on Judiciary.

Messrs. McCutcheon, Johnson, Hanson, Merriam and Sieloff introduced—

S. F. No. 2099: A bill for an act relating to taxation; property tax; increasing property tax refunds for certain renters; amending Minnesota Statutes, 1977 Supplement, Section 290A.04, Subdivision 2a.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Hughes, Coleman, McCutcheon, Sieloff and Wegener introduced—

S. F. No. 2100: A bill for an act relating to taxation; income tax; providing a tax credit for homemakers; appropriating money.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Wegener, Dunn, Olson and Chmielewski introduced—

S. F. No. 2101: A bill for an act relating to towns; attorney's services; fee limitation abolished; amending Minnesota Statutes 1976, Section 368.121.

Referred to the Committee on Local Government.

Mr. Solon, Mrs. Brataas, Messrs. Laufenburger and Kleinbaum introduced—

S. F. No. 2102: A bill for an act relating to mutual insurance companies; providing for their conversion into stock companies; protecting the rights of guaranty fund certificate holders; amending Minnesota Statutes 1976, Section 60A.07, Subdivision 8.

Referred to the Committee on Commerce.

Messrs. Tennessen, Borden, Sieloff, Davies and Peterson introduced—

S. F. No. 2103: A bill for an act relating to taxation; Minnesota energy rate break act; providing tax credits for certain homeowners and renters for costs of energy needed to sustain life; providing a penalty; appropriating money; amending Minnesota Statutes 1976, Chapter 290A, by adding sections.

Referred to the Committee on Energy and Housing. Mr. Tennessen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Bernhagen, Willet, Solon and Chmielewski introduced—

S. F. No. 2104: A bill for an act relating to the public welfare; establishing an assistance program for home heating and electric costs; providing penalties; appropriating money.

Referred to the Committee on Health, Welfare and Corrections. Mr. Bernhagen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Menning, Luther and Pillsbury introduced—

S. F. No. 2105: A bill for an act relating to interim claims against the state; appropriating money for the payment thereof.

Referred to the Committee on Finance.

Messrs. Laufenburger, Purfeerst, Kirchner, Frederick and Schmitz introduced—

S. F. No. 2106: A bill for an act relating to highway traffic regulations; concerning accident reports; making reports available for accident prevention purposes to additional agencies; concealing the identity of involved persons; amending Minnesota Statutes 1976, Section 169.09, Subdivision 13.

Referred to the Committee on Transportation.

Mr. Borden introduced—

S. F. No. 2107: A bill for an act relating to retirement; authorizing an annuity for the surviving spouse of a certain deceased former member of the public employees retirement association.

Referred to the Committee on Governmental Operations.

Messrs. Davies, Anderson, Tennessen, Solon and Sillers introduced—

S. F. No. 2108: A bill for an act relating to prepaid legal service plans; authorizing creation of nonprofit, legal service plan corporations; providing for their formation and regulation; prescribing penalties.

Referred to the Committee on Commerce.

Messrs. Merriam, Anderson and Sillers introduced—

S. F. No. 2109: A bill for an act relating to education; repealing certain levies allowed school districts for post-secondary vocational-technical purposes; correcting certain obsolete language; amending Minnesota Statutes 1976, Section 124.563, Subdivision 2; Minnesota Statutes, 1977 Supplement, Section 124.562, Subdivision 1; 124.563, Subdivision 1; Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapter 775, Section 4, Subdivision 1; and Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended; Laws 1969, Chapter 1060, Section 7, as amended; repealing Minnesota Statutes, 1977 Supplement, Section 275.125, Subdivision 13; and Laws 1971, Chapter 722, Section 1, as amended.

Referred to the Committee on Education.

Mr. Luther introduced—

S. F. No. 2110: A bill for an act relating to taxation; property tax; providing for reduction of limited market value of property upon reduction of its estimated market value; amending Minnesota Statutes 1976, Chapter 274, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Johnson, Coleman, Perpich, Chenoweth and Kirchner introduced—

S. F. No. 2111: A bill for an act relating to state government; directing the commissioner of administration to grant contract preference to American made products; amending Minnesota Statutes 1976, Section 16.07, by adding a subdivision.

Referred to the Committee on Governmental Operations.

CALL OF THE SENATE

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

Ashbach	Hanson	Laufenburger	Peterson	Strand
Bang	Hughes	Lessard	Pillsbury	Stumpf
Bernhagen	Johnson	Luther	Purfeerst	Tennessen
Coleman	Keefe, S.	McCutcheon	Sieloff	Vega
Davies	Kirchner	Merriam	Sikorski	Willet
Dieterich	Kleinbaum	Moe	Sillers	
Dunn	Knaak	Nelson	Solon	
Frederick	Knoll	Olson	Staples	
Gearty	Knutson	Perpich	Stokowski	

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

Senate Concurrent Resolution No. 9: A senate concurrent resolution relating to joint rules; providing deadlines; amending Joint Rule 2.03.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 9, 1978

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

Senate File No. 823 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 9, 1978

Mr. Davies moved that the Senate do not concur in the amendments by the House to S. F. No. 823 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. 1180, and repassed said bill in accordance with the report of the Committee, so adopted.

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

House File No. 1180 is herewith transmitted to the Senate:

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 9, 1978

Mr. Laufenburger moved that H. F. 1180 and the Conference Committee report thereon 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 Files, herewith transmitted: H. F. Nos. 1103, 1329 and 1520.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 9, 1978

FIRST READING OF HOUSE BILLS

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

H. F. No. 1103: A bill for an act relating to the operation of state government; centralizing the management and review of all state contracts in the office of the commissioner of administration; distinguishing consultant, professional and technical contracts; amending Minnesota Statutes 1976, Sections 15.061; 161.35; and Chapter 16, by adding a section; repealing Minnesota Statutes 1976, Section 16.10.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 762, now in the Subcommittee on Bill Scheduling.

H. F. No. 1329: A bill for an act relating to licensed employments; licensing and regulation of master plumbers; regulation and licensing of contracting steamfitters; amending Minnesota Statutes 1976, Sections 326.40 and 326.48.

Referred to the Committee on Commerce.

H. F. No. 1520: A bill for an act relating to financial institutions; changing powers of savings and loan associations; amending Minnesota Statutes 1976, Section 51A.21, Subdivision 16.

Referred to the Committee on Commerce.

RECESS

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

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

REPORTS OF COMMITTEES

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

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

S. F. No. 1689: A bill for an act relating to battered women; appropriating money; amending Minnesota Statutes, 1977 Supplement, Sections 241.62, Subdivision 1; 241.63; 241.66, Subdivision 2, and by adding a subdivision.

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

Page 1, line 11, after "four" insert "*or more*"

Page 1, after line 20, insert a section to read:

"Sec. 2. Minnesota Statutes, 1977 Supplement, Section 241.62, Subdivision 4, is amended to read:

Subd. 4. [EDUCATIONAL PROGRAMS.] In addition to designating four pilot programs to provide emergency shelter services and support services, the commissioner shall award grants for the development and implementation of education programs designed to promote public and professional awareness of the problems of battered women. Any public or private nonprofit agency may apply to the commissioner for an education grant. The application shall be submitted in a form approved by the commissioner by rule. *In addition, education grant moneys may be used by the commissioner to produce educational and promotional materials to encourage the development and utilization of emergency shelter services.* Every public or private nonprofit agency which receives an education grant shall comply with all rules of the commissioner related to the administration of education programs."

Page 2, line 4, after "four" insert "or more"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, strike "Subdivision 1" and insert "Subdivisions 1 and 4"

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

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

S. F. No. 1779: A bill for an act relating to public health, requiring owner identification marks on removable dental prostheses; requiring free replacement of certain unmarked prostheses which become lost; prescribing certain other remedies.

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

Page 1, line 9, strike "PROTHESES" and insert "PROSTHESES"

Page 1, line 10, after "Every" insert "complete upper and lower denture and"

Page 1, line 11, strike "prothesis" and insert "prosthesis"

Page 1, line 14, strike "prothesis" and insert "prosthesis"

Page 1, strike line 16 after "legible"

Page 1, strike line 17 before "and"

Page 1, line 21, strike "prothesis" and insert "prosthesis"

Page 1, line 22, strike "full" and insert "this"

Strike pages 2 and 3 and insert:

"(a) The social security number of the patient may be omitted if the name of the patient is shown;

(b) The initials of the patient may be shown alone, if use of the social security number is impracticable;

(c) The identification marks may be omitted in their entirety if none of the forms of identification specified in clauses (a) and (b) are practicable or clinically safe.

Subd. 2. Any removable dental prosthesis in existence prior to the effective date of this act, which was not marked in accordance with subdivision 1 at the time of its fabrication, shall be so marked at the time of any subsequent rebasing.

Subd. 3. The commissioner of health shall provide technical assistance for marking methods and materials and other matters necessary to effectuate the provisions of this section.

Subd. 4. Failure of any dentist to comply with this section shall be deemed to be a violation for which the dentist may be subject to proceedings pursuant to section 150A.08, provided that he is charged with the violation within two years of initial insertion of the dental prosthetic device."

Amend the title as follows:

Page 1, line 4, strike "protheses" and insert "prostheses"

Page 1, strike line 4 after the semicolon

Page 1, strike line 5 before "prescribing"

Page 1, line 6, strike "certain other remedies" and insert "penalties"

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

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

S. F. No. 793: A bill for an act relating to public waters; transferring certain authority concerning lake improvement districts to the pollution control agency; specifying the procedure for creation of lake improvement districts; authorizing districts to undertake certain improvement projects and assess benefited property; altering the procedure for terminating districts; requiring districts to hold an annual meeting; clarifying local government authority over public waters; establishing a lake restoration and protection program; making grants-in-aid available for improving water quality in public lakes; prescribing certain powers and duties for the pollution control agency; amending Minnesota Statutes 1976, Sections 105.484; 378.41, Subdivisions 1 and 2; 378.42, Subdivisions 1, 2, and by adding a subdivision; 378.43, Subdivisions 1 and 3; 378.46; 378.51, Subdivisions 1 and 3; 378.52, Subdivision 1; 378.55; 378.56, Subdivisions 1 and 2; and 459.20; and Chapter 378, by adding a section; repealing Minnesota Statutes 1976, Sections 378.45; 378.47; 378.53; and 378.54.

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

Page 1, line 30, reinstate "commissioner of natural resources" and strike "pollution control"

Page 1, line 31, strike "agency" and reinstate "pollution control agency"

Page 1, line 32, strike "department of natural resources"

Page 2, line 3, strike "pollution problems"

Page 2, line 3, reinstate "high or low water levels"

Page 2, line 4, after "considerations" insert "except pollution problems,"

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

Page 2, line 6, strike "Where these relate to"

Page 2, strike lines 7 to 9

Page 2, line 10, strike "pollution control agency priority system."

Page 2, strike all of section 2

Page 3, line 3, reinstate "commissioner of natural resources"

Page 3, line 4, strike "Minnesota pollution control agency"

Page 3, line 6, before "pursuant" insert "rules"

Page 3, line 6, strike ", rules"

Page 6, line 12, strike "or"

Page 6, line 12, strike "the agency's"

Page 6, line 13, strike "order"

Page 6, line 15, strike "or order"

Page 6, line 20, strike "or order"

Page 6, after line 20, insert:

"Sec. 9. Minnesota Statutes 1976, Section 378.47, Subdivision 1, is amended to read:

378.47 [REFERENDUM.] Subdivision 1. Upon a receipt of a petition signed by ~~five~~ *twenty-five* percent of the ~~qualified voters~~ *resident owners* within the territory of the lake improvement district *specified in the resolution adopted pursuant to section 378.42* prior to the effective date of its creation as specified in section 378.46, the county board or boards shall hold the creation in abeyance pending referendum vote of all ~~qualified electors~~ *resident owners* residing within the boundaries of the proposed lake improvement district.

Sec. 10. Minnesota Statutes 1976, Section 378.47, Subdivision 2, is amended to read:

Subd. 2. The county board or boards shall make arrangements for the holding of a special election not less than 30 nor more than 90 days after receipt of such petition within the boundaries of the proposed lake improvement district *specified in the resolution adopted pursuant to section 378.42*. If a general election will be held within the time specified, the vote on creation may be held as part of the general election. The county auditor shall administer the election. The question to be submitted and voted upon by the ~~qualified voters~~ *resident owners* within the territory of the proposed lake improvement district shall be phrased substantially as follows:

"Shall a lake improvement district be established in order to provide (water and related land resources improvements) financed by (revenue sources)?"

Upon certification of the vote by the county auditor, if a ma-

majority of those voting on the question favor creation of the proposed lake improvement district the lake improvement district shall be deemed created."

Page 7, line 12, strike "or order"

Page 7, line 29, strike "378.47" and insert "378.46"

Page 8, line 30, strike "378.46" and insert "378.56 and section 17 of this act"

Page 9, line 9, before "No" insert "If a lake improvement district is terminated pursuant to subdivision 1,"

Page 10, line 16, before the period insert "and section 17 of this act"

Page 10, line 31, after "378.56" insert "and section 17 of this act"

Page 11, line 4, after "378.56" insert "and section 17 of this act"

Page 11, line 5, after "378.56" insert "and section 17 of this act"

Page 11, line 10, strike "19" and insert "20"

Page 11, line 10, strike "24" and insert "25"

Page 12, line 31, strike "19" and insert "20"

Page 12, line 31, strike "24" and insert "25"

Page 14, line 5, strike "19" and insert "20"

Page 14, line 5, strike "24" and insert "25"

Page 17, line 22, strike "19" and insert "20"

Page 17, line 22, strike "24" and insert "25"

Page 18, line 2, strike "19" and insert "20"

Page 18, line 3, strike "24" and insert "25"

Page 18, line 7, strike "378.47;"

Renumber the sections in sequence

Amend the title as follows:

Line 17, strike "Subdivisions 1 and " and insert "Subdivision"

Line 19, after "378.46;" insert "378.47, Subdivisions 1 and 2;"

Line 23, strike "378.47;"

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

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

S. F. No. 1212: A bill for an act relating to wild animals; license fees for the taking of fur bearing animals, except beaver; pre-

scribing a non-resident license fee for the taking of fur bearing animals, except beaver; amending Minnesota Statutes 1976, Section 98.46, Subdivisions 4 and 14.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 98.45, Subdivision 1, is amended to read:

98.45 [REQUIREMENT.] Subdivision 1. Except as specifically permitted in chapters 97 to 102, no person may take, buy, sell, transport, or possess any protected wild animals of this state or any aquatic plants without first procuring a license therefor as provided in section 98.46 or in section 98.48. Every license is issued for a year beginning on the first day of March and is void after the last day of the open season or the lawful time within that year during which the acts authorized may be performed. No license to take beaver or otter may be issued to any person after the third day of the open season provided therefor for that year. Except as provided in this section, no license to take deer with firearm *or with bow and arrow* may be issued after the *day prior to the* first day of the regular rifle season, and all license agents shall return all stubs and unsold license blanks to the county auditor on the first business day following the first day of such season. A resident who is discharged from the military or naval forces of the United States, or any active reserve or component thereof, during the regular season for taking deer by firearm or within ten days before its commencement, may be issued, at any time during the firearm deer season and upon a showing of his official discharge paper, a license to take deer with firearm. Only one license of each kind, except as authorized by order of the commissioner adopted pursuant to section 97.53 and except the non-resident short term angling license, may be issued to a person in any licensing year. No license may be transferred except as expressly authorized.

Sec. 2. Minnesota Statutes 1976, Section 98.45, Subdivision 3, is amended to read:

Subd. 3. No person may lend or transfer to another or borrow or solicit from another any license, coupon, *tag*, or seal attached thereto or issued therewith, or use any license, coupon, *tag*, or seal not issued to him unless otherwise expressly authorized.

Sec. 3. Minnesota Statutes 1976, Section 98.46, Subdivision 4, is amended to read:

Subd. 4. Fees for the following licenses, to be issued to residents only, shall be:

(1) To trap fur bearing animals, except beaver, \$5;

~~(2) To buy or sell raw furs anywhere within the state, \$50;~~

~~(3) (2) To buy or sell raw furs anywhere within the state as authorized in (2) and including the privilege of selling to~~

resident manufacturers or to unlicensed non-residents, representing unlicensed non-residents as a broker or agent, or conducting a fur auction wherein sales are made to unlicensed non-residents or resident manufacturers, \$400 \$50, provided that no raw furs shall be delivered to any unlicensed non-resident until a registration card disclosing the purchaser's name and place of business the number and species of fur and the name and place of business of the licensee from whom the purchase is being made has been forwarded by such licensee to the division of game and fish, and provided further that any employee, partner or officer buying or selling at the established place of business only for such licensee may secure a supplemental license for \$20;

(4) (3) To trap beaver during an open season or by permit when doing damage, \$2.50.

Sec. 4. Minnesota Statutes, 1977 Supplement, Section 98.46. Subdivision 14, is amended to read:

Subd. 14. Fees for the following licenses, to be issued to non-residents, shall be:

(1) To take small game and unprotected quadrupeds with firearms and bow and arrows, \$25;

(2) To take deer and bear during the period in which the licensee may take deer, and unprotected quadrupeds with firearms and bow and arrows, \$60;

(3) To take deer and bear during the period in which the licensee may take deer, and unprotected quadrupeds with a bow and arrows only, \$25;

(4) To take bear, \$25.25;

(5) To take turkeys, \$30, in addition to a small game license;

(6) To hunt raccoon, \$50, in addition to nonresident small game license.

Sec. 5. Minnesota Statutes 1976, Section 98.46, Subdivision 16, is amended to read:

Subd. 16. Fee for the following license, to be issued to non-residents, shall be:

To buy or sell raw furs, \$400, except that a license shall not be required to buy from those licensed under subdivision 4 (3) clause (2).

Sec. 6. Minnesota Statutes 1976, Section 98.46, Subdivision 22, is amended to read:

Subd. 22. No deer or moose taken in this state shall be transported or possessed unless a locking seal tag of a type prescribed by the commissioner bearing the license number of the owner and, the year of its issue, and such other information as the commissioner may require has been affixed to its carcass between the tendon and the bone and around the bone of the leg so that such seal cannot be removed without breaking the lock in a manner

prescribed by the commissioner . The seal tag must be so placed and locked affixed at the time the deer or moose is brought into any hunting camp, dwelling, farm yard, or other place of abode of any kind occupied overnight, or before being placed wholly or partially on a motor vehicle of any kind, or upon a conveyance towed by a motor vehicle of any kind. Provided, that deer taken by bow and arrow and moose shall be tagged by a conservation officer or other authorized agent as may be prescribed by the commissioner, in addition to the seal tag herein provided for.

Sec. 7. Minnesota Statutes 1976, Section 98.46, is amended by adding a subdivision to read:

Subd. 26. No nonresident shall possess or transport a raccoon taken in this state unless a tag of a type prescribed by the commissioner is affixed to the carcass. The number of tags which the commissioner shall prescribe by order will be issued with every nonresident license to take raccoon, provided no such license or tags shall be issued after the fifth day from the commencement of the season for that licensing year.

Sec. 8. Minnesota Statutes, 1977 Supplement, Section 98.52, Subdivision 1, is amended to read:

98.52 [LOSS AND REVOCATION OF LICENSES.] Subdivision 1. Except as otherwise provided herein, the license of any person who is convicted of violating any provisions of chapters 97 to 102, or any order or regulation duly prescribed by the commissioner under authority thereof, relating to the license or to the wild animals covered thereby, shall immediately become null and void, and no *big game* license of the same any kind shall be issued to such person for three years after the date of conviction if the license is a big game license, ~~or~~ and no license of the kind related to the conviction shall be issued to such person for one year after the date of conviction if the license is other than a big game license. Every person convicted of doing anything without a license for which chapters 97 to 102 require a license, shall forfeit his right to secure such a license for a period of three years from a conviction related to big game, or for a period of one year from a conviction other than a conviction related to big game.

Sec. 9. Minnesota Statutes 1976, Section 101.42, Subdivision 18, is amended to read:

Subd. 18. Except as otherwise specifically permitted, it shall be unlawful to have in possession in an automobile or any vehicle or on their person, or at or near any waters, a spear, trap net, seine, or any other device capable of taking fish, *except dip nets* and except when acting under permit or contract to trap or seine from the division of fisheries, during the period of February 16 ; to April 30 the opening day for the taking of wall-eyed pike , inclusive. This subdivision does not apply to nets used in the taking of trout and smelt in season.

Sec. 10. [EFFECTIVE DATE.] Sections 1 to 7 are effective March 1, 1979. Sections 8 and 9 are effective the day following final enactment. "

Amend the title as follows:

Line 2, strike everything after the semicolon

Strike lines 3 to 7 and insert "prohibiting the sale of deer licenses during the firearms season; reducing the resident license fee to buy or sell raw furs; prescribing a nonresident license fee for the taking of raccoon; requiring tagging of deer or moose taken; requiring tagging of raccoon taken by nonresidents; amending Minnesota Statutes 1976, Sections 98.45, Subdivisions 1 and 3; 98.46, Subdivisions 4, 16, and 22, and by adding a subdivision; 101.42, Subdivision 18; and Minnesota Statutes, 1977 Supplement, Sections 98.46, Subdivision 14; and 98.52, Subdivision 1."

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

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 752: A bill for an act relating to taxation; providing for use of cigarette tax stamping machines; appropriating money; amending Minnesota Statutes 1976, Section 297.03, Subdivision 6.

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

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was re-referred

S. F. No. 1621: A bill for an act relating to energy; exempting certain solar energy systems from property taxation; providing a credit against income tax for the cost of certain solar energy systems; amending Minnesota Statutes 1976, Sections 272.02, Subdivision 1; and 290.06, by adding a subdivision.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 290.06, is amended by adding a subdivision to read:

Subd. 9b. A credit of 20 percent of the net cost to the taxpayer of a solar collector subsystem, up to a maximum credit of \$2,000, may be deducted from the tax due under chapter 290 in the first year in which the property is placed in service on the property of the taxpayer. For the purpose of this subdivision, "solar collector subsystem" shall mean the assembly for absorbing solar radiation, converting it into thermal energy, and transferring the thermal energy to a heat transfer medium. If the subsystem is purchased and placed in service by a contractor while the property which will utilize the subsystem is under construction, and the contractor does not intend to retain the property for his own use, the credit shall be available to the taxpayer who is the first purchaser

of the property for use after its completion. The credit shall apply only if the subsystem meets or exceeds the standards promulgated pursuant to section 116H.127 and is certified by the state energy agency.

If the amount of the credit provided by this subdivision exceeds the taxpayer's liability for taxes pursuant to chapter 290 in the taxable year in which the subsystem is constructed or installed, or if there are no state income taxes due on the claimant's income that year, the amount of the claim not used as an offset against income taxes, subject to audit by the department of revenue, shall be paid to the claimant in the same manner as a refund for overpayment of a tax. Interest shall be allowed as provided in section 290.92, subdivision 13.

This subdivision shall apply to solar collector subsystems placed in service after December 31, 1977. The credit provided for in this subdivision shall terminate on December 31, 1980."

Amend the title as follows:

Page 1, line 2, strike "exempting certain solar energy"

Page 1, line 3, strike "systems from property taxation;"

Page 1, line 6, strike "Sections 272.02, Subdivision 1; and" and insert "Section"

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

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

S. F. No. 1398: A bill for an act relating to highway traffic regulation; change of course; clarifying requirement to signal a turn; amending Minnesota Statutes 1976, Section 169.19, Subdivision 4.

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

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

S. F. No. 1802: A bill for an act relating to drivers' licenses; providing that a Class C license is valid for operation of the rear portion of a midmount aerial ladder truck; amending Minnesota Statutes 1976, Section 171.02, Subdivision 2.

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

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

S. F. No. 1611: A bill for an act relating to corporations; requiring domestic corporations to file an active status report with the secretary of state; requiring the secretary of state to perform

certain duties; providing that corporations that fail to file reports shall lose exclusive rights to their names; permitting corporations and others to utilize the names of corporations which have lost exclusive right to their names; establishing filing fees; appropriating money; amending Minnesota Statutes 1976, Chapter 301, by adding a section; and Section 301.05, Subdivision 2.

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

Page 3, line 28, after the dollar sign insert "30,000"

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

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

S. F. No. 1622: A bill for an act relating to game and fish; requiring a trout stamp; providing for disposition of the proceeds; appropriating funds; amending Minnesota Statutes 1976, Section 98.46, by adding a subdivision; Minnesota Statutes, 1977 Supplement, Sections 98.46, Subdivision 2a; and 98.50, Subdivision 5.

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

Page 2, line 25, delete "*and are appropriated to*" and insert a period

Page 2, delete lines 26 through 29

Page 4, line 19, delete "\$1,250,000" and insert "\$750,000"

Page 4, delete lines 20 through 22 and insert "*1979 for use in acquisition of access to trout streams and in improvement of designated 'trout waters'.*"

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

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

S. F. No. 1137: A bill for an act relating to chiropractic; further defining the practice of chiropractic; amending Minnesota Statutes 1976, Section 148.01, Subdivision 3.

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

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

S. F. No. 1684: A bill for an act relating to federal aid to state government; requiring consultation with the legislative advisory commission prior to expenditure of certain federal aid.

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

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

H. F. No. 1930: A resolution urging the President, Congress and Secretary of Transportation to provide necessary grants and loans to the Milwaukee Road.

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

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

S. F. No. 350: A bill for an act relating to elections; establishing a local government election day for election of county, city and school district officers, county and municipal judges and officers of all other political subdivisions except towns; requiring uniform and coordinated election precincts and polling places for municipalities and school districts; integrating municipal and school district election laws with laws applicable to other elections; providing state reimbursement for the costs of administration of the election held on the local government election day; superseding certain inconsistent general and special laws and home rule charter provisions; amending Minnesota Statutes 1976, Chapters 204A, by adding a section; 205, by adding sections; and 210A, by adding a section; and Sections 40.05, Subdivisions 1, 3 and 4; 40.06, Subdivision 1; 122.23, Subdivisions 12, 17, and 18; 122.25, Subdivision 2; 122.26, Subdivisions 4, 5, and 22; 123.12, Subdivisions 1 and 5; 123.32, Subdivisions 9, 13 and 23; 123.33, Subdivisions 1 and 4; 123.34, Subdivision 1; 123.351, Subdivisions 1 and 3; 123.51; 128.01; 200.02, Subdivisions 1, 8, 24, and by adding subdivisions; 201.071, by adding a subdivision; 202A.26, Subdivision 1; 202A.52; 203A.17; 203A.31, Subdivision 1; 203A.32; 204A.05, Subdivision 1; 204A.06, by adding a subdivision; 204A.09, Subdivision 1; 204A.11, Subdivision 3, and by adding a subdivision; 204A.29; 204A.40, Subdivision 2; 204A.45, Subdivision 1; 204A.47, Subdivision 2; 204A.49, by adding a subdivision; 204A.51, Subdivision 2; 204A.53, Subdivision 1; 205.01; 205.021; 205.13; 205.14; 205.16, Subdivision 2; 206.09; 206.21, Subdivision 3; 207.04; 207.151; 209.02, Subdivisions 1 and 3; 365.51; 375.025, Subdivision 4; 375.03; 375.101, Subdivision 2; 375A.02, Subdivision 1; 375A.09, Subdivision 4; 382.01; 389.011, Subdivision 2; 397.06; 397.07; 398.04; 410.21; 412.02, Subdivision 2; 412.021, Subdivision 2; 412.571, Subdivision 5; 447.32, Subdivisions 1 and 2; 487.03, Subdivisions 2 and 5; 488A.021, Subdivision 3; and 488A.19, Subdivision 3; amending Minnesota Statutes, 1977 Supplement, Sections 201.071, Subdivisions 1 and 3; 207.02; 207.03, Subdivision 1; 207.05, Subdivision 1; repealing Minnesota Statutes 1976, Sections 123.015; 123.11, Subdivisions 2, 3, 4, 5 and 6; 123.32, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 11, 22, 24, 25, 26 and 27; 201.33; 205.02; 205.03; 205.07; 205.11; 205.18; 205.19; 205.20; 206.18; and 447.32, Subdivisions 3 and 4.

Reports the same back with the recommendation that the report from the Committee on Finance shown in the Journal for

February 6, 1978, that "when so amended the bill do pass" be adopted and the bill re-referred to the Committee on Governmental Operations. Amendments adopted. Report adopted.

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

H. F. No. 85: A bill for an act relating to governmental agencies; providing for an open appointment process; requiring reports from appointing authorities and the commissioner of administration; providing for publication of agency vacancies.

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

Page 1, line 20, strike "Commissioner" and insert "Secretary"

Page 1, line 21, strike "commissioner of administration" and insert "secretary of state"

Page 2, line 10, strike "commissioner" and insert "secretary"

Page 2, line 11, strike "commissioner" and insert "secretary"

Page 3, line 5, strike "commissioner of administration" and insert "secretary of state"

Page 3, line 9, strike "1978" and insert "1979"

Page 3, line 13, strike "commissioner" and insert "secretary"

Page 3, line 14, strike "administration" and insert "state"

Page 3, lines 18, 25 and 27 strike "commissioner" and insert "secretary"

Page 4, line 2, strike "commissioner" and insert "secretary" in both places

Page 4, lines 11, 26, and 32, strike "commissioner" and insert "secretary"

Page 5, lines 3, 13, 16, 17 and 19, strike "commissioner" and insert "secretary"

Page 5, line 19, after "person" insert "to be"

Page 5, line 20, strike "within" and insert "at least"

Page 5, line 20, strike "after" and insert "before"

Page 5, line 21, after "authority" insert "intends to"

Page 5, line 22, strike "nominates" and insert "nominate"

Page 5, lines 25, 27 and 32, strike "commissioner" and insert "secretary"

Page 6, line 6, strike "commissioner" and insert "secretary"

Page 6, after line 22, insert:

"Sec. 2. [APPROPRIATION.] There is appropriated from the general fund to the secretary of state the sum of \$3,000 for the

period ending June 30, 1979, for the purpose of administering this act."

Page 6, line 24, after "3," insert "and section 2"

Page 6, lines 24 and 26, strike "1977" and insert "1978"

Renumber the remaining section

Amend the title as follows:

Lines 4 and 5, strike "commissioner of administration" and insert "secretary of state"

Line 6, before the period, insert "; appropriating money"

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

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

H. F. No. 145: A bill for an act relating to highways; requiring a hearing by a county board prior to the adoption of a resolution revoking a county highway that would revert to a town; amending Minnesota Statutes 1976, Section 163.11, by adding a subdivision.

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

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

S. F. No. 1563: A bill for an act relating to the operation of state government; establishing a department of justice; transferring certain functions of the departments of public safety, administration, commerce, natural resources, public service, public welfare, revenue, health, labor and industry and the division of insurance and state court administrator.

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

Strike everything after the enacting clause and insert:

"Section 1. [MINNESOTA COUNCIL ON THE ADMINISTRATION OF CRIMINAL JUSTICE.] Subdivision 1. [CREATION.] The Minnesota council on the administration of criminal justice is hereby created as an independent agency of state government.

Subd. 2. [COMPOSITION OF COUNCIL.] The council shall be composed of 21 members, 15 of whom shall be voting members as follows:

(1) the chief justice of the supreme court, or if he elects not to serve, a justice he designates;

(2) the attorney general, or a member of his staff designated by him;

- (3) the commissioner of public safety;
- (4) the commissioner of corrections;
- (5) the commissioner of administration;
- (6) the director of the state planning agency;
- (7) the executive director of the crime control planning board;
- (8) the superintendent of the bureau of criminal apprehension;
- (9) a county attorney designated by the county attorneys council; and

(10) seven members to be appointed by the governor, two as representatives of local law enforcement agencies, one person of patrol rank in a municipal police department or sheriff's department, two as representatives of other areas of the criminal justice system, and two citizens, at least one of whom shall be a teacher in the area of criminal justice or organizational design. The one remaining gubernatorial appointee shall be chairperson of the council.

The remaining six members shall serve without vote. Three of these remaining members shall be members of the senate appointed by the subcommittee on committees of the senate, and three shall be members of the house appointed by the speaker of the house.

Subd. 3. [SELECTION, TERMS, COMPENSATION, REMOVAL.] Except as otherwise provided herein, the membership terms, compensation and removal of members shall be as provided in section 15.059.

Sec. 2. [DUTIES AND POWERS.] Subdivision 1. The council shall prepare for consideration by the governor and the legislature alternative proposals for the administration of criminal justice in this state. Alternatives shall be proposed in a report which shall be the result of study and investigation of the activities, functions, and programs related to public safety, protection, and the administration of justice in state government. The study and investigation shall include but not be limited to the administration, management, and financing of the functions of investigation, enforcement, prosecution, defense, corrections, justice planning and regulation. The study shall be based on an examination of the office of the attorney general, the office of state court administrator, the state public defender and the regulatory or judicial-related functions of the departments of administration, commerce, corrections, health, labor and industry, natural resources, public safety, public service, public welfare, revenue, transportation, the crime control planning board, and the state planning agency.

Each alternative organizational proposal shall be evaluated in the report on the basis of costs and benefits associated with implementation and ongoing operation. Among the alternatives to be considered shall be constitutional amendments providing for the centralization of criminal justice activities and reorientation of the criminal justice system from a county to a community-based sys-

tem. From among alternatives discussed in its report the council shall designate one as a preferred course of action and draft legislation which would be required for implementation. The report shall be delivered to the governor and the legislature no later than November 30, 1979.

Subd. 2. To accomplish the purposes of sections 1 to 3 the council may:

(a) study and evaluate justice-related organizational structures in other states;

(b) elect council officers, determine procedures for meetings, and establish council committees and advisory task forces as it deems appropriate;

(c) enter into contracts with the federal government, state agencies or local governmental units for the provision of any advisory, technical or other services;

(d) apply for, receive and expend grant moneys, or receive and accept money, property or services from any source, for any purpose within the scope of its authority. All money so received is hereby appropriated for those purposes in the manner and subject to laws applicable to the appropriation of state funds;

(e) compel state agencies and their officials to appear before the council, or produce any records or materials for council review, or provide such staff assistance or undertake any other action, as is deemed necessary by the council; and

(f) undertake in a manner consistent with other law any other related activity necessary to implement the powers and fulfill the responsibilities set forth in sections 1 to 3.

Sec. 3. [STAFF; SERVICES.] The legislative coordinating commission shall provide office space and administrative services for the council and shall provide for council staff. The Minnesota crime control planning board shall serve as a primary research and data source.

Sec. 4. [APPROPRIATION.] There is appropriated to the legislative coordinating commission the sum of \$..... to carry out the purposes of this act. Any unencumbered balance remaining in the first year shall not cancel but is available for the second year of council operations.

Sec. 5. [EFFECTIVE DATE.] This act shall be effective the day after final enactment and shall expire June 30, 1980."

Amend the title as follows:

Line 3, strike "department of" and insert "council on the administration of criminal" and strike "transferring"

Strike lines 4 to 9 and insert "providing for study and investigation of alternative proposals for the administration of criminal justice; appropriating money."

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

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for January 19, 1978:

MINNESOTA POLLUTION CONTROL AGENCY

Burton Genis

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

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

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

S. F. No. 1957 reports the same back with the recommendation that the bill be re-referred as follows:

S. F. No. 1957 to the Committee on Education.

Report adopted.

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

H. F. No. 1761 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		1761	1589		

and that the above Senate File be indefinitely postponed.

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

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

H. F. No. 1065 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		1065	851		

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1065 be amended as follows:

Amend the title as follows:

Page 1, line 2, after the semicolon insert "changing the"

And when so amended H. F. No. 1065 will be identical to S. F. No. 851, and further recommends that H. F. No. 1065 be given its second reading and substituted for S. F. No. 851, 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.

APPOINTMENTS

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

H. F. No. 544: Messrs. Vega; Keefe, S. and Coleman.

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

Mr. Coleman from the Committee on Rules and Administration, makes the following report: That Rule 62 of the Permanent Rules of the Senate appearing in the Journal for January 17, 1978, be amended as follows:

In the "Page" classification, in the column entitled "Salary per Day"

after "17@" strike "\$20" and insert "\$22"

after "6@" strike "\$22" and insert "\$24"

In the "Sergeant" classification, in the column entitled "Salary per Day"

after "2@" strike "\$20" and insert "\$22"

after "10@" strike "\$22" and insert "\$24".

Report adopted.

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

S. F. Nos. 1743, 1655, 1616, 1662, 1606, 1548, 1630, 1276, 1206, 1754 and H. F. No. 356 makes the following report:

That S. F. Nos. 1743, 1655, 1616, 1662, 1606, 1548, 1630, 1276, 1206, 1754 and H. F. No. 356 be placed on the General Orders Calendar in the order indicated.

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

SECOND READING OF SENATE BILLS

S. F. No. 1802 was read the second time.

S. F. Nos. 1779, 793, 1212, 1621, 1398, 1611, 1622, 1137 and 1684 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 145, 1761 and 1065 were read the second time.

H. F. Nos. 1930 and 85 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mrs. Staples moved that the name of Mr. Milton be stricken as co-author and Mr. Vega be added as co-author to S. F. No. 1081. The motion prevailed.

Mr. Sieloff moved that the name of Mr. Frederick be added as co-author to S. F. No. 1514. The motion prevailed.

Mr. Johnson moved that the name of Mr. Nelson be added as co-author to S. F. No. 1692. The motion prevailed.

Mr. Moe moved that the name of Mr. Solon be added as co-author to S. F. No. 1727. The motion prevailed.

Mr. Ulland, J. moved that the name of Mr. Solon be added as co-author to S. F. No. 1972. The motion prevailed.

Mr. Benedict moved that the names of Messrs. Olhoft, Chmielewski, Olson and Willet be added as co-authors to S. F. No. 1977. The motion prevailed.

Mr. Kleinbaum moved that the name of Mr. Bang be added as co-author to S. F. No. 1987. The motion prevailed.

Mr. Kleinbaum moved that the names of Messrs. Bang and Sikorski be added as co-authors to S. F. No. 1988. The motion prevailed.

Mr. Johnson moved that the name of Mr. Purfeerst be added as co-author to S. F. No. 1992. The motion prevailed.

Mr. Johnson moved that the name of Mr. Purfeerst be added as co-author to S. F. No. 1993. The motion prevailed.

Mr. Nichols moved that the name of Mr. Peterson be added as co-author to S. F. No. 2001. The motion prevailed.

Mr. Wegener moved that the name of Mr. Borden be added as co-author to S. F. No. 2014. The motion prevailed.

Mr. Wegener moved that the names of Mr. Gunderson and Mrs. Brataas be added as co-authors to S. F. No. 2026. The motion prevailed.

Mr. Benedict moved that the names of Messrs. Sikorski; Ulland, J. and Peterson be added as co-authors to S. F. No. 2034. The motion prevailed.

Mr. Gunderson moved that the names of Mr. Kirchner and Mrs. Brataas be added as co-authors to S. F. No. 2058. The motion prevailed.

Mr. Perpich moved that S. F. No. 1730 be withdrawn from the Committee on Health, Welfare and Corrections and re-referred to the Committee on Finance. The motion prevailed.

Mr. Coleman moved that Rule 62 of the Permanent Rules be amended in accordance with the report of the Committee on Rules and Administration adopted today.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the rule was amended.

Mr. Coleman, for the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the following named persons be and are hereby appointed to the positions hereinafter stated and at the salaries heretofore fixed.

Patricia Hamilton, substituted for Janice Fleetham in the Stenographer I classification, effective February 1, 1978

Rev. Winfield Johnson, Chaplain, effective February 6, 1978

Rev. Dean Meeter, Chaplain, effective February 16, 1978

Rev. Dean Stille, Chaplain, effective February 9, 1978

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, February 16, 1978. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate