

SEVENTY-SEVENTH DAY

St. Paul, Minnesota, Thursday, February 23, 1978

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

Prayer was offered by the Chaplain, Rev. Curtis A. Herron.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Coleman and Hanson were excused from this morning's Session. Messrs. Humphrey, Moe and McCutcheon were excused from the Session of today. Mr. Bernhagen was excused from the Session of today at 11:30 o'clock a.m. Messrs. Benedict and Peterson were excused from the Session of today from 11:00 o'clock a.m. until 12:00 o'clock noon. Messrs. Renneke, Olhoft and Frederick were excused from this evening's Session.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Johnson and Willet introduced—

S. F. No. 2238: A bill for an act relating to cooperative associa-

tions; authorizing election of directors by mail votes; amending Minnesota Statutes 1976, Section 308.071, Subdivision 2.

Referred to the Committee on Judiciary.

Mr. Stumpf introduced—

S. F. No. 2239: A bill for an act relating to the city of St. Paul; providing and authorizing issuance of general obligation bonds for capital improvement budget purposes; amending Laws 1971, Chapter 773, Section 1, as amended.

Referred to the Committee on Local Government.

Mr. Hughes introduced—

S. F. No. 2240: A bill for an act relating to education; expanding eligibility for extended leaves of absence for teachers; changing the provisions for early retirement incentive grants; amending Minnesota Statutes, 1977 Supplement, Sections 125.60, Subdivision 2; and 125.61, Subdivisions 3 and 4.

Referred to the Committee on Education.

Mr. Hughes introduced—

S. F. No. 2241: A bill for an act relating to education; making technical changes in the teacher mobility incentives; transferring responsibility for administration of teacher mobility incentives from the commissioner of finance to the commissioner of education; providing for state payment of the employer's share of retirement contributions for teachers on extended leaves of absence; appropriating money; amending Minnesota Statutes, 1977 Supplement, Sections 125.60, Subdivisions 2, 3 and by adding a subdivision; 125.61, Subdivisions 1, 2, 3, 4, 6 and by adding a subdivision; 354.094, Subdivisions 1 and 4; 354.66, Subdivision 9; 354A.091, Subdivisions 1 and 4; and 354A.22, Subdivision 9; repealing Minnesota Statutes, 1977 Supplement, Sections 125.61, Subdivision 5; and Laws 1977, Chapter 447, Article IX, Section 8.

Referred to the Committee on Education.

Mr. Willet introduced—

S. F. No. 2242: A bill for an act relating to water well contractors; requiring water well drilling machines to be operated by licensed water well contractors; amending Minnesota Statutes 1976, Sections 156A.02, Subdivision 3; and 156A.03, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Bernhagen, Schrom, Engler and Chenoweth introduced—

S. F. No. 2243: A bill for an act relating to energy; creating a grain alcohol fuel promotion board; providing an appropriation.

Referred to the Committee on Energy and Housing.

Mr. Lewis, by request, introduced—

S. F. No. 2244: A bill for an act relating to game and fish; taking of deer by handicapped under special permits; amending Minnesota Statutes 1976, Section 98.48, Subdivision 12.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Hughes introduced—

S. F. No. 2245: A bill for an act relating to retirement; tax levies to pay employer contributions to the teachers retirement fund; amending Minnesota Statutes 1976, Sections 275.125, by adding a subdivision; 353.28, Subdivision 8; and 355.299.

Referred to the Committee on Education.

Mr. Keefe, S. introduced —

S. F. No. 2246: A bill for an act relating to labor; increasing fees for boiler inspection and engineer's licenses; amending Minnesota Statutes 1976, Sections 183.545, Subdivisions 1, 2, 3, and 4; and 183.57, Subdivision 2.

Referred to the Committee on Employment.

Messrs. Anderson, Stokowski, Renneke, Borden and Kirchner introduced—

S. F. No. 2247: A bill for an act relating to retirement; providing annual benefit adjustments to disabled members of the public employees retirement association and survivors of deceased members; amending Minnesota Statutes 1976, Section 353.271, by adding a subdivision.

Referred to the Committee on Governmental Operations.

Messrs. Willet, Borden, Schaaf and McCutcheon introduced—

S. F. No. 2248: A bill for an act relating to peace officers and constables; requiring training and licensing for all peace officers; requiring training and licensing for constables; establishing the position of deputy constable; amending Minnesota Statutes 1976, Sections 367.03, Subdivisions 1 and 3; 367.22; 382.28; 626.843, by adding a subdivision; Chapter 367, by adding sections; and Minnesota Statutes, 1977 Supplement, Sections 626.84; 626.843, Subdivisions 1 and 3; 626.845; 626.846, Subdivisions 1, 2 and 3, and by adding subdivisions; 626.847; 626.848; and 626.851, Subdivi-

sion 2; repealing Minnesota Statutes, 1977 Supplement, Section 626.853.

Referred to the Committee on General Legislation and Veterans Affairs.

Messrs. Chmielewski, Purfeerst, Engler, Moe and Lessard introduced—

S. F. No. 2249: A bill for an act relating to aircraft patrolling of highways; authorizing the commissioner of public safety to maintain aircraft and pilots; repealing restrictions on numbers of aircraft and pilots.

Referred to the Committee on Transportation.

Mrs. Staples introduced—

S. F. No. 2250: A bill for an act relating to the city of Robbinsdale; authorizing the purchase or investment in certain obligations without regard to charter debt limitations.

Referred to the Committee on Local Government.

Mr. Johnson introduced—

S. F. No. 2251: A bill for an act relating to the town of White, St. Louis county; authorizing the board of supervisors to set the compensation of the town assessor; amending Laws 1973, Chapter 530, Section 1; repealing Laws 1959, Chapter 314, Section 1.

Referred to the Committee on Local Government.

Mrs. Knaak introduced—

S. F. No. 2252: A bill for an act relating to Ramsey county; modifying procedures for the publication of a board journal; amending Laws 1974, Chapter 435, Section 2.05, as amended.

Referred to the Committee on Local Government.

Mrs. Staples, Messrs. Benedict, Nelson, Lewis and Spear introduced—

S. F. No. 2253: A bill for an act relating to health; increasing public availability of articles relating to the prevention of conception or disease; amending Minnesota Statutes 1976, Section 617.251.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Spear and Mrs. Staples introduced —

S. F. No. 2254: A bill for an act relating to insurance; prohibit-

ing certain unfair discriminatory practices in the sale, underwriting and rating of insurance policies; prohibiting certain discrimination on the basis of sex, marital status or occupation as a homemaker; providing remedies; amending Minnesota Statutes 1976, Chapter 72A, by adding a section.

Referred to the Committee on Commerce.

Messrs. Vega, Sikorski and Knutson introduced —

S. F. No. 2255: A bill for an act relating to hazardous wastes; requiring preparation of a comprehensive statewide hazardous waste management plan; providing for legislative review; directing the pollution control agency to designate sites for hazardous waste disposal facilities; providing for construction and operation of needed facilities; providing penalties; appropriating money; amending Minnesota Statutes 1976, Sections 116.07, Subdivision 2; 116.081, Subdivisions 1 and 3; 116.101; 400.161; 473.149, Subdivision 1; 473.516; and Minnesota Statutes, 1977 Supplement, Section 116.07, Subdivision 4.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Vega and Knutson introduced—

S. F. No. 2256: A bill for an act relating to Dakota county; providing that the county commissioners may fix an amount for each commissioner's expenses; amending Laws 1961, Chapter 249, Section 2, as amended.

Referred to the Committee on Local Government.

Mrs. Staples, Messrs. Perpich, Nelson, Lewis and Ulland, J. introduced—

S. F. No. 2257: A bill for an act relating to crimes; specifying the acts constituting the offenses of promoting prostitution; prohibiting engaging or offering to engage as a prostitute in an act of sexual penetration or contact; defenses to prostitution prosecutions; admissibility of evidence in prostitution prosecutions; repealing Minnesota Statutes 1976, Section 609.32.

Referred to the Committee on Judiciary.

Messrs. Chenoweth, Ashbach, Nelson, McCutcheon and Penny introduced—

S. F. No. 2258: A bill for an act relating to the operation of state government; allowing the state to make advance payments or deposits for certain items; providing for centralized rental payments to be made from the general services revolving fund; extending the time in which to repay loans from the general fund to revolving funds; allowing the commissioner of administration to

publish agency descriptions in the state register biennially instead of annually; amending Minnesota Statutes 1976, Section 16.096; Minnesota Statutes, 1977 Supplement, Sections 15.0412, Subdivision 2; 16.80, Subdivision 1; and 16A.126.

Referred to the Committee on Governmental Operations.

Mr. Chmielewski introduced—

S. F. No. 2259: A bill for an act relating to the Minnesota no-fault automobile insurance act; specifying certain crimes and penalties arising from the ownership or use of improperly insured motorcycles; prescribing certain additional sanctions and consequences; amending Minnesota Statutes 1976, Section 65B.67.

Referred to the Committee on Judiciary.

Mr. Anderson introduced—

S. F. No. 2260: A bill for an act relating to Chisago county; providing power to the county board to regulate animals.

Referred to the Committee on Local Government.

Mr. Humphrey introduced—

S. F. No. 2261: A bill for an act relating to insurance; regulating cancellation, renewal, and reduction of coverage of residential insurance; amending Minnesota Statutes 1976, Sections 65A.01, Subdivision 3; and 65A.07.

Referred to the Committee on Commerce.

Mr. Schaaf introduced—

S. F. No. 2262: A bill for an act relating to taxation; property tax; extending class 3cc to include certain property owners with disabled dependents; amending Minnesota Statutes, 1977 Supplement, Section 273.13, Subdivision 7.

Referred to the Committee on Taxes and Tax Laws.

Mr. Johnson introduced—

S. F. No. 2263: A bill for an act relating to labor; requiring state residents to be given hiring preference on public works projects; providing for enforcement.

Referred to the Committee on Employment.

Mr. Wegener introduced—

S. F. No. 2264: A bill for an act relating to statutory cities; pro-

viding for uniformity in bidding requirements for local government contracts; amending Minnesota Statutes 1976, Section 412.311.

Referred to the Committee on Local Government.

Mr. Wegener introduced—

S. F. No. 2265: A bill for an act relating to cities; establishing requirements for financial statements, reports and audits; providing a time limit for submissions of certain reports to the state auditor; providing for enforcement of reporting requirements; amending Minnesota Statutes 1976, Chapter 471, by adding sections; repealing Minnesota Statutes 1976, Sections 412.281 and 412.291.

Referred to the Committee on Local Government.

Messrs. Merriam, Anderson, Humphrey and Dunn introduced—

S. F. No. 2266: A bill for an act relating to education; teachers; authorizing a hearing process for termination of contracts and discharge of teachers; amending Minnesota Statutes 1976, Section 125.12, Subdivision 8; and Minnesota Statutes, 1977 Supplement, Section 125.12, Subdivision 4.

Referred to the Committee on Education.

Messrs. Merriam, Hughes and Sillers introduced—

S. F. No. 2267: A bill for an act relating to education; teachers; requiring certain provisions in teachers contracts and clarifying the retirement age for teachers; amending Minnesota Statutes 1976, Section 125.12, Subdivisions 2 and 5.

Referred to the Committee on Education.

Messrs. Solon, Johnson and Ulland, J. introduced—

S. F. No. 2268: A bill for an act relating to regional development; clarifying certain powers of the Arrowhead regional development commission.

Referred to the Committee on Local Government.

Mr. Schaaf introduced—

S. F. No. 2269: A bill for an act relating to crimes; specifying the acts constituting arson; amending Minnesota Statutes 1976, Sections 609.562 and 609.563.

Referred to the Committee on Judiciary.

Messrs. Solon, Kleinbaum, Johnson, Ashbach and Wegener introduced—

S. F. No. 2270: A bill for an act relating to liquor; registration of labels; amending Minnesota Statutes 1976, Section 340.62.

Referred to the Committee on Commerce.

Mr. Lessard introduced—

S. F. No. 2271: A bill for an act relating to retirement; distribution of police state aid; amending Minnesota Statutes, 1977 Supplement, Sections 69.021, Subdivisions 5, 6, and 7; and 69.031, Subdivision 5.

Referred to the Committee on Governmental Operations.

Messrs. Dieterich, Stumpf and Chenoweth introduced—

S. F. No. 2272: A bill for an act relating to cities of the first class; providing for election of city officers and school board members in November of odd-numbered years; amending Minnesota Statutes 1976, Section 205.021; and Chapter 205, by adding a section; repealing Minnesota Statutes 1976, Sections 205.18 and 205.19.

Referred to the Committee on Elections.

Messrs. Schaaf, McCutcheon, Luther and Anderson introduced—

S. F. No. 2273: A bill for an act relating to the attorney general; providing for the appointment of a special prosecutor, prescribing the scope and limits of criminal prosecution to be undertaken by the attorney general; appropriating money; amending Minnesota Statutes 1976, Section 8.01; and Minnesota Statutes, 1977 Supplement, Section 8.02.

Referred to the Committee on Judiciary.

Mr. Tennesen introduced—

S. F. No. 2274: A bill for an act relating to departments of state; concerning confidential data on individuals; regarding emergency classification of data; amending Minnesota Statutes 1976, Sections 15.162, Subdivision 2a; and 15.1642, Subdivision 3.

Referred to the Committee on Judiciary.

Messrs. Schaaf, Peterson, Strand and Nichols introduced—

S. F. No. 2275: A bill for an act relating to examining and licensing boards; abolishing the board of abstracters; altering the membership, regulatory powers, practices and supervision of certain boards; limiting criteria for issuing licenses; providing for a review of certain functions of the boards; amending Minnesota

Statutes 1976, Sections 125.05, Subdivision 1; 147.02, Subdivision 1; 147.021, Subdivision 1; 148.211, Subdivision 1; 148.57, Subdivisions 1 and 3; 148.91, Subdivision 4; 148.93; 150A.06, Subdivisions 1, 2, 2a, and 4; 151.10; 153.04; 153.15; 154.05; 154.06; 154.11; 154.12; 154.22; 155.04; 155.05; 155.09, Subdivision 1; 156.02, Subdivision 1; 156.071; 156.072, Subdivision 2; 156.081, Subdivision 2; 214.04, as amended; 214.06, as amended; 214.09, Subdivision 2; 326.02, Subdivision 1; 326.10, Subdivision 1; 326.19, Subdivision 2; 326.332, Subdivision 1; 326.54; 326.546; and Chapters 214, by adding a section; 270, by adding a section; and 386, by adding a section; amending Minnesota Statutes, 1977 Supplement, Sections 148.10, Subdivision 1; and 214.01, Subdivision 3; repealing Minnesota Statutes 1976, Chapter 186; and Sections 147.11; 150A.11, Subdivisions 2, 3, and 4; 151.28; 270.41; 270.42; 270.43; 341.09; 386.61, Subdivision 3; and 386.63.

Referred to the Committee on Governmental Operations.

Mr. Schaaf introduced—

S. F. No. 2276: A bill for an act relating to state government; relieving the governor of certain formal duties; amending Minnesota Statutes 1976, Sections 7.09, Subdivision 1; 16.02, Subdivision 14; 16.05; 16.24; 16.28; 85.021, Subdivision 2; 94.12; 161.23, Subdivision 2; 161.43; 161.433, Subdivision 1; 161.44, Subdivision 1; 360.023; and 360.305, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Merriam, Strand, Dieterich, Hanson and Dunn introduced—

S. F. No. 2277: A bill for an act relating to eminent domain; requiring that prepayment penalties be treated as a separate item of damages; amending Minnesota Statutes 1976, Chapter 117, by adding a section.

Referred to the Committee on Judiciary.

Mr. Sikorski introduced—

S. F. No. 2278: A bill for an act relating to drivers licenses; application and filing with clerk of the district court; providing that the commissioner of public safety may appoint an agent to assist the clerk in accepting applications under certain circumstances; amending Minnesota Statutes 1976, Section 171.06, Subdivision 4.

Referred to the Committee on General Legislation and Veterans Affairs.

Mr. Sikorski introduced—

S. F. No. 2279: A bill for an act relating to public welfare;

modifying the definition of dependent child; amending Minnesota Statutes 1976, Section 256.12, Subdivision 14.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Willet introduced—

S. F. No. 2280: A bill for an act relating to appropriations; appropriating funds for the repair and reconstruction of a certain dam.

Referred to the Committee on Finance.

Messrs. Luther; Tennessen; Keefe, S. and Humphrey introduced—

S. F. No. 2281: A bill for an act relating to Hennepin county municipal court; authorizing the establishment of three suburban court locations; amending Minnesota Statutes 1976, Section 488A.01, Subdivision 9.

Referred to the Committee on Judiciary.

Messrs. Vega, Lessard, Laufenburger and Nelson introduced—

S. F. No. 2282: A bill for an act relating to labor; occupational safety and health; making results of certain inspections, studies and tests available to affected workers; providing a penalty; amending Minnesota Statutes 1976, Chapter 182, by adding a section.

Referred to the Committee on Employment.

Messrs. Penny, Renneke, Moe and Willet introduced—

S. F. No. 2283: A bill for an act relating to courts; increasing the salary of certain judges; amending Minnesota Statutes, 1977 Supplement, Section 15A.083, Subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Kleinbaum and Davies introduced—

S. F. No. 2284: A bill for an act relating to banks; providing that banks guarantee funds to honor checks drawn on accounts with the bank in certain situations; amending Minnesota Statutes 1976, Chapter 48, by adding a section.

Referred to the Committee on Commerce.

Messrs. Stokowski, Sikorski, Mrs. Brataas and Mr. Kleinbaum introduced—

S. F. No. 2285: A bill for an act relating to cable communica-

tions; providing for the extension of cable service; amending Minnesota Statutes 1976, Sections 238.02, Subdivision 5, and by adding subdivisions; 238.08, Subdivision 1; and Chapter 238, by adding a section.

Referred to the Committee on Commerce.

Messrs. Knoll, Schaaf and Anderson introduced—

S. F. No. 2286: A bill for an act relating to taxation; property tax; providing for assessment of certain housing projects; amending Minnesota Statutes 1976, Section 273.13, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws. Mr. Knoll questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Luther, Dieterich, Perpich, Sikorski and Mrs. Brataas introduced—

S. F. No. 2287: A bill for an act relating to medical malpractice insurance; extending the temporary joint underwriting association for an additional two year period; amending Minnesota Statutes 1976, Section 62F.01; repealing Laws 1976, Chapter 242, Section 16.

Referred to the Committee on Commerce.

Messrs. Luther, Olhoft, Strand, Willet and Setzepfandt introduced—

S. F. No. 2288: A bill for an act relating to establishing an advisory committee to advise the Minnesota energy agency on matters related to the issuance of certificates of need for power plants and high voltage transmission lines.

Referred to the Committee on Energy and Housing.

Messrs. Luther, Olhoft, Strand and Setzepfandt introduced—

S. F. No. 2289: A bill for an act relating to the organization of state government; creating an office of public advisor; directing the office of public advisor to assist citizens in certificate of need proceedings for large energy facilities and site or route proceedings for large electric power plants or high voltage transmission lines; appropriating money; repealing Minnesota Statutes, 1977 Supplement, Section 116C.59, Subdivision 3.

Referred to the Committee on Energy and Housing.

Messrs. Luther, Olhoft, Strand and Willet introduced—

S. F. No. 2290: A bill for an act relating to energy; providing increased educational programs relating to large energy facilities;

appropriating money; amending Minnesota Statutes, 1977 Supplement, Section 116H.07.

Referred to the Committee on Energy and Housing.

Messrs. Luther, Johnson, Benedict and Hanson introduced—

S. F. No. 2291: A bill for an act relating to commerce; requiring standard form agreements for consumer credit transactions and for lease of real property for residential purposes to be readable; providing penalties.

Referred to the Committee on Commerce.

Messrs. Dieterich, Olson, Chenoweth, Kirchner and Stumpf introduced—

S. F. No. 2292: A bill for an act relating to amusement rides; providing for their regulation; requiring state safety inspections; requiring liability insurance; providing penalties; amending Minnesota Statutes 1976, Chapter 183, by adding sections.

Referred to the Committee on General Legislation and Veterans Affairs.

Messrs. Penny, Strand and Schmitz introduced—

S. F. No. 2293: A bill for an act relating to alcohol and drug abuse programs; dedicating and appropriating a portion of liquor tax revenues for funding; amending Minnesota Statutes 1976, Chapter 254A, by adding a section; and Section 340.485, by adding a subdivision.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Tennesen introduced—

S. F. No. 2294: A bill for an act relating to taxation; tax returns; excepting certain tax information about liquor license applicants from confidentiality requirements; requiring liquor license applicants to have paid certain taxes; amending Minnesota Statutes 1976, Sections 297A.43; 340.01; and Minnesota Statutes, 1977 Supplement, Section 290.61.

Referred to the Committee on Judiciary.

Mr. Tennesen introduced—

S. F. No. 2295: A bill for an act relating to commerce; restricting discontinuation of service by utilities and fuel distributors during winter; providing procedures for discontinuing service; providing claim procedures for disputed billings.

Referred to the Committee on Commerce.

Mr. Ueland, A. introduced—

S. F. No. 2296: A bill for an act relating to the city of Mankato; prohibiting regulation of the rates of the public transit system by the public service commission.

Referred to the Committee on Transportation.

Messrs. Strand, Nichols, Coleman and Gearty introduced—

S. F. No. 2297: A bill for an act relating to retirement; elected state officers plan; providing increased retirement benefits for constitutional officers and certain commissioners; appropriating money; amending Minnesota Statutes 1976, Sections 352C.01; 352C.04, Subdivisions 1 and 2a, and by adding a subdivision; 352C.09, Subdivisions 1 and 2; 352C.091, by adding subdivisions; and Chapter 352C, by adding sections; repealing Minnesota Statutes 1976, Sections 352C.02; 352C.03; 352C.04, Subdivision 3; 352C.05; 352C.06; and 352C.08.

Referred to the Committee on Governmental Operations.

Mrs. Brataas and Mr. Laufenburger introduced—

S. F. No. 2298: A bill for an act relating to the city of Rochester; issuance of licenses for the sale of intoxicating liquor at Mayo civic auditorium.

Referred to the Committee on Commerce.

Mr. Purfeerst introduced—

S. F. No. 2299: A bill for an act relating to the county of LeSueur; allowing the LeSueur county court to appoint a judicial officer.

Referred to the Committee on Judiciary.

Messrs. Davies, Sillers, Kirchner, Borden and Laufenburger introduced—

S. F. No. 2300: A bill for an act relating to commerce; requiring certain disclosures by foreign currency exchanges operated at airports; providing remedies.

Referred to the Committee on Commerce.

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. 1178.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 21, 1978

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 1004.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 22, 1978

Mr. President:

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

House Concurrent Resolution No. 8: A house concurrent resolution relating to adjournment.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted February 20, 1978

House Concurrent Resolution No. 8: A house concurrent resolution relating to adjournment.

BE IT RESOLVED, by the House of Representatives, the Senate concurring, that when either the House of Representatives or the Senate adjourns on February 23, 1978, it may adjourn to any date not later than March 1, 1978.

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

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. 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.

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

Simoneau, Neisen and Zubay.

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

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 20, 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. 698: A bill for an act relating to insurance companies; simplifying language and removing obsolete provisions; clarifying ambiguities; establishing certain responsibilities; requiring performance bonds for certain corporate officers and employees; increasing certain fees; increasing certain capitalization and reserve requirements; providing certain restrictions; authorizing mutual companies to write certain additional kinds of insurance; prescribing certain penalties; amending Minnesota Statutes 1976, Sections 60A.07, Subdivisions 5d and 11; 60A.09, Subdivision 1; 60A.10, Subdivision 1; 60A.11, Subdivision 2; 60A.12, Subdivision 5; 60A.19, Subdivision 1; 60A.23, Subdivision 7; 60C.06, Subdivision 1; 61A.40; 66A.08, Subdivision 1; 66A.09; 66A.10; 66A.16, Subdivision 2; repealing Minnesota Statutes 1976, Sections 60A.12, Subdivision 6; and 63.36.

Senate File No. 698 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 20, 1978

CONCURRENCE AND REPASSAGE

Mr. Spear moved that the Senate concur in the amendments by the House to S. F. No. 698 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 698: A bill for an act relating to insurance companies; simplifying language and removing obsolete provisions; clarifying ambiguities; establishing certain responsibilities; requiring performance bonds for certain corporate officers and employees; increasing certain fees; increasing certain capitalization and reserve requirements; providing certain restrictions; authorizing mutual companies to write certain additional kinds of insurance; prescribing certain penalties; amending Minnesota Statutes 1976, Sections 60A.07, subdivisions 5d and 11; 60A.09, Subdivision 1; 60A.10, Subdivision 1; 60A.11, Subdivision 2; 60A.12, Subdivision 5; 60A.23, Subdivision 7; 60C.06, Subdivision 1; 61A.40; 66A.08, Subdivision 1; 66A.09; 66A.10; 66A.16, Subdivision 2; Minnesota Statutes, 1977 Supplement, Section 60A.19, Subdivision 1; repealing Minnesota Statutes 1976, Sections 60A.12, Subdivision 6; 63.36; and 63.37.

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 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 682: A bill for an act relating to Anoka county; creating a housing and redevelopment authority; applying the provisions of the municipal housing and redevelopment act to Anoka county; providing for local approval of projects.

Senate File No. 682 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 20, 1978

CONCURRENCE AND REPASSAGE

Mr. Merriam moved that the Senate concur in the amendments by the House to S. F. No. 682 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 682 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 523, 526, 788, 1707, 1975, 1864, 807, 1838, 1863, 1878, 1434, 1728, 1729, 2068, 2087, 1858, 1860, 1923 and 1967.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 20, 1978

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 190, 1908, 1973, 2080, 361, 474, 1447, 1718, 1909, 1918, 1022, 1323, 1825 and 1833.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 21, 1978

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1598, 1765, 1766, 1940, 1225, 1793, 1966, 1736, 1859, 1997, 1767, 1781, 1821, 1866 and 2000.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 22, 1978

FIRST READING OF HOUSE BILLS

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

H. F. No. 523: A bill for an act relating to public safety; requiring fencing of unused open pit mines; providing a penalty; amending Minnesota Statutes 1976, Section 180.03.

Referred to the Committee on Finance.

H. F. No. 526: A bill for an act relating to insurance; providing for the procurement of insurance from and the regulation of surplus line insurers and agents; providing for the regulation and imposition of penalties on certain insurance agents; amending Minnesota Statutes 1976, Section 60A.20.

Referred to the Committee on Commerce.

H. F. No. 788: A bill for an act relating to fire insurance; requiring a premium reduction or credit against premium for installation of certain smoke or fire detection devices.

Referred to the Committee on Commerce.

H. F. No. 1707: A bill for an act relating to automobile insurance; authorizing exclusion of certain high risk drivers from household coverages; requiring exclusion of such drivers from premium calculations under certain circumstances; prescribing penalties; amending Minnesota Statutes 1976, Chapter 65B, by adding a section.

Referred to the Committee on Commerce.

H. F. No. 1975: A bill for an act relating to corrections; providing for the classification and compensation of persons engaged in the sale of products manufactured or processed in correctional institutions; amending Minnesota Statutes 1976, Section 43.12, by adding a subdivision.

Referred to the Committee on Health, Welfare and Corrections.

H. F. No. 1864: A bill for an act relating to retirement; providing for biennial local police and paid fire fund actuarial valuations; amending Minnesota Statutes 1976, Sections 69.77, Subdivisions 1, 2 and by adding a subdivision; 69.773, Subdivision 2; 69.78; 356.20, Subdivisions 1, 2 and 4; 356.215, Subdivisions 2 and 4; Chapter 356, by adding a section; Laws 1955, Chapter 75, Section 9, as added and Section 12, as amended; Laws 1959, Chapter 131, Section 10, Subdivision 1, as amended; Laws 1965, Chapter 446, Section 7, Subdivision 1; Laws 1965, Chapter 458, Section 3, Subdivision 2; Laws 1965, Chapter 498, Section 1, Subdivision 1; Laws 1967, Chapter 736, Section 11, Subdivision 1; Laws 1967, Chapter 775, Section 8; Laws 1967, Chapter 798, Section 1, Subdivisions 1 and 2; Laws 1969, Chapter 576, Section 1; Laws 1969, Chapter 641, Section 2, Subdivision 1; Laws 1971, Chapter 51, Section 9, and Section 10, Subdivisions 1 and 2; Laws 1971, Chapter 810, Section 7; Laws 1973, Chapter 587, Section 1; Laws 1975, Chapter 424, Sections 10 and 11; repealing Minnesota Statutes 1976, Sections 69.71; 69.72; 69.73; 69.74; 69.75; 69.76; 490.131; and Laws 1963, Chapter 643, Section 27.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1808.

H. F. No. 807: A bill for an act relating to metropolitan government; removing the city of New Prague from definitions of metropolitan areas; adding the city of New Prague to region nine; amending Minnesota Statutes 1976, Sections 473.121, Subdivision 2; 473.123, Subdivisions 1 and 3; 473.249, Subdivision 1; 473.403; 473F.02, Subdivisions 2 and 8.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 712.

H. F. No. 1838: A bill for an act relating to the St. Cloud metropolitan transit commission; providing paratransit services authority; permitting contracts for certain services; amending Laws 1969, Chapter 1134, Section 3, Subdivisions 4 and 8, as amended; and by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1859.

H. F. No. 1863: A bill for an act relating to the operation of state government; allowing the state to make advance payments or deposits for certain items; providing for centralized rental payments to be made from the general services revolving fund; extending the time in which to repay loans from the general fund to revolving funds; allowing the commissioner of administration to publish agency descriptions in the state register biennially instead of annually; amending Minnesota Statutes 1976, Section 16.096; Minnesota Statutes, 1977 Supplement, Sections 15.0412, Subdivision 2; 16.80, Subdivision 1; and 16A.126.

Referred to the Committee on Governmental Operations.

H. F. No. 1878: A bill for an act relating to drivers licenses; application and filing with clerk of the district court; providing that the commissioner of public safety may appoint an agent to assist the clerk in accepting applications under certain circumstances.

Referred to the Committee on General Legislation and Veterans Affairs.

H. F. No. 1434: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Ottertail county for the purpose of correcting boundary description errors.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 1728: A bill for an act relating to employments licensed by the state; architects, engineers and landscape architects; requiring knowledge of barrier free design to acquire license; amending Minnesota Statutes 1976, Section 326.10, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1789 now in the Subcommittee on Bill Scheduling.

H. F. No. 1729: A bill for an act relating to buildings; access to handicapped; international wheelchair symbol; adopting uniform colors; amending Minnesota Statutes 1976, Section 299G.12, Subdivision 2.

Referred to the Committee on Governmental Operations.

H. F. No. 2068: A bill for an act relating to public television; eliminating restriction on location of television tower; amending Laws 1977, Chapter 320, Section 1.

Referred to the Committee on Finance.

H. F. No. 2087: A bill for an act relating to the adoption of rules

concerning the process and procedures for designating power plant sites and transmission line routes; amending Minnesota Statutes, 1977 Supplement, Sections 116C.645 and 116C.66; and Laws 1977, Chapter 439, Section 26.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 1858: A bill for an act relating to retirement; clarifying various ambiguous retirement provisions; removing various obsolete gender references; amending Minnesota Statutes 1976, Sections 352B.05; 352B.06; 352B.14, Subdivisions 3 and 4; 352B.26, Subdivisions 2 and 3; 352B.28; 352D.05, Subdivision 3; 423.37; 423.371, Subdivision 2; 423.377; 423.38; 423.381; 423.387; 423.48; 423.51; 423.52; 423.58; 423.802, Subdivision 2; 423.810, Subdivisions 1 and 2; 424.16; 424.17; 424.24; 424.29; 424.31; Chapter 422A, by adding a section; Minnesota Statutes, 1977 Supplement, Sections 69.772, Subdivision 2; 352B.08, Subdivision 2; 422A.09, Subdivision 3; and 422A.33, Subdivision 3; Laws 1969, Chapter 1088, Section 4, Subdivision 4; and Laws 1977, Chapter 61, Section 5; repealing Minnesota Statutes 1976, Sections 423.22 to 423.36; and 425.01 to 425.09.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1807.

H. F. No. 1860: A bill for an act relating to public employees retirement association; providing for adjusted accrual dates for payment of annuities, survivor benefits and disability benefits, and clarifying membership requirements for elected officials; amending Minnesota Statutes 1976, Sections 353.29, Subdivision 7; 353.32, Subdivision 1a; 353.33, Subdivision 2; 353.657, Subdivision 2a; and Minnesota Statutes, 1977 Supplement, Sections 353.01, Subdivision 2b; 353.29, Subdivision 8; and 353.31, Subdivision 8.

Referred to the Committee on Rules and Administration.

H. F. No. 1923: A bill for an act relating to taxation; restricting certificate of value filing requirements to transfers of property made after 1977; amending Minnesota Statutes, 1977 Supplement, Section 272.115, Subdivisions 1 and 4.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1766 now in the Subcommittee on Bill Scheduling.

H. F. No. 1967: A bill for an act relating to motor vehicles; permitting personalized license plates on trucks; amending Minnesota Statutes 1976, Section 168.12, Subdivision 2a.

Referred to the Committee on Transportation.

H. F. No. 190: A bill for an act relating to commerce; providing for the opening of checking accounts; imposing a duty on financial institutions; providing remedies for worthless checks.

Referred to the Committee on Commerce.

H. F. No. 1908: A bill for an act relating to education; teachers; requiring expungement of certain material from a teacher's file; amending Minnesota Statutes 1976, Section 125.12, Subdivision 6.

Referred to the Committee on Judiciary.

H. F. No. 1973: 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.

H. F. No. 2080: A bill for an act relating to juveniles; providing procedures regulating the detention of certain juveniles; amending Minnesota Statutes 1976, Section 260.185, Subdivision 1.

Referred to the Committee on Judiciary.

H. F. No. 361: A bill for an act relating to state employees; providing optional health insurance coverage under the Minnesota employees group insurance plan for certain former employees retired because of a disability.

Referred to the Committee on Governmental Operations.

H. F. No. 474: 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; 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 a section; repealing Minnesota Statutes 1976, Section 169.221.

Referred to the Committee on Transportation.

H. F. No. 1447: A bill for an act relating to education; teachers; providing due process rights for certain athletic coaches; amending Minnesota Statutes 1976, Chapter 125, by adding a section.

Referred to the Committee on Education.

H. F. No. 1718: A resolution urging the President and Congress to make a national commitment to the prevention and cure of cancer.

Referred to the Committee on Rules and Administration.

H. F. No. 1909: A bill for an act relating to the legislature; providing that the organization of the legislature at the regular session continue during a special session; amending Minnesota Statutes 1976, Chapter 3, by adding a section.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1608.

H. F. No. 1918: A bill for an act relating to taxation; income tax; clarifying the exemption of certain pension benefits; amending Minnesota Statutes, 1977 Supplement, Section 290.01, Subdivision 20; repealing Minnesota Statutes, 1977 Supplement, Section 290.08, Subdivision 6.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 1022: A bill for an act relating to the juveniles; providing for a hearing to determine detrimental relationships involving children; providing for a penalty for those engaging children in detrimental relationships; amending Minnesota Statutes 1976, Section 260.315; and Chapter 260, by adding a section.

Referred to the Committee on Judiciary.

H. F. No. 1323: A bill for an act relating to education; higher education coordinating board; private post-secondary institutions; exempting certain institutions from the requirement of registration with the board; amending Minnesota Statutes 1976, Sections 136A.61; 136A.62, Subdivision 3; and Chapter 136A, by adding sections.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1573.

H. F. No. 1825: A bill for an act relating to examining and licensing boards; concerning public health; requiring information at the time of license application; allowing the collection of information at the time of license renewal; amending Minnesota Statutes 1976, Chapter 214, by adding sections.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1750.

H. F. No. 1833: A bill for an act relating to community colleges; requiring that one member of the state board be a student; requiring that one member of the local advisory committee be a student; amending Minnesota Statutes 1976, Sections 136.61, Subdivisions 1 and 1a; and 136.63, Subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1641.

H. F. No. 1598: A bill for an act relating to uses and trusts; providing for the application to and limitation of certain general trust statutes in relation to industrial revenue bonds; amending Minnesota Statutes 1976, Section 501.37; and Minnesota Statutes, 1977 Supplement, Section 501.34.

Referred to the Committee on Judiciary.

H. F. No. 1765: A bill for an act relating to the legislature; concerning the legislative commission to review administrative

rules; conferring subpoena powers; amending Minnesota Statutes 1976, Section 3.965, by adding a subdivision.

Referred to the Committee on Judiciary.

H. F. No. 1766: A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in Beltrami county.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 1940: A bill for an act relating to the environmental education board; transferring the board to the department of natural resources.

Referred to the Committee on Governmental Operations.

H. F. No. 1225: A bill for an act relating to Ramsey county and the city of Saint Paul; changing the name of the Ramsey county hospital and sanitarium commission; further prescribing its powers and duties, removing obsolete provisions; amending Laws 1974, Chapter 435, Section 3.14.

Referred to the Committee on Local Government.

H. F. No. 1793: A bill for an act relating to Ramsey county; authorizing the county to issue general obligation bonds for the costs of construction of a county nursing home; amending Laws 1974, Chapter 435, by adding a section.

Referred to the Committee on Local Government.

H. F. No. 1966: A bill for an act relating to motor vehicles; extending protection provided by motor vehicle dealer surety bonds; authorizing the issuance of nontransferable certificates of title; changing the definition of a bus; amending Minnesota Statutes 1976, Sections 168A.07, Subdivision 2; 171.01, Subdivision 19; Minnesota Statutes, 1977 Supplement, Section 168.27, Subdivision 24.

Referred to the Committee on Commerce.

H. F. No. 1736: A bill for an act relating to state-leased buildings and sites for state meetings; concerning the handicapped; requiring state-leased buildings and sites for state meetings to be accessible to the handicapped; amending Minnesota Statutes 1976, Section 471.467, by adding subdivisions.

Referred to the Committee on Governmental Operations.

H. F. No. 1859: A bill for an act relating to retirement; providing for an exclusion from public pension coverage for those persons covered by certain federal public service employment programs in compliance with federal regulations; establishment of reserve accounts for certain provisional members; amending Min-

nesota Statutes 1976, Sections 69.29; 136.80, Subdivision 1; 352B.01, Subdivision 2; 353.64, by adding a subdivision; 354A.10; 423.23; 423.372; 423.43; 423.801, Subdivision 2; 424.03; Chapter 356, by adding sections; and Laws 1969, Chapter 950, Section 1; Minnesota Statutes, 1977 Supplement, Sections 352.01, Subdivision 2B; 353.01, Subdivision 2b; 354.05, Subdivision 2; and 422A.09, Subdivision 3.

Referred to the Committee on Governmental Operations.

H. F. No. 1997: A bill for an act relating to commerce; regulating interest rates; providing loan yield computations; providing investigation powers; amending Minnesota Statutes 1976, Sections 51A.39, Subdivision 1; 56.19; 334.02; 334.03; Chapter 46, by adding a section; Minnesota Statutes, 1977 Supplement, Section 47.20, Subdivisions 2, 4, and 13.

Referred to the Committee on Commerce.

H. F. No. 1767: A bill for an act relating to the city of Anoka; fire department relief association benefits; amending Laws 1971, Chapter 184, Section 1, Subdivisions 2, 3, 4, 5 and 6, as amended; and Section 2, Subdivision 2, as amended.

Referred to the Committee on Governmental Operations.

H. F. No. 1781: A bill for an act relating to the city of Maplewood; authorizing the payment of lump sum service pensions by the Maplewood firefighters relief association.

Referred to the Committee on Governmental Operations.

H. F. No. 1821: A bill for an act relating to the city of Brainerd; firefighters' service pensions; amending Laws 1973, Chapter 170, Section 1.

Referred to the Committee on Governmental Operations.

H. F. No. 1866: A bill for an act relating to the firefighters' relief association of the city of Karlstad; computation of years of service for volunteer firefighters.

Referred to the Committee on Governmental Operations.

H. F. No. 2000: A bill for an act relating to rates of interest on money; permitting higher interest rates for loans secured by savings and time deposit accounts; amending Minnesota Statutes 1976, Chapter 334, by adding a section.

Referred to the Committee on Commerce.

REPORTS OF COMMITTEES

Mr. Borden moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S. F. No. 2079 and the reports pertaining to appointments. The motion prevailed.

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

S. F. No. 1750: A bill for an act relating to examining and licensing boards; concerning public health; requiring information at the time of license application; allowing the collection of information at the time of license renewal; amending Minnesota Statutes 1976, Chapter 214, by adding sections.

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

Page 1, line 10, strike "214" and insert "144"

Page 1, line 12, strike "214.061" and insert "144.051"

Page 1, line 20, strike "summary"

Page 1, line 22, before the period, insert "*as defined in section 214.01, subdivision 2*"

Page 2, line 2, strike "*of this act*"

Page 2, line 6, strike "214" and insert "144"

Page 2, line 8, strike "214.062" and insert "144.052"

Page 2, line 8, after "*commissioner*" insert "*, after consultation with the health related licensing boards as defined in section 214.01, Subdivision 2,*"

Page 2, strike line 12 after "*shall*"

Page 2, strike line 13

Page 2, line 14, strike "*limited to,*" and insert "*include*"

Page 2, strike line 16 after "*background*" and insert "*or similar information needed in order to make decisions pertaining to health manpower.*"

Page 2, strike line 17

Page 2, line 28, after "*materials*" insert "*, provided, however, that the collection of health manpower data by the commissioner shall not cause the licensing boards to incur additional costs or delays with regard to the license renewal process*"

Amend the title as follows:

Line 7, strike "214" and insert "144"

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. 1067: A bill for an act relating to highway traffic regulations; equipment on certain vehicles to meet certain requirements; prohibiting the sale, other than to a dealer, of certain vehicles with unsafe tires; providing penalties; amending Minnesota

Statutes 1976, Sections 169.721, by adding subdivisions; 169.723; 169.724; 169.725; 169.726; and 169.727; repealing Minnesota Statutes 1976, Sections 169.721, Subdivision 3; and 169.722.

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

Page 1, line 17, after "*strands*" insert "*of fiber or other material*"

Page 1, line 20, strike "*under*" and insert "*between*"

Page 1, line 20, strike "*area*" and insert "*and the plies*"

Page 1, line 24, before the period insert "*placed at an angle to the direction of the tread ribs and forming the body of the tire*"

Page 2, line 4, strike the comma

Page 2, line 5, strike everything before "*from*"

Page 2, line 7, strike "*the*" and insert "*a*"

Page 2, line 10, strike "*tread grooves*" and insert "*a groove*"

Page 2, line 10, after "*during*" insert "*the*"

Page 2, line 11, strike "*disrupt*" and insert "*alter*"

Page 2, line 11, strike "*tread*"

Page 2, line 11, after "*pattern*" insert "*of the tread ribs*"

Page 2, line 19, after "*depth*" insert "*or any tire that does not have tread wear indicators*"

Page 2, line 22, strike everything after "*tire*" and insert a semicolon

Page 2, strike line 23

Page 2, line 32, strike "*the body cords*" and insert "*any cord*"

Page 3, line 8, strike "*the highways*" and insert "*any street or highway*"

Page 3, line 11, strike "*an*" and insert "*any*"

Page 3, line 16, strike "*tires*"

Page 3, line 17, strike "*in violation of sections 169.721 to 169.727,*"

Page 3, line 18, before "*may*" insert "*any unsafe tire*"

Page 3, line 21, strike "*the tires of*" and insert "*any tire mounted on*"

Page 3, line 21, strike "*are in violation*" and insert "*is unsafe*"

Page 3, line 22, strike "*such*"

Page 3, line 22, strike "*, and*"

Page 3, line 23, strike everything before the period and insert "*of section 169.724*"

Page 3, line 29, strike "the public highways" and insert "*any street or highway*"

Page 3, line 29, strike ", unless the passenger"

Page 3, strike line 30

Page 3, line 32, strike the underlined language and insert "*any unsafe tire mounted thereon*"

Page 4, line 1, strike "If the tires are not in compliance"

Page 4, line 1, strike ", the"

Page 4, line 2, before "person" insert "*The*"

Page 4, line 2, strike "the" and insert "a"

Page 4, line 3, after "automobile" insert "*with any unsafe tire mounted thereon*"

Page 4, line 3, before "tires" insert "*unsafe*"

Page 4, line 5, before "tires" insert "*other*"

Page 4, line 5, strike "in compliance"

Page 4, line 5, before the semicolon insert "*not unsafe*"

Page 4, line 8, strike "tires" and insert "*any unsafe tire*"

Page 4, line 8, strike "not in"

Page 4, line 9, strike "compliance with"

Page 4, line 9, strike the underlined language

Page 4, line 13, strike "169.721 to 169.727" and insert "*169.724*"

Page 4, line 13, restore the stricken "or"

Page 4, line 14, before "is" insert "*169.726*"

Page 4, line 15, after the period, insert "*Correction of the defect or replacement of the unsafe tire with a tire that is not unsafe prior to appearance in court shall result in dismissal of a charge of a violation of section 169.724.*"

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. 1797: A bill for an act relating to public safety; requiring fencing of unused open pit mines; providing a penalty.

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 180.03, is amended to read:

180.03 [DUTIES.] *Subdivision 1.* The duties of the inspector of mines shall be to visit in person or by one of his assistants all the working mines of his county at least once every 90 days and oftener if requested so to do as hereinafter provided, and closely inspect the mines so visited and condemn all such places where he shall find that the employees are in danger from any cause, whether resulting from careless mining or defective machinery or appliances of any nature; he shall compel the erection of a partition between all shafts where hoisting of ore is performed, and where there are ladder ways, where men must ascend or descend going to and from their work. In case the inspector of mines shall find that a place is dangerous from any cause, as aforesaid, it shall be his duty immediately to order the men engaged in the work at that place to quit work, and notify the superintendent, agent, or person in charge to secure the place from the existing danger, which notification or order shall be in writing, clearly define the limits of the dangerous place, and specify the work to be done or change to be made to render the same secure, ordinary mine risks excepted. It shall be the duty of the inspector of mines to order the person, persons, or corporation working any mine, or the agent, superintendent, foreman, or other person having immediate charge of the working of any mine, to furnish all shafts, open pits, caves, and chutes of such mine where danger exists with some secure safeguard at the top of the shaft, open pit, cave, or chute, so as to guard against accidents by persons falling therein or by material falling down the same, also a covering overhead on all the carriages on which persons ascend or descend up and down the shaft, if in his judgment it shall be practicable and necessary for the purpose of safety.

Subd. 2. Every person, firm or corporation that is or has been engaged in the business of mining or removing iron ore, taconite, semitaconite or other minerals, except sand and gravel, by the open pit method in any county which has appointed an inspector of mines pursuant to section 180.01 shall erect two inch by four inch mesh fencing along the outside perimeter of the excavation, open pit, or shaft of any mine in which mining operations have ceased for a period of six consecutive months or longer. The top and bottom wire shall not be less than nine gauge and the filler wire shall not be less than 11 gauge. The fencing shall be not less than five feet in height with two strands of barbed wire six inches apart affixed to the top of the fence. The fence posts shall be no more than ten feet apart. In the case of open pit mines in which mining operations cease after the effective date of this act, the fencing shall be erected forthwith. In the case of open pit mines in which mining operations had ceased for a period of six consecutive months or longer before the effective date of this act, and not resumed, the fencing shall be erected within one year after the effective date of this act. Any fencing required by an inspector of mines pursuant to subdivision 3 or other applicable law shall meet the standards of this section as a minimum. This subdivision does not apply to any excavation, open pit, or shaft, or any portion thereof, exempted from its application by the commissioner of natural resources pursuant to laws relating to mineland reclamation.

Subd. 3. When any mine is idle or abandoned it shall be the duty of the inspector of mines to notify the person, persons firm, or corporation owning the land on which any such mine is situated, or the agent of such owner or owners, that is or has been engaged in the business of mining to erect and maintain around all the shafts, caves, and open pits of such mines a fence or railing suitable to prevent persons or domestic animals from accidentally falling into these shafts, caves or open pits. If the person, firm or corporation that has been engaged in the business of mining no longer exists, the fee owner shall erect the fencing required by this act. The notice shall be in writing and be served upon such person, firm, corporation or fee owner; owners, or agent, personally, or by leaving a copy at the residence of any such owner or agent if they or any of them reside in the county where such mine is situated; and if such owner, owners or agent are not residents of the county, such notice may be given by publishing the same in one or more newspapers printed and circulated in the county, if there be one, and if no newspaper be published in the county, then in a newspaper published in some adjoining county, for a period of three consecutive weeks certified mail.

Subd. 4. The county mine inspector may exempt from the requirements of subdivision 2, any abandoned excavation, open pit, or shaft which, on the date of enactment of this law, is fenced in a manner that is reasonably similar to the standards set forth in subdivision 2.

Sec. 2. [EFFECTIVE DATE.] *This act is effective on November 1, 1978."*

Amend the title as follows:

Line 3, after "penalty" insert "; amending Minnesota Statutes 1976, Section 180.03"

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. 1733: A bill for an act relating to public health; requiring certain immunizations for students; amending Minnesota Statutes 1976, Section 123.70.

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

Page 1, line 10, strike "his"

Page 1, line 14, strike "signed by" and insert "from"

Page 1, line 14, after "physician" insert "or a public clinic which provides immunizations"

Page 1, strike line 18 after "mumps"

Page 1, line 19, strike "effective"

Page 1, line 20, strike "*signed by*" and insert "*from*"

Page 1, line 20, after "*physician*" insert "*or a public clinic which provides immunizations*"

Page 1, line 22, strike "*he*" and insert "*the child*"

Page 2, line 5, strike "*his*" and insert "*the*"

Page 2, line 5, after "*health*" insert "*of the child*" and reinstate the stricken "*or*"

Page 2, line 8, strike "*he*" and insert "*the child*"

Page 2, line 10, strike "*; or*" and insert a period

Page 2, strike lines 11 to 14

Page 2, line 15, strike the new language

Page 2, strike lines 16 to 22 and insert:

"No child who has commenced a treatment schedule of immunization pursuant to subdivision 1, clause (2) may remain enrolled in any school in this state after ten months of enrollment unless there is submitted to the principal, or other person having general control and supervision of the school, a statement from a physician or a public clinic which provides immunizations that the child has completed the schedule of immunizations for diphtheria, tetanus, pertussis, and polio."

Page 2, after line 28, insert:

"Subd. 5. If the commissioner of health finds that an immunization required pursuant to this section is not necessary to protect the health of the public, he may suspend for one year the requirement that children receive that immunization prior to enrolling in school."

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

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

S. F. No. 1949: A bill for an act relating to municipal police and fire civil service commissions; requiring that commissioners be appointed by city councils; limiting the commission's power to prescribe employment requirements; amending Minnesota Statutes 1976, Sections 419.02; 419.05; 419.06; 420.06; and 420.07.

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

Page 3, line 5, strike "*Subject to the*"

Page 3, line 6, strike "*provisions of section 419.06,*"

Page 3, line 11, after the period, insert: "*The commission may not, however, prescribe any residency requirements for the positions under its control, unless approved by the city council.*"

Pages 3, 4, and 5, delete all of Sec. 3

Page 4, line 1, strike "*the approval of the city council,*"

Page 5, line 27, strike "*Subject to the provisions*"

Page 5, line 28, strike "*of section 420.07,*"

Page 6, line 4, after the period, insert: "*The commission may not, however, prescribe any residency requirements for the positions under its control, unless approved by the city council.*"

Strike Section 5 on pages 6 to 8

Amend the title as follows:

Page 1, line 7, after "419.06;" insert "and"

Page 1, line 7, strike "and"

Page 1, line 8, strike "420.07"

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

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

S. F. No. 1923: A bill for an act relating to St. Louis county; enlarging the courthouse building commission; requiring annual budget estimates and corresponding tax levies; amending Laws 1971, Chapter 171, Section 1.

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

Page 2, line 1, strike "*same*" and insert "*statement*"

Page 2, line 4, strike "*such*" and insert "*the*"

Page 2, line 10, strike "*in*"

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

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

S. F. No. 1757: A bill for an act relating to health; ambulance service; providing for licensing of a specialized ambulance service; amending Minnesota Statutes, 1977 Supplement, Sections 144.801, Subdivisions 6, 7, and 9, and by adding a subdivision; 144.802, Subdivision 1; and 144.804, Subdivisions 2 and 3.

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

Page 1, before line 10, insert a section to read:

"Section 1. Minnesota Statutes, 1977 Supplement, Section 144.801, Subdivision 4, is amended to read:

Subd. 4. "Emergency ambulance service" means transportation and treatment which is rendered or offered to be rendered preliminary to or during transportation for wounded, injured, sick, invalid, or incapacitated persons, or expectant mothers, provided by any operator, *including those services provided by a specialized ambulance service.*"

Page 1, line 23, strike "land"

Page 1, line 23, after "emergency" insert "*, nonemergency or specialized*"

Page 2, line 1 after the first comma, insert "*whether by air or*"

Page 2, line 1, strike "nonemergency" and strike "service, land"

Page 2, strike lines 2 and 3 and line 4 before the period

Page 2, line 16, after "*facilities*" insert "*, clinics or physicians' offices*"

Page 2, line 19, after "*equipment*" insert "*, as ordered by a physician*"

Page 2, line 23, after "*facility*" insert "*, clinic or physicians' office*"

Page 2, line 27, strike "a land" and insert "an"

Page 2, line 27, after "emergency" insert "*, nonemergency, or specialized*"

Page 2, line 27, after the comma insert "*whether by air or*"

Page 2, line 28, strike "nonemergency" and strike "service," and the new language

Page 2, strike lines 29 and 30

Page 2, line 31, strike "*ambulance service*"

Page 3, line 2, strike "*special*" and insert "*types of specialized care,*"

Page 3, line 4, after the period insert "*The specialized ambulance service license shall be limited to the provision of the types of specialized care set forth in the license application.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after "subdivisions" insert "4,"

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

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

S. F. No. 1808: A bill for an act relating to retirement; providing for biennial local police and paid fire fund actuarial valuations; amending Minnesota Statutes 1976, Sections 69.77, Subdivisions 1, 2 and by adding a subdivision; 69.773, Subdivision 2; 69.78; 356.20,

Subdivision 2; 356.215, Subdivisions 2 and 4; Chapter 356, by adding a section; Laws 1955, Chapter 75, Section 9, as added and Section 12, as amended; Laws 1959, Chapter 131, Section 10, Subdivision 1, as amended; Laws 1965, Chapter 446, Section 7, Subdivision 1; Laws 1965, Chapter 458, Section 3, Subdivision 2; Laws 1965, Chapter 498, Section 1, Subdivision 1; Laws 1967, Chapter 736, Section 11, Subdivision 1; Laws 1967, Chapter 775, Section 8; Laws 1967, Chapter 798, Section 1, Subdivisions 1 and 2; Laws 1969, Chapter 576, Section 1; Laws 1969, Chapter 641, Section 2, Subdivision 1; Laws 1971, Chapter 51, Section 9, and Section 10, Subdivisions 1 and 2; Laws 1971, Chapter 810, Section 7; Laws 1973, Chapter 587, Section 1; Laws 1975, Chapter 424, Sections 10 and 11; repealing Minnesota Statutes 1976, Sections 69.71; 69.72; 69.73; 69.74; 69.75; 69.76; 490.131, and Laws 1963, Chapter 643, Section 27.

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

Page 2, line 17, before the period, insert *"relating to the funding or financing of the association"*

Page 2, line 18, after *"if a"* insert *"municipality with a"*

Page 2, line 20, before the second *"provisions"* insert *"funding or financing"*

Page 4, line 8, after *"before"* insert *"the date established by the municipality, which shall not be later than"*

Page 4, line 8, after *"September 1"* insert *"and shall not be earlier than August 1,"*

Page 4, line 21, strike *"8 and 9"* and insert *"10 and 11"*

Page 7, line 11, strike *"9"* and insert *"11"*

Page 7, line 16, strike *"9"* and insert *"11"*

Page 7, line 18, after *"survey"* insert *"and the quadrennial experience study"*

Page 8, line 4, strike *"9"* and insert *"11"*

Page 8, line 19, strike *"9"* and insert *"11"*

Page 9, after line 6, insert:

"Sec. 6. Minnesota Statutes 1976, Section 356.20, Subdivision 1, is amended to read:

356.20 [FINANCIAL REPORTS REQUIRED.] Subdivision 1. The governing or managing board or administrative officials of the public pension and retirement funds enumerated in subdivision 2 shall annually prepare and file a financial report following the close of each fiscal year. This requirement shall also apply to any fund which may be a successor to any organization so enumerated or to any newly formed retirement fund or association operating under the control or supervision of any public employee group, governmental unit, or institution receiving a

portion of its support through legislative appropriations, with the exception of any local police or fire fund now governed by ~~chapter 69~~ sections 69.771 to 69.776. Such report shall be prepared under the supervision and at the direction of the management of each fund and shall be signed by its chairman and secretary."

Page 9, line 13, strike "Twin City lines" and insert "*Metropolitan transit commission—transit operating division*"

Page 9, line 21, stike "*returement*" and insert "*retirement*"

Page 9, after line 23, insert:

"Sec. 8. Minnesota Statutes 1976, Section 356.20, Subdivision 4, is amended to read:

Subd. 4. Each financial report required by this section shall include:

(1) An exhibit prepared according to applicable actuarial standards enumerated in section 356.215, by an approved actuary as defined in section 356.215, subdivision 6 showing the accrued assets of the fund, the accrued liabilities, including accrued reserves, and the accrued unfunded liability of the fund. Such exhibit shall contain the certificate of an approved actuary certifying that the required reserves for any benefits provided under a benefit formula are computed in accordance with the Entry Age Normal cost (Level Normal Cost) basis.

(a) Assets shown in the exhibit shall include the following items of actual assets:

Cash in office

Deposits in banks

Accounts receivable:

Accrued members' contributions

Accrued employer contributions

Other

Accrued interest on investments

Dividends on stocks, declared but not yet received

Investment in bonds at amortized cost

Investment in stocks at cost

Investment in real estate

Equipment at cost, less depreciation

Other

Total assets

(b) The exhibit shall include a statement of the unfunded accrued liability of the fund. Should the assets of the fund exceed

the liabilities, the excess shall be listed as surplus and indicated in the exhibit following the item of reserves.

(c) The exhibit shall include a footnote showing accumulated member contributions without interest.

(d) Current liabilities shown in the exhibit shall include the following items:

Current:

Accounts payable

Annuity payments

Survivor benefit payments

Refund to members

Accrued expenses

Suspense items

Total current liabilities.....

(e) The exhibit shall include an item for accrued necessary reserves which shall be listed as "total reserves required as per attached schedule." Such attached schedule shall contain the following information on the reserves required:

1. For active members

a. Retirement benefits

b. Disability benefits

c. Refundment liability due to death or withdrawal

d. Survivors' benefits

2. For deferred annuitants

3. For former members without vested rights

4. For annuitants

a. Retirement

b. Disability annuities

c. Surviving spouses' annuities

d. Surviving children's annuities

5. In addition to the foregoing, if there are additional benefits not appropriately covered by the foregoing four items of reserves required, they should be listed separately.

(2) An income statement on an accrual basis showing all income and all deductions from income for the fiscal year. It shall show separate items for employee contributions, employer regular contributions, employer additional contributions if provided by law, investment income, profit on the sale of investments, and other income, if any.

(3) A statement of deductions from income, which shall include separate items for benefit payments, retirement benefits, disability benefits, widows' benefits, surviving children's benefits, refundments to members terminating employment, refundments due to death of members and due to death of annuitants, the increase in total reserves required, general expense incurred, loss on sale of investments, and any other deductions.

(4) A statement showing appropriate statistics as to membership and beneficiaries of the fund, with indications of changes in such statistical data which may result from the current year's operation.

(5) Such additional statements or exhibits as will enable the management of the fund to portray a true interpretation of the fund's financial condition, except that the term "surplus" or the term "excess of assets" shall not be used except as otherwise specifically provided for in this section, nor shall any representation of assets and liabilities other than as provided for in this section be included in such additional statements or exhibits.

(6) A more detailed or subdivided itemization of any of the items required by this section, if the management of the fund so desires.

(7) For any police or firefighter's relief association referred to in subdivision 2, clause (13), a financial report duly filed pursuant to and meeting the requirements of section 69.051 shall be deemed to have met the requirements of this subdivision."

Page 10, line 10, strike "9" and insert "11"

Page 15, line 3, strike "8 and 9" and insert "10 and 11"

Page 15, line 16, strike "8 and 9" and insert "10 and 11"

Page 17, line 19, strike "8 and 9" and insert "10 and 11"

Page 18, line 16, strike "8 and 9" and insert "10 and 11"

Page 19, line 7, strike "8 and 9" and insert "10 and 11"

Page 20, line 6, strike "8 and 9" and insert "10 and 11"

Page 21, line 1, strike "8 and 9" and insert "10 and 11"

Page 21, line 12, strike "8 and 9" and insert "10 and 11"

Page 23, line 18, strike "8 and 9" and insert "10 and 11"

Page 25, line 32, strike "8 and 9" and insert "10 and 11"

Page 28, line 8, strike "8 and 9" and insert "10 and 11"

Page 28, line 16, strike "8" and insert "10"

Page 28, line 17, strike "9" and insert "11"

Page 30, line 2, strike "8" and insert "10"

Page 30, line 3, strike "9" and insert "11"

Page 31, line 19, strike "8 and 9" and insert "10 and 11"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 7, strike "Subdivision" and insert "Subdivisions 1,"

Page 1, line 7, after the first "2" and before the semicolon, insert "and 4"

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

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

S. F. No. 1807: A bill for an act relating to retirement; clarifying various ambiguous retirement provisions; removing various obsolete gender references; amending Minnesota Statutes 1976, Sections 352B.14, Subdivisions 3 and 4; 352B.26, Subdivisions 2 and 3; 352B.28; 352D.05, Subdivision 3; 423.37; 423.371, Subdivision 2; 423.377; 423.38; 423.381; 423.387; 423.48; 423.51; 423.52; 423.58; 423.802, Subdivision 2; 423.810, Subdivisions 1 and 2; 424.16; 424.17; 424.24; 424.29; 424.31; Minnesota Statutes, 1977 Supplement, Sections 69.772, Subdivision 2; 352B.08, Subdivision 2; 422A.09, Subdivision 3; and 422A.33, Subdivision 3; Laws 1969, Chapter 1088, Section 4, Subdivision 4; and Laws 1977, Chapter 61, Section 5; repealing Minnesota Statutes 1976, Sections 423.22 to 423.36; and 425.01 to 425.09.

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

Page 1, line 23, after "Subd. 2." insert "*For every firefighters' relief association which allows a service pension when a retiring member meets the minimum requirements of section 69.06 and which requires service credit for a period of service less than 20 years of active service,*"

Page 2, after line 16, insert:

"For every firefighters' relief association which allows a service pension when a retiring member meets the minimum requirements of section 69.06 and which requires service credit for a period of service of at least 20 years of active service, the following table shall be used to determine the liability of the special pension fund of the firefighters' relief association relative to each active or deferred member of the fund, calculated individually:

<u>Cumulative Year</u>	<u>Accrued Liability</u>
1	\$30
2	62
3	95
4	130
5	167
6	205
7	246

<u>Cumulative Year</u>	<u>Accrued Liability</u>
8	288
9	333
10	380
11	429
12	481
13	535
14	592
15	652
16	714
17	780
18	849
19	922
20	1000
21 and thereafter	50 additional per year"

Page 2, line 21, strike "15" and insert "*after obtaining the minimum*"

Page 2, after line 30, insert:

"Sec. 2. Minnesota Statutes 1976, Section 352B.05, is amended to read:

352B.05 [INVESTMENTS.] The state board of investment is hereby authorized to invest and reinvest such funds of the association as in the judgment of the ~~officers of this association~~ *executive director of the Minnesota state retirement system* are not needed for immediate purposes, in such securities as are duly authorized or legal investments for the Minnesota state retirement system, and shall have authority to sell, convey, and exchange such securities and invest and reinvest the funds when it deems it desirable to do so, and shall sell securities upon request from the ~~officers of the association~~ *executive director* when such ~~officers determine~~ *the executive director determines* funds are needed for its purposes. All of the provisions regarding accounting procedures and restrictions and conditions for the purchase and sale of securities for the Minnesota state retirement system shall apply to the accounting, purchase and sale of securities for the highway patrolmen's retirement fund.

Sec. 3. Minnesota Statutes 1976, Section 352B.06, is amended to read:

352B.06 [RETIREMENT FUND.] There is hereby created the highway patrolmen's retirement fund. The fund shall consist of all moneys credited to the fund on May 8, 1973, including all moneys and assets heretofore transferred to the fund from the state police officers' retirement fund, all salary deductions from members and all moneys paid from state funds by department heads in accordance with section 352B.02, and any other moneys received by the association in the form of donations, gifts, bequests, appropriations, or otherwise. The legislative auditor shall audit the fund and the ~~officers of the fund~~ *executive director of the Minnesota state retirement system* shall have made an actuarial

study of the fund in accordance with chapter 356, the cost of which shall be borne by the fund."

Page 3, line 17, after "member" insert "*with 10 or more years of service*"

Page 3, line 18, before the stricken language, insert "*and the*" and reinstate the stricken language

Page 3, line 18, strike "10" and insert "20"

Page 3, line 19, reinstate the stricken language and strike the new language

Page 3, line 20, strike the new language

Page 6, line 25, strike "The"

Page 6, strike lines 26, 27, 28, 29 and 30

Page 9, after line 15, insert a section to read:

"Sec. 12. Minnesota Statutes 1976, Chapter 422A, is amended by adding a section to read:

[422A.091] [PENSION COVERAGE FOR CERTAIN EMPLOYEES OF THE METROPOLITAN AIRPORTS COMMISSION.] *Any person first employed as either a full time firefighter or a full time police officer by the metropolitan airports commission after June 30, 1978, who is not eligible for coverage under the agreement signed between the state and the secretary of the federal department of health, education and welfare making the provisions of the federal old age, survivors and disability insurance act applicable to municipal employees because that position is excluded from application pursuant to Title 42, United States Code, Sections 418 (d) (5) (A) and 418 (d) (8) (D) and section 355.07, shall not be a member of the Minneapolis municipal employees retirement fund but shall be a member of the public employees police and fire fund and shall be deemed to be a firefighter or a police officer within the meaning of section 353.64. The metropolitan airports commission shall make the employer contribution required pursuant to section 353.65, subdivision 3, with respect to each of its firefighters or police officers covered by the public employees police and fire fund and shall meet the employers recording and reporting requirements set forth in section 353.65, subdivision 4.*"

Page 32, line 18, after "complete" insert "*and file*"

Page 32, line 26, after "32." insert "*Section 11 shall be effective for elective officers first holding elective city office after the effective date of this act and shall not apply to any incumbent elective officers holding elective city office on the effective date of this act.*"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 5, after "Sections" insert "*352B.05; 352B.06;*"

Page 1, line 11, after "424.31" insert "; Chapter 422A, by adding a section;"

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

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

S. F. No. 2123: A bill for an act relating to the operation of state government; providing for the auditing of state agencies by the legislative auditor; prescribing the terms of office and conditions of employment for the legislative auditor, his deputies and employees; establishing review and approval procedures for audits conducted by certain outside accountants; requiring the housing finance agency and certain other agencies to receive approval for certain auditing contracts; amending Minnesota Statutes 1976, Sections 3.97, Subdivisions 4 and 5; 3.971, Subdivision 1; 3.972; 3.974; and Minnesota Statutes, 1977 Supplement, Section 462A.22, Subdivision 10.

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

Page 1, line 25, strike "four" and insert "six"

Page 2, line 6, after "commission" insert "*after a public meeting before the commission by a two-thirds vote of the members of that body*"

Page 2, line 13, strike "fourth" and insert "sixth"

Page 5, line 7, strike "consistent" and insert "inconsistent"

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

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

S. F. No. 712: A bill for an act relating to metropolitan government; removing the city of New Prague from definitions of metropolitan areas; amending Minnesota Statutes 1976, Sections 473.121, Subdivision 2; 473.123, Subdivision 3; 473.403; 473F.02, Subdivisions 2 and 8.

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

Page 1, after line 16, insert:

"Sec. 2. Minnesota Statutes 1976, Section 473.123, Subdivision 1, is amended to read:

473.123 [METROPOLITAN COUNCIL.] Subdivision 1. [CREATION.] A metropolitan council with jurisdiction in the metropolitan area consisting of the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, is created. It

shall be under the supervision and control of 17 members, all of whom shall be residents of the metropolitan area."

Page 12, after line 23, insert:

"Sec. 4. Minnesota Statutes 1976, Section 473.249, Subdivision 1, is amended to read:

473.249 [TAX LEVY.] Subdivision 1. The metropolitan council may levy a tax on all taxable property in the counties named in the metropolitan area defined in section 473.121 to provide funds for the purposes of sections 473.121 to 473.249 and for the purpose of carrying out other responsibilities of the council as provided by law. The tax shall not exceed eight-thirtieths of one mill on each dollar of assessed valuation of all such taxable property, and shall be levied and collected in the manner provided by section 473.08."

Page 13, after line 17, insert:

"Sec. 8. Notwithstanding any law to the contrary, the entire city of New Prague shall be a part of region nine established pursuant to sections 462.381 to 462.397.

Sec. 9. The provisions of this act, changing the boundaries of the metropolitan area and the metropolitan transit area, shall not be deemed to impair the rights of holders of outstanding indebtedness to require the levy of property taxes, if necessary to provide for any deficiency in accordance with the conditions of such indebtedness, on all property within the limits of the metropolitan area or the metropolitan transit area as the limits were in effect at the date of issuance of the indebtedness."

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 4, after "areas;" insert "adding the city of New Prague to region nine;"

Page 1, line 6, delete "Subdivision" and insert "Subdivisions 1 and"

Page 1, line 6, after "3;" insert "473.249, Subdivision 1;"

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

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

S. F. No. 1915: A bill for an act relating to workers' compensation; changing the definition of family farms; amending Minnesota Statutes, 1977 Supplement, Section 176.011, Subdivision 11a.

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

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

S. F. No. 1753: A bill for an act relating to workers' compensation; providing for the coverage of certain farm and business owners and employees; amending Minnesota Statutes, 1977 Supplement, Section 176.012.

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

Page 1, line 12, strike "*small*"

Page 1, line 20, after "or" insert "*family farm*"

Page 1, line 21, strike "corporation" and insert "*corporations, as defined in section 500.24, subdivision 1, clause (c),*"

Page 2, line 5, strike "*For the purpose of this*"

Page 2, strike lines 6 to 9

Amend the title as follows:

Page 1, line 4, after "employees" insert "upon election"

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

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

S. F. No. 1721: A bill for an act relating to county agricultural societies; providing for tort liability of county agricultural societies; authorizing county boards to levy a tax to pay certain judgments or liability insurance premiums; amending Minnesota Statutes 1976, Sections 38.27, by adding a subdivision; 466.01, Subdivision 1; and Chapter 38, by adding a section.

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

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

S. F. No. 1824: A bill for an act relating to civil actions; providing for the issuance of process in proceedings supplementary to execution; amending Minnesota Statutes 1976, Section 575.02.

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

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

S. F. No. 1740: A bill for an act relating to minors; amending definition of criminal nonsupport of children to include children between 16 and 18 years of age; amending Minnesota Statutes 1976, Section 609.37.

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

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

S. F. No. 1946: A bill for an act relating to marijuana; retroactively reducing past convictions involving a small amount of marijuana to a petty misdemeanor; amending Minnesota Statutes 1976, Section 152.18, by adding a subdivision.

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

Page 1, line 15, strike *"present"*

Page 1, line 16, after *"(5)"* insert *"in effect on the effective date of this act"*

Page 1, line 19, strike *"such person"* and insert *"he"*

Page 1, line 22, after *"to"* insert *"his"*

Page 2, line 1, strike *"; and upon"* insert a period

Page 2, line 2, strike *"petition"*

Page 2, line 3, strike *"such"* and insert *"the"*

Page 2, line 5, after *"entered"* insert *"pursuant to this subdivision"*

Page 2, line 8, after *"misdemeanor"* insert *", unless possession of marijuana is material to a proceeding"*

Page 2, after line 8, insert

"Sec. 2. This act is effective April 11, 1978."

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

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

H. F. No. 267: A bill for an act relating to negligence; proscribing certain liability of good samaritans; amending Minnesota Statutes 1976, Section 604.05.

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

Page 1, line 10, reinstate *"and in the exercise of reasonable care"*

Page 1, line 15, strike *"unless that person acts in a willful or"*

Page 1, line 16, strike *"wanton manner in providing the care"*

Amend the title as follows:

Page 1, line 2, strike *"proscribing certain"* and insert *"defining"*

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. 1581: A bill for an act relating to taxation; clarifying the exclusion from gross income allowed for public pensions; amending Minnesota Statutes, 1977 Supplement, Section 290.08, Subdivision 6.

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

Pages 1 and 2, strike section 1 and insert:

"Section 1. Minnesota Statutes, 1977 Supplement, Section 290.08, Subdivision 6, is amended to read:

Subd. 6. [PUBLIC OR PRIVATE PENSIONS OR RETIREMENT BENEFITS.] Notwithstanding the provisions of any other law to the contrary amounts, including interest, ~~not in excess of \$7,200~~ received by any person (i) from the United States, the Federal Reserve Bank or from the state of Minnesota or any of its political or governmental subdivisions or from any other state or its political or governmental subdivisions, or a Minnesota volunteer fireman's relief association, ~~either as a refund of contributions to, or by way of payment as a pension, public employee retirement benefit, or any combination thereof, or (ii) as a retirement benefit made from a plan qualifying under section 401, 404, 405, 408 or 409 of the Internal Revenue Code of 1954, as amended through December 31, 1977; provided that the amount of exclusion provided for in this subdivision shall be reduced by .~~ This exclusion shall not exceed \$7,200 less social security and railroad retirement benefits plus any earned income as defined in section 37 (e) (8) (B) of the Internal Revenue Code of 1954, as amended through December 31, 1976, which is received during the taxable year."

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

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

H. F. No. 1744: A bill for an act relating to mobility disabled persons; requiring installation and use of wheelchair securement devices in vehicles used for transporting wheelchair users; providing for inspection of wheelchair securement devices; requiring other safety measures in vehicles used for transporting wheelchair users; authorizing the admissibility of certain evidence in litigation; providing penalties.

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

Strike everything after the enacting clause and insert:

"Section 1. [DEFINITIONS.] The following terms have the definitions given them for the purposes of sections 1 to 8:

(a) "Wheelchair securement device" or "securement device" means an apparatus installed in a motor vehicle for the purpose of securing an occupied wheelchair into a location in the vehicle and preventing movement of that wheelchair while the vehicle is in motion.

(b) "Operator" means any person, firm, partnership, corporation, service club, public or private agency, city, town or county. The provisions of this act shall not apply to any school bus as defined in Minnesota Statutes, Section 169.01, Subdivision 6, which is subject to regular school bus inspections pursuant to Minnesota Statutes, Section 169.451.

(c) "Transportation service" means the transportation by motor vehicle of any sick, injured, invalid, incapacitated, or handicapped individual while seated in a wheelchair, which transportation is offered or provided by any operator to the public or to its employees or in connection with any other service offered by the operator including schooling or nursing home, convalescent or child care services.

Sec. 2. [WHEELCHAIR SECUREMENT DEVICES.] Subdivision 1. Any vehicle used by an operator to provide transportation service shall be equipped with wheelchair securement devices which are approved by the commissioner of public safety as meeting the specifications of this subdivision. A wheelchair securement device shall prevent any forward, backward or lateral movement of an occupied wheelchair when the device is engaged and the vehicle is in motion, accelerating or braking, and shall attach to the wheelchair without damaging it. Wheelchair securement devices installed in any vehicle shall be maintained in working order.

Subd. 2. A vehicle used to provide transportation service shall carry only as many persons seated in wheelchairs as the number of securement devices approved by the commissioner of public safety as meeting the specifications of subdivision 1 with which the vehicle is equipped, and each occupied wheelchair shall be secured by such a securement device before the vehicle is set in motion.

Sec. 3. [ADDITIONAL SAFETY REQUIREMENTS.] Subdivision 1. Any vehicle used to provide transportation service shall be equipped with seat belts to secure the wheelchair user. The seat belts may be used only to secure the person and shall not be used to secure the wheelchair. The seat belts shall meet all applicable federal and state requirements for safety.

Subd. 2. When transportation service is provided to an individual in an electrically powered wheelchair, the main power switch of the wheelchair shall be placed in the "off" position at all times while the vehicle is in motion.

Sec. 4. [INSPECTION.] Subdivision 1. No person shall drive and no operator shall knowingly permit or cause a vehicle to be used for transportation service unless there is displayed thereon a certificate issued upon inspection by the commissioner of public safety as provided in this section.

Subd. 2. Inspection shall be made by personnel in the department of public safety assigned to the highway patrol. An operator of transportation services shall submit a vehicle for inspection after the installation of a wheelchair securement device in the vehicle and before using the vehicle for transportation service, but not later than one month after the date of installation. Evidence of the date of installation shall be provided by the operator at the inspection.

Subd. 3. The inspection shall be made to determine that the vehicle complies with the provisions of section 2, subdivision 1 and section 3, subdivision 1; that the securement device is in working order; and that the securement device is not in need of obvious repair. The inspection may include testing the use of a securement device while the vehicle is in motion.

Subd. 4. A certificate furnished by the commissioner shall be issued upon completion of inspection if the vehicle complies with the requirements set forth in subdivision 3. The certificate shall be affixed to the lower left corner of the windshield. It shall note compliance with this section, record the number of wheelchairs which may be simultaneously carried in the vehicle, and note the month and year in which the next inspection is required.

Subd. 5. Subsequent inspections shall be made annually. If additional securement devices are installed in a vehicle already equipped with a securement device, inspection is required as specified in subdivision 2.

Sec. 5. No agency of the state, political subdivision or other public agency shall grant or approve any financial assistance to any operator for the purchase or operation of any vehicle used for transportation service or grant any permit or license otherwise required by law for operation of that service unless the operator of the transportation service complied with the provisions of sections 1 to 4.

Sec. 6. [EVIDENCE.] Proof of the installation or failure to install wheelchair securement devices, or proof of faulty installation of wheelchair securement devices, or proof of the maintenance or failure to properly maintain wheelchair securement devices, or proof of the use or failure to use wheelchair securement devices is admissible in evidence in any litigation involving personal injuries or property damage arising out of the use or operation of a vehicle providing transportation service.

Sec. 7. [PENALTY.] For each failure to comply with any requirement of sections 2, 3 or 4 an operator is guilty of a misdemeanor.

Sec. 8. [RULES; APPROVAL OF DEVICES.] The commissioner of public safety shall, no later than July 1, 1979, adopt rules containing standards for wheelchair securement devices that meet the requirements of sections 2 and 3 and shall approve or disapprove of securement devices that meet those standards.

Sec. 9. [EFFECTIVE DATE.] This act is effective upon the adoption of rules as required by section 8."

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

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

S. F. No. 1780: A bill for an act relating to mobile homes; exempting certain mobile home sales and leases from sales taxation; changing property tax treatment of certain mobile homes; establishing a system of licensure of mobile home dealers, salesmen, brokers and installers; providing penalties; amending Minnesota Statutes 1976, Sections 273.13, Subdivision 3, and by adding a subdivision; 274.19, Subdivision 3; 297A.25, Subdivision 1; 327.31, Subdivision 4; 327.51, as amended; 327.55; and Chapter 327, by adding sections; and Minnesota Statutes, 1977 Supplement, Section 273.13, Subdivisions 4 and 7.

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

Page 12, line 32, reinsert the stricken "administration"

Page 12, line 32, after the reinserted "administration" insert "in respect to sections 327.31 to 327.34 and the commissioner of"

Page 12, line 32, after "commerce" insert "in respect to sections 327.51 to 327.55"

Page 13, line 2, strike "327.31 to 327.56" and insert "327.51 to 327.55"

Pages 13 to 24, strike sections 9 to 14

Page 24, after line 19, insert:

"Sec. 9. [REPORT.] The commissioners of securities and administration shall prepare and submit to the legislature no later than June 30, 1979, a report with recommendations discussing the desirability of regulating the sale and installation of mobile homes. The report shall evaluate the need for regulating each aspect and each profession involved in the sale and installation, and shall suggest specific statutory amendments where appropriate. The commissioner shall appoint an advisory task force to advise on the preparation of the report. The task force shall be representative of persons and agencies interested in mobile home usage, sales and installation, and shall be governed by the provisions of section 15.059."

Renumber the remaining section

Page 24, line 23, strike "to 14" and insert "and 8"

Page 24, line 24, strike "December 31, 1978" and insert "June 30, 1979, or such earlier date as the commissioners of securities and administration certify that the transfer is appropriate. Section 9 is effective the day after final enactment and shall expire January 1, 1979"

Amend the title as follows:

Page 1, line 5, strike everything after "homes;"

Page 1, strike lines 6 and 7 and insert "transferring the regulation of mobile home dealers to the commissioner of securities and the commissioner of administration; requiring a report; amending"

Page 1, lines 11 and 12, strike "327.51, as amended; 327.55; and Chapter 327, by adding sections;"

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

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

H. F. No. 1879: A bill for an act relating to the trunk highway system; discontinuing and removing certain routes therefrom; adding a new route in substitution of an existing route.

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

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

S. F. No. 1859: A bill for an act relating to the St. Cloud metropolitan transit commission; providing paratransit services authority; permitting contracts for certain services; amending Laws 1969, Chapter 1134, Sections 1, Subdivision 5; and 3, by adding a subdivision.

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

S. F. No. 1608: A bill for an act relating to the legislature; providing that the organization of the legislature at the regular session continue during a special session; amending Minnesota Statutes 1976, Chapter 3, by adding a section.

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

Page 1, after line 15, insert:

"Sec. 2. [EFFECTIVE DATE.] *This act is effective the day following final enactment.*"

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

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

S. F. No. 1624: A bill for an act relating to highway traffic regulations; arrest; procedures; notice to appear; authorizing release

of certain traffic and motor vehicle law offenders upon written promise to appear in court, and specifying procedures upon non-appearance; providing for the suspension of driving privileges for violation of the written promise to appear; authorizing the commissioner of public safety to enter into reciprocal agreements; amending Minnesota Statutes 1976, Sections 169.91, Subdivisions 1 and 3; 169.92; 171.01, Subdivision 13; and 171.18.

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

Page 1, line 21, strike "*licensing*" and insert "*registration*"

Page 2, lines 18 to 22, strike the new language and insert "*, except as provided in subdivision 4 of this section*"

Page 2, line 32, strike "*, in quadruplicate,*" and insert "*a*"

Page 3, line 10, reinstate "*the*" and strike "*a*"

Page 3, after line 14, insert:

"Sec. 3. Minnesota Statutes 1976, Section 169.91, is amended by adding a subdivision to read:

Subd. 4. [RECIPROCAL AGREEMENTS.] The commissioner of public safety is hereby empowered to enter into and carry out reciprocal agreements with duly authorized representatives of other states, districts, territories and possessions of the United States and provinces of foreign countries having laws or compacts authorizing the release of residents of party jurisdictions upon personal recognizance following arrest for violation of a law or ordinance relating to the operation of a motor vehicle.

(a) When a reciprocal agreement is in effect, a law enforcement officer observing a violation of this chapter or any other traffic regulation by a resident of a party jurisdiction shall issue an appropriate citation and shall not, subject to the provisions of clause (b) of this subdivision, require the nonresident to post bond or collateral to secure appearance for trial but shall accept the nonresident's personal recognizance, except the nonresident has the right upon request to post bond or collateral in a manner provided by law and in that case the provisions of this subdivision do not apply.

(b) A nonresident shall not be entitled to be released on his personal recognizance if immediate appearance before a magistrate is required by subdivision 1 of this section or the offense is:

(1) One which, upon conviction, would result in the revocation of a person's drivers license under the laws of this state; or

(2) A violation of a highway weight limitation; or

(3) A violation of a law governing transportation of hazardous materials; or

(4) Driving a motor vehicle without a valid drivers license."

Pages 3 to 4, strike all of section 3 and insert:

"Sec. 4. Minnesota Statutes 1976, Section 169.92, is amended to read:

169.92 [FAILURE TO APPEAR.] *Subdivision 1.* Any person wilfully violating his written promise to appear in court, given as provided in sections 169.90 to 169.95, is guilty of a misdemeanor, provided he is found guilty of the charge upon which he was originally arrested. A written promise to appear in court may be complied with by an appearance by counsel.

Subd. 2. When a nonresident from a party jurisdiction is released upon his written promise to appear and he has not appeared in court or complied with other orders of the court regarding the appearance or proceedings, the court shall notify the commissioner of public safety of the nonappearance upon a form provided by the commissioner.

Subd. 3. Upon receipt of notice from the court that the nonresident did not appear in court following release from custody upon his written promise to appear, the commissioner of public safety shall forward a copy of the report to the driver licensing authority of the state, district, territory, possession or province of residence of the person.

Subd. 4. (a) Upon receiving a report from the driver licensing authority of a state, district, territory or possession of the United States or a province of a foreign country which has an agreement in effect with this state pursuant to section 169.91 that a resident of this state or a person licensed as a driver in this state did not appear in court following written promise to appear in the party jurisdiction, the commissioner of public safety shall notify the driver that his license will be suspended unless the commissioner receives notice within 30 days that the driver has appeared in the appropriate court of the other jurisdiction. If the commissioner does not receive notice of the appearance of the Minnesota resident in the appropriate court within 30 days of the date of the commissioner's notice to the driver, the commissioner may suspend the person's drivers license.

(b) The order of suspension shall indicate the reason for the order and shall notify the person that his license shall remain suspended until he has furnished evidence satisfactory to the commissioner that he has complied with any order entered by the court.

(c) Suspension shall be ordered under this subdivision only when the report from the party jurisdiction clearly identifies the person arrested; describes the violation, specifying the section of the traffic law, ordinance, rule or regulation violated; indicates the location and date of the offense; and describes the vehicle involved and its registration number.

Sec. 5. Minnesota Statutes 1976, Section 171.01, Subdivision 13, is amended to read:

Subd. 13. [CONVICTION.] The term "conviction" means a final conviction either after trial or upon a plea of guilty; also a

forfeiture of cash or collateral deposited to guarantee a defendant's appearance in court, which forfeiture has not been vacated, or a breach of a condition of release without bail, *including violation of a written promise to appear*, is equivalent to a conviction."

Page 5, line 25, strike "3" and insert "169.92, subdivision 4"

Pages 6 and 7, strike sections 5 and 6

Renumber the sections in sequence

Amend the title as follows:

Line 12, strike "and" and insert a comma

Line 12, after "3" insert ", and by adding a subdivision"

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. 1968: A bill for an act relating to state lands; authorizing conveyance of a certain parcel of land in Beltrami county.

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

Page 1, line 7, strike "On July 7, 1967 the state of Minnesota granted a"

Page 1, strike lines 8 to 16

Page 1, line 17, strike "portion,"

Page 2, after line 5, insert "The auditor and the treasurer shall deposit \$4,000 of the proceeds from the sale of the above-described land in the forfeited tax sale fund of Beltrami county and deposit the remaining proceeds of the sale in the county's general fund."

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. 2015: A bill for an act relating to state parks; authorizing the lease of a portion of Fort Snelling state park; waiving park admission fees and authorizing a liquor license on the leased property.

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

Page 1, line 17, strike "of"

Page 1, line 18, after the period insert "Prior to execution of the lease, the commissioner shall submit the proposed lease to the legislative commission on Minnesota resources for review and comment."

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

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

S. F. No. 1853: A bill for an act relating to education; common school districts; making laws applicable to independent school districts apply to common school districts except in certain circumstances; repealing duplicative material; amending Minnesota Statutes 1976, Sections 123.12, Subdivision 2; 123.21; repealing Minnesota Statutes 1976, Sections 123.12, Subdivisions 3, 4, 5, 6, 7, 8, 10, 11, 12, 13 and 15; 123.13, Subdivisions 1, 3, 4, 5, 6 and 7; 123.14; 123.15, Subdivisions 4, 5, 6, 7, 8, 9 and 10; 123.16; 123.17; 123.18; 123.19; and 123.20.

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

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

S. F. No. 1957: A bill for an act relating to county libraries; authorizing increased membership on county library boards; amending Minnesota Statutes 1976, Section 375.33, Subdivision 4.

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

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

S. F. No. 1830: A bill for an act regarding corporations; modifying certain filing fees for domestic corporations; amending Minnesota Statutes 1976, Section 300.49, Subdivision 1.

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

Page 1, line 18, strike "12.50" and insert "\$10"

Page 1, after line 22, insert:

"Sec. 2. Minnesota Statutes 1976, Section 301.071, Subdivision 2, is amended to read:

Subd. 2. In addition to the fees prescribed in subdivision 1, ~~fees a fee of \$10 shall be paid to the secretary of state according to the following schedule, for filing any instrument required to be filed under the provisions of chapter 301. The fee shall be paid at the time the service is performed +.~~

(a) Filing articles of incorporation and issuing a certificate of incorporation, \$12.50;

(b) Filing articles of amendment superseding original articles of incorporation as provided in section 301.37, subdivision 2, \$12.50;

(c) Filing articles of amendment, including the reduction of stated capital pursuant to section 301.39, as provided in section 301.37, subdivision 4, §6.50;

(d) Filing an agreement of consolidation, an agreement of merger, or a certificate of ownership, and issuing a certificate of incorporation or merger as provided in section 301.42 or 301.421, §25;

(e) Filing a certificate of resolution instituting voluntary proceedings for dissolution and appointing a trustee as provided in section 301.47, §4;

(f) Filing a certificate of trustee in voluntary proceedings for dissolution as provided in section 301.56, §4;

(g) Filing an order of dissolution as provided in section 301.56, §6.50;

(h) Filing a certificate of change of registered office as provided in section 301.33, §6.50;

(i) Filing a certificate of resolution fixing equality of shares as provided in section 301.14, §6.50;

(j) Filing a consent to use of name or a notice of intention to procure incorporation as provided in section 301.06, §4;

(k) Filing a certificate of resolution electing to accept or reject the provisions of Laws 1933, Chapter 300 and laws amendatory thereto, §12.50;

(l) Filing any other instrument pursuant to the provisions of this chapter, §6.50."

Page 2, line 1, strike "*This act*" and insert "*Section 1*"

Page 2, line 2, strike "*as to*" and insert "*, and applies to*"

Page 2, line 2, strike "*recorded by*" and insert "*filed with*"

Page 2, line 3, after "*state*" insert "*on or after that date*"

Page 2, line 3, after the period insert "*Section 2 is effective August 1, 1978, and applies to all documents filed with the secretary of state on or after that date.*"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 2, strike "*regarding*" and insert "*relating to*"

Page 1, line 3, after the semicolon, insert "*providing a uniform fee for filing instruments with the secretary of state;*"

Page 1, line 4, strike "*Section*" and insert "*Sections*"

Page 1, line 4, after "*1*" insert "*; and 301.071, Subdivision 2*"

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

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

S. F. No. 1849: A bill for an act relating to education; adopting the Midwestern Education Compact; implementing the operation of such compact.

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

Page 11, line 2, after "the" insert "midwestern education"

Page 11, line 3, after "III" insert "of the midwestern education compact"

Page 11, line 6, strike "committee" and insert "subcommittee"

Page 11, line 7, after "committees" insert "of the rules and administration committee"

Page 11, line 8, after the comma insert "shall be"

Page 11, line 9, strike ", are appointed"

Page 11, line 21, strike "committee" and insert "subcommittee"

Page 11, line 21, after "committees" insert "of the rules and administration committee"

Page 11, line 24, after "The" insert "midwestern education"

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

Mr. Olson from the Committee on General Legislation and Veterans Affairs, to which was referred

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.

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

Mr. Olson from the Committee on General Legislation and Veterans Affairs, to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Mr. Chenoweth questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Olson from the Committee on General Legislation and Veterans Affairs, to which was referred

S. F. No. 2150: A bill for an act relating to peace officers; providing for an exemption from certain statutory requirements for prospective peace officers; amending Minnesota Statutes, 1977 Supplement, Section 626.846, by adding a subdivision.

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

Page 1, line 14, after "*during*" insert "*calendar year*"

Page 1, after line 18, insert:

"Sec. 2. This act is effective the day following final enactment and shall apply to any person who enters an authorized training program during calendar year 1978."

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

Mr. Olson from the Committee on General Legislation and Veterans Affairs, to which was referred

S. F. No. 2188: A bill for an act relating to the national guard; providing a bonus for re-enlistment; appropriating money; amending Minnesota Statutes 1976, Section 192.205, Subdivision 1.

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

Page 2, line 3, after the period insert "*The re-enlistment bonus shall be payable at a rate of \$100 on the initial date of re-enlistment and \$100 thereafter on each anniversary date of the re-enlistment provided the person is still a member of the national guard.*"

Page 2, line 8, strike "*April*" and insert "*March*"

Page 2, line 9, after "*re-enlistments*" insert "*and re-enlistment dates*"

Page 2, line 10, strike "*April*" and insert "*March*"

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

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

S. F. No. 1970: A bill for an act relating to the city of St. Cloud; authorizing the imposition of a tax on the gross receipts from the furnishing of certain lodging.

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

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 1593: A bill for an act relating to taxation; authoriz-

ing the establishment of individual housing accounts; providing that contributions to an account which are used exclusively in connection with the purchase of a first principal residence are deductible; providing tax penalties; amending Minnesota Statutes 1976, Section 290.09, by adding a subdivision.

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

Page 1, line 24, after "returns" insert "*or filing separately on a combined return*"

Page 2, line 13, strike "*the United States*" and insert "*Minnesota*"

Page 2, line 22, after "*individual*" insert "*, plus any interest paid or accrued,*"

Page 2, line 24, after "*institution*" insert "*, as defined in section 47.015,*"

Page 2, line 25, after "*law*" insert "*whose accounts are insured either by the Federal Deposit Insurance Corporation, the Federal Savings and Loan Insurance Corporation, the National Credit Union Administration or any agency of this state or any federal agency established for the purpose of insuring accounts in these financial institutions. Such financial institution must actively make residential real estate mortgage loans in Minnesota to be qualified to act as depository, trustee, or custodian of "individual housing accounts"*"

Page 2, line 25, strike "*or another person who*"

Page 2, strike lines 26 through 28

Page 2, line 29, strike "*subdivision*"

Page 3, strike lines 2 through 4 and insert "*(E) The assets of the trust shall be invested only in savings or time deposits in amounts fully insured as prescribed in paragraph (c) (1) (B). Funds held in the trust may be comingled for purposes of investment, but individual records shall be maintained by the trustee for each individual housing account holder which show all transactions in detail.*"

Page 6, line 21, after "*law*" insert a period

Page 6, line 21, strike "*or another person who demonstrates, to the satisfaction*"

Page 6, strike lines 22 through 30

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

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

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.

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

Amend the title as follows:

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

Page 1, line 3, before "range" insert "the"

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

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

S. F. No. 1404: A bill for an act relating to education; public libraries; providing grants for certain libraries and setting guidelines for interlibrary cooperation; amending Minnesota Statutes 1976, Sections 121.23 and 121.24; repealing Minnesota Statutes 1976, Sections 121.22 and 134.035.

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

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1976, Chapter 134, is amended by adding a section to read:

[134.30] [DEFINITIONS.] *Subdivision 1. As used in sections 1 to 6 of this act, the terms defined in this section shall have the meanings ascribed to them.*

Subd. 2. "Public library" means any library that provides free access to all residents of a city or county without discrimination, receives at least half of its financial support from public funds and is organized under the provisions of chapter 134 or section 375.33. It does not include libraries such as law, medical, school and academic libraries organized to serve a special group of persons, or libraries organized as a combination of a public library and another type of library.

Subd. 3. "Public library services" means services provided by or on behalf of a public library and does not include services for elementary schools, secondary schools or post-secondary educational institutions.

Subd. 4. "Regional public library system" means a multicounty public library service agency that provides free access to all residents of the region without discrimination, and is organized under the provisions of sections 134.12, 375.335, 471.59 or chapter 317.

Subd. 5. "Basic system services" means services offered by all regional public library systems either directly or by contract. These services shall include, but are not limited to, communica-

tion among participants, resource sharing, delivery of materials, reciprocal borrowing, and cooperative reference service.

Sec. 2. Minnesota Statutes 1976, Chapter 134, is amended by adding a section to read:

[134.31] [STATE DEPARTMENT OF EDUCATION; LIBRARY RESPONSIBILITIES.] *Subdivision 1. The state shall, as an integral part of its responsibility for public education, support the provision of library service for every citizen and the development of cooperative programs for the sharing of resources and services among all libraries.*

Subd. 2. The department of education shall give advice and instruction to the managers of any public library or to any governing body maintaining a library or empowered to do so by law upon any matter pertaining to the organization, maintenance, or administration of libraries. The department may also give advice and instruction, as requested, to the managers of any library in a post-secondary educational institution. It shall assist, to the extent possible, in the establishment and organization of library service in those areas where adequate services do not exist, and may aid in improving previously established library services.

Subd. 3. The department may provide, for any library in the state, books, journals, audiovisual items, reference services or resource materials it deems appropriate and necessary and shall encourage the sharing of library resources and the development of interlibrary cooperation.

Subd. 4. The department shall collect statistics on the receipts, expenditures, services, and use of the regional public library systems and the public libraries of the state. It shall also collect statistics on all activities undertaken pursuant to sections 2 to 6 of this act. The department shall report its findings to the legislature prior to November 15 of each even numbered year, together with a statement of its expenditures relating to these activities and any other matters as it deems appropriate.

Sec. 3. Minnesota Statutes 1976, Chapter 134, is amended by adding a section to read:

[134.32] [GRANT AUTHORIZATION; TYPES OF GRANTS.] *Subdivision 1. The department shall provide the grants specified in this section from any available state or federal funds.*

Subd. 2. It shall provide establishment grants to regional public library systems which meet the requirements of section 4 of this act, to extend library services to additional counties.

Subd. 3. It shall provide regional library basic system support grants to regional public library systems which meet the requirements of section 5 of this act, to assist those systems in providing basic system services.

Subd. 4. It may provide special project grants to assist innovative and experimental library programs including, but not

limited to, special services for American Indians and the Spanish-speaking, delivery of library materials to homebound persons, other extensions of library services to persons without access to libraries and projects to strengthen and improve library services.

Subd. 5. It may provide grants for interlibrary exchange of books, periodicals, resource material, reference information and the expenses incident to the sharing of library resources and materials.

Subd. 6. It may provide grants for the improvement of library services at welfare and corrections institutions and for library service for the blind and physically handicapped.

Subd. 7. Nothing within the provisions of this section shall be construed to allow state money to be used for the construction of library facilities.

Subd. 8. The state board shall promulgate rules consistent with sections 3 to 6 of this act governing:

(a) applications for these grants;

(b) computation formulas for determining the amounts of establishment grants and regional library basic system support grants; and

(c) eligibility criteria for grants.

Sec. 4. Minnesota Statutes 1976, Chapter 134, is amended by adding a section to read:

[134.33] [ESTABLISHMENT GRANTS.] *Subdivision 1. An establishment grant as described in section 3, subdivision 2, of this act, shall be made to any regional public library system for the first two state fiscal years after a board of county commissioners has contracted to join that system and has agreed that the county will provide at least the levels of support for public library service specified in this section. In the first year of participation, the county shall provide an amount of support at least equivalent to .3 mill times the adjusted assessed valuation of the taxable property of the county as determined by the equalization aid review committee for the second year preceding that calendar year; in the second year of participation, an amount at least equivalent to .45 mill times the adjusted assessed valuation of the taxable property of the county as determined by the equalization aid review committee for the second year preceding that calendar year; and, in the third year of participation and in each year thereafter, an amount at least equivalent to .6 mill times the adjusted assessed valuation of the taxable property of the county as determined by the equalization aid review committee for the second year preceding that calendar year. The minimum level of support shall be certified annually to the county by the department of education. In no event shall the department of education require any county to provide a higher level of support than the level of support specified in this section in order for a system to qualify for an establishment grant. This section shall not be construed to prohibit any county from providing a higher level of support for public libraries than the level of support specified in this section.*

Subd. 2. In order for a regional public library system to qualify for an establishment grant for a county which begins to support participation in regional public library systems in 1977 or 1978, the county shall be required to provide the amount of support specified for the third year of participation from and after January 1, 1980.

Sec. 5. Minnesota Statutes 1976, Chapter 134, is amended by adding a section to read:

[134.34] [REGIONAL LIBRARY BASIC SYSTEM SUPPORT GRANTS; REQUIREMENTS.] *Subdivision 1. A regional library basic system support grant shall be made to any regional public library system where there are at least three participating counties and where each participating city and county, except in the first and second years of participation as provided in section 4 of this act, is providing for public library service support in an amount at least equivalent to .6 mill times the adjusted assessed valuation of the taxable property of that city or county, as determined by the equalization aid review committee for the second year preceding that calendar year. The state department may waive this three participating county requirement for the Western Plains library system until June 30, 1979, if that system meets all other requirements. The minimum level of support shall be certified annually to the participating cities and counties by the department of education. A city which is a part of a regional public library system shall not be required to provide this level of support if the property of that city is already taxable by the county for the support of that regional public library system. In no event shall the department of education require any city or county to provide a higher level of support than the level of support specified in this section in order for a system to qualify for a regional library basic system support grant. This section shall not be construed to prohibit a city or county from providing a higher level of support for public libraries than the level of support specified in this section.*

Subd. 2. Notwithstanding the provisions of section 4 of this act and subdivision 1 of this section, after the third year of participation by a city or county, the dollar amount of the minimum level of support for that city or county shall not be required to increase by more than ten percent over the dollar amount of the minimum level of support required of it in the previous year. If a participating city or county which has been providing for public library service support in an amount at least equivalent to .67 mill times the assessed valuation of the taxable property of that city or county for the year preceding that calendar year would be required to increase the dollar amount of such support by more than ten percent to reach the equivalent of .6 mill times the adjusted assessed valuation of the taxable property of that participating city or county as determined by the equalization aid review committee for the second year preceding that calendar year, it shall only be required to increase the dollar amount of such support by ten percent per year until such time as it reaches an amount at least equivalent to .6 mill times the adjusted assessed valuation of that taxable property as determined by the

equalization aid review committee for the second year preceding that calendar year.

Subd. 3. Regional library basic system support grants shall be made only to those regional public library systems officially designated by the state board of education as the appropriate agency to strengthen, improve and promote public library services in the participating areas. The state board of education shall designate no more than one such regional public library system located entirely within any single development region existing under sections 462.381 to 462.396 or chapter 473.

Sec. 6. Minnesota Statutes 1976, Chapter 134, is amended by adding a section to read:

[134.35] [REGIONAL LIBRARY BASIC SYSTEM SUPPORT GRANTS; DISTRIBUTION FORMULA.] Subdivision 1. *Any regional public library system which qualifies according to the provisions of section 5 of this act may apply for an annual grant for regional library basic system support. The amount of each grant for fiscal year 1979 shall be calculated as provided in this section.*

Subd. 2. Sixty percent of the available grant funds shall be distributed to provide all qualifying systems an equal amount per capita. Each system's allocation pursuant to this subdivision shall be based on the population it serves.

Subd. 3. Fifteen percent of the available grant funds shall be distributed to provide all qualifying systems an equal amount per square mile. Each system's allocation pursuant to this subdivision shall be based on the area it serves.

Subd. 4. The sum of \$35,000 shall be paid to each system as a base grant for basic system services.

Subd. 5. After the allocations made pursuant to subdivisions 2, 3 and 4 of this section, any remaining available grant funds for basic system support shall be distributed to those regional public library systems which contain counties whose adjusted assessed valuations per capita were below the state average adjusted assessed valuation per capita for the second year preceding the fiscal year for which the grant is made. Each system's entitlement shall be calculated as follows:

(a) subtract the adjusted assessed valuation per capita for each eligible county or participating portion of a county from the statewide average adjusted assessed valuation per capita;

(b) multiply the difference obtained in clause (a) for each eligible county or participating portion of a county by the population of that eligible county or participating portion of a county;

(c) for each regional public library system, determine the sum of the results of the computation in clause (b) for all eligible counties or portions thereof in that system;

(d) determine the sum of the result of the computation in

clause (b) for all eligible counties or portions thereof in all regional public library systems in the state;

(e) for each system, divide the result of the computation in clause (c) by the result of the computation in clause (d) to obtain the allocation factor for that system;

(f) multiply the allocation factor for each system as determined in clause (e) times the amount of the remaining grant funds to determine each system's dollar allocation pursuant to this subdivision.

Subd. 6. Notwithstanding the provisions of subdivisions 1 to 5, no regional public library system shall receive an amount as an annual grant for fiscal year 1979 pursuant to this section which is less than the amount which that system received as its annual grant for fiscal year 1978. This subdivision shall expire on July 1, 1979.

Sec. 7. The state board of education shall promulgate rules as necessary for implementation of any provision of this act. Temporary rules may be adopted to implement this act in compliance with the provisions of section 15.0412, subdivision 5, except that these rules may be effective for up to 300 days.

Sec. 8. Minnesota Statutes 1976, Sections 121.22; 121.23; 121.24; and 134.035 are repealed.

Sec. 9. The contingent appropriation provided by Laws 1977, Chapter 449, Section 2, Subdivision 7, Clause (c), is hereby made available for the purposes of this act."

Amend the title as follows:

Page 1, strike lines 2 to 7 and insert:

"relating to education; granting certain powers and duties relating to public libraries to the state board and the state department of education; providing grants for certain library systems; appropriating money; amending Minnesota Statutes 1976, Chapter 134, by adding sections; repealing Minnesota Statutes 1976, Sections 121.22; 121.23; 121.24; and 134.035."

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

Mr. Laufenburger from the Committee on Employment, to which was referred the following appointment as reported in the Journal for February 9, 1978:

WORKER'S COMPENSATION COURT OF APPEALS

Robert McCarthy

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

Mr. Borden 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 were referred for proper reference under Rule 35:

S. F. Nos. 2104, 2103, 2073, 2072, 2065, 2056, 2176 and 2185 reports the same back with the recommendation that the bills be re-referred as follows:

S. F. Nos. 2103 and 2185 to the Committee on Commerce.

S. F. Nos. 2104 and 2056 to the Committee on Energy and Housing.

S. F. No. 2065 to the Committee on Governmental Operations.

S. F. Nos. 2073, 2072 and 2176 to the Committee on Transportation.

Report adopted.

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

H. F. No. 1297 for comparison with companion Senate File, reports the following House File was found not identical with 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.
1297	1212				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1297 be amended as follows:

Strike all the language after the enacting clause of H. F. No. 1297 and insert the language after the enacting clause of S. F. No. 1212, as amended by the Committee on Agriculture and Natural Resources, adopted by the Senate February 13, 1978; further, strike the title of H. F. No. 1297 and insert the title of S. F. No. 1212, as amended.

And when so amended H. F. No. 1297 will be identical to S. F. No. 1212, and further recommends that H. F. No. 1297 be given its second reading and substituted for S. F. No. 1212, 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 Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 762, 1664, 2077, 1835, 1891, 1766, 1786, 1704, 1495, 1789 and H. F. No. 1191 makes the following report:

That S. F. Nos. 762, 1664, 1835, 1891, 1766, 1786, 1704, 1495, 1789 and H. F. No. 1191 be placed on the General Orders Calendar in the order indicated.

That S. F. No. 2077 be referred to the Committee on Finance.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 1750, 1067, 1733, 1949, 1923, 1757, 1808, 1807, 2123, 712, 1915, 1753, 1721, 1824, 1740, 1946, 1581, 1859, 1608, 1624, 1968, 2015, 1853, 1957, 1830, 2047, 2150 and 2037 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. 1879 and 1297 were read the second time.

H. F. Nos. 267 and 1744 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Laufenburger moved that his name be stricken as chief author, added as co-author and the name of Mr. Stokowski be shown as chief author to S. F. No. 878. The motion prevailed.

Mr. Keefe, S. moved that the name of Mr. Luther be added as co-author to S. F. No. 1006. The motion prevailed.

Mr. Sikorski moved that the name of Mr. Benedict be added as co-author to S. F. No. 1592. The motion prevailed.

Mr. Purfeerst moved that his name be stricken as chief author, added as co-author and Mr. Penny be shown as chief author to S. F. No. 2017. The motion prevailed.

Mr. Olson moved that the name of Mr. Peterson be stricken as co-author to S. F. No. 1720. The motion prevailed.

Mr. Humphrey moved that the names of Messrs. Anderson and Sillers be added as co-authors to S. F. No. 1849. The motion prevailed.

Mr. Tennesen moved that H. F. No. 1520 be withdrawn from the Committee on Commerce and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1886 now on General Orders. The motion prevailed.

Mr. Nelson moved that the name of Sikorski be added as co-author to S. F. No. 2011. The motion prevailed.

Mr. Nelson moved that the name of Mr. Lessard be added as co-author to S. F. No. 2045. The motion prevailed.

Mr. Kleinbaum moved that his name be stricken as chief author and Mr. Tennesen be added as chief author to S. F. No. 2053. The motion prevailed.

Mr. Willet moved that the name of Mr. Peterson be added as co-author to S. F. No. 2144. The motion prevailed.

Mr. Anderson moved that the name of Mr. Ulland, J. be added as co-author to S. F. No. 2187. The motion prevailed.

Mr. Schaaf moved that the names of Messrs. Stokowski, Sieloff and Peterson be added as co-authors to S. F. No. 171. The motion prevailed.

Mr. Borden moved that S. F. No. 2232 be withdrawn from the Committee on Taxes and Tax Laws and returned to its author. The motion prevailed.

Mr. Dunn moved that the names of Messrs. Purfeerst, Penny, Strand and Nichols be added as co-authors to S. F. No. 2186. The motion prevailed.

Mr. Borden moved that the name of Mr. Milton be stricken as chief author and Mrs. Knaak be added as chief author to S. F. No. 1218. The motion prevailed.

Mr. Laufenburger moved that the names of Messrs. Peterson, Frederick, Purfeerst and Schmitz be added as co-authors to S. F. No. 2205. The motion prevailed.

Mr. Borden, for the Committee on Rules and Administration, moved to amend Senate Resolution No. 23, a Senate resolution relating to expenses of Senate interns, shown in the Journal for Tuesday, January 17, 1978, as follows:

At the end of the first paragraph after "session" and before the period, insert "and for the two weeks prior to the start of the session"

The question was taken on the adoption of the motion.

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

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution 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.

Eileen Harrison substituted for Patricia Hamilton in the Ste-nographer I classification, effective February 20, 1978

Rev. Curtis A. Herron, Chaplain, effective February 20, 1978

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

Remaining on the Order of Business of Motions and Resolutions, Mr. Borden moved to take up the Order of Business of Third Reading of Senate Bills. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 438: A bill for an act relating to bank charters; classifying data contained in financial statements of applicants; requiring payment of certain costs; requiring approval of managing officers; regulating issuance and expiration of certificates of authorization and charters; amending Minnesota Statutes 1976, Sections 45.04; and 45.07.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1765: A bill for an act relating to the organization of state government; restructuring the Gillette hospital board; providing that employee and procurement laws are more consistent with laws applying to other agencies; requiring an annual report; amending Minnesota Statutes 1976, Section 250.05, Subdivisions 1, 3 and 5; Minnesota Statutes, 1977 Supplement, Section 250.05, Subdivision 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Chenoweth	Frederick	Keefe, J.	Knutson
Bang	Chmielewski	Gearty	Keefe, S.	Laufenburger
Benedict	Davies	Gunderson	Kirchner	Lessard
Bernhagen	Dieterich	Hughes	Kleinbaum	Lewis
Borden	Dunn	Jensen	Knaak	Luther
Brataas	Engler	Johnson	Knoll	Menning

Merriam	Perpich	Schmitz	Solon	Ueland, A.
Nelson	Peterson	Schrom	Spear	Ulland, J.
Nichols	Pillsbury	Setzepfandt	Staples	Vega
Olhoff	Purfeerst	Sieloff	Strand	Wegener
Olson	Renneke	Sikorski	Stumpf	Willet
Penny	Schaaf	Sillers	Tennessee	

So the bill passed and its title was agreed to.

S. F. No. 1073: A bill for an act relating to corrections; establishing a facility for the care and treatment of inmates of correctional institutions who become mentally ill; providing for their commitment and detention for treatment; appropriating money.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1685: A bill for an act relating to health; providing for review of certain health care planning; requiring certificates of need for construction or modifications of certain health care facilities and services; amending Minnesota Statutes 1976, Sections 145.71, Subdivision 1; 145.72; 145.73; 145.74; 145.75; 145.751; 145.76, Subdivisions 1 and 2; 145.761; 145.77; 145.78; 145.79; 145.80; 145.83; and Chapter 145, by adding sections.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 41 and nays 15, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Knoll	Schaaf	Strand
Benedict	Gearty	Knutson	Schmitz	Stumpf
Borden	Gunderson	Luther	Setzepfandt	Tennessee
Brataas	Hughes	Nelson	Sikorski	Ulland, J.
Chenoweth	Johnson	Nichols	Sillers	Vega
Chmielewski	Keefe, J.	Olhoff	Solon	
Davies	Keefe, S.	Olson	Spear	
Dieterich	Kirchner	Perpich	Stanley	
Dunn	Kleinbaum	Pillsbury	Stokowski	

Those who voted in the negative were:

Ashbach	Jensen	Lessard	Peterson	Schrom
Bernhagen	Knaak	Menning	Purfeerst	Wegener
Engler	Laufenburger	Penny	Renneke	Willet

So the bill passed and its title was agreed to.

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

GENERAL ORDERS

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

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

S. F. Nos. 1743, 1655, 1616, 1635, 1662, 1606, 1276, 1206, 1647, 1229, 1431 and H. F. No. 356 which the committee recommends to pass.

S. F. No. 1637, which the committee recommends to pass with the following amendment offered by Mr. Johnson:

Page 2, after line 11, insert:

"Sec. 2. [CITY OF TOWER; FIRE AND COMMUNITY HALL.] *The city of Tower is authorized to issue and sell its general obligation bonds in the principal amount of \$150,000 for the purpose of financing the construction of a fire and community hall in the city, which bonds have heretofore been authorized to be issued by the electors of the city and shall not be included in the net debt of the city, notwithstanding any provision of law limiting the bonded debt of said city; and the city is authorized to levy taxes upon all taxable property in the city without limitation as to rate or amount to pay such bonds, notwithstanding any provision of law limiting such levies.*"

Page 2, line 12, before "This" insert "Section 1 of"

Page 2, line 13, after the period, insert "*Section 2 is effective after its approval by a majority of the governing body of the city of Tower, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.*"

Renumber the sections in sequence

Amend the title as follows:

Line 3, after the semicolon, insert "authorizing issuance of general obligation bonds for a fire and community hall in the city of Tower;"

S. F. No. 1548, which the committee recommends to pass with the following amendments offered by Messrs. Sieloff and Setzepfandt:

Mr. Sieloff moved to amend S. F. No. 1548 as follows:

Page 4, line 9, strike "524.3-301," and strike the final comma

Page 4, line 10, before "524.3-502" insert "or"

Page 4, line 10, strike "or 525.541"

Page 4, line 10, after "fee" insert "in such proceedings"

Mr. Setzepfandt moved to amend S. F. No. 1548 as follows:

Page 1, line 17, strike the new language and reinstate the old language

Page 4, line 8, strike "\$25" and insert "\$15"

S. F. No. 1398 which the committee reports progress, subject to the following motion:

Mr. Davies moved to amend S. F. No. 1398 as follows:

Page 1, after line 21, insert:

"Sec. 2. [EFFECTIVE DATE.] *This act is effective the day following final enactment.*"

The motion prevailed. So the amendment was adopted.

S. F. No. 1398 was then progressed.

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

RECESS

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

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

Without objection, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Tennesen introduced—

S. F. No. 2301: A bill for an act relating to collection and dissemination of data; classifying data; extending the period of time during which emergency classifications of data may be made; clarifying the duties of the responsible authority; amending Minnesota Statutes 1976, Sections 15.162, by adding a subdivision; 15.163; and Chapter 15, by adding sections; and Minnesota Statutes, 1977 Supplement, Sections 15.162, Subdivision 2a; and 15.1642, Subdivisions 3 and 5; repealing Minnesota Statutes 1976, Sections 15.1641; 15.169; and Minnesota Statutes, 1977 Supplement, Section 15.1642, Subdivision 4.

Referred to the Committee on Judiciary.

Mr. Vega introduced—

S. F. No. 2302: A bill for an act relating to state lands; directing the conveyance of Hastings state hospital surplus lands.

Referred to the Committee on Agriculture and Natural Resources.

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 the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1726, 1857, 1882, 2190 and 1822.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted February 23, 1978

FIRST READING OF HOUSE BILLS

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

H. F. No. 1726: A bill for an act relating to special assessments; clarifying availability of certain appeal procedures; eliminating use of alternative procedures; increasing the time for appealing certain special assessments; amending Minnesota Statutes 1976, Section 429.081; and Minnesota Statutes, 1977 Supplement, Section 278.01.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 1857: A bill for an act relating to veterans; requiring counties to appoint a veterans service officer; amending Minnesota Statutes 1976, Section 197.60, Subdivision 1.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1786.

H. F. No. 1882: A bill for an act relating to commerce; repealing the fair trade laws; repealing Minnesota Statutes 1976, Sections 325.08 to 325.14.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1647.

H. F. No. 2190: A bill for an act relating to aeronautics; setting forth the registration procedure for pioneer aircraft; amending Minnesota Statutes 1976, Section 360.55 by adding a subdivision.

Referred to the Committee on Transportation.

H. F. No. 1822: A bill for an act relating to eminent domain; requiring that prepayment penalties be treated as a separate item of damages; amending Minnesota Statutes 1976, Chapter 117, by adding a section.

Referred to the Committee on Judiciary.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Laufenburger moved that S. F. No. 1960 be withdrawn from

the Committee on Employment and re-referred to the Committee on Governmental Operations. 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 the adoption by the House of the following House Concurrent Resolution, herewith transmitted:

House Concurrent Resolution No. 9: A house concurrent resolution relating to adjournment.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted February 23, 1978

House Concurrent Resolution No. 9: A house concurrent resolution relating to adjournment.

BE IT RESOLVED, by the House of Representatives, the Senate concurring, that when either the House of Representatives or the Senate adjourns on February 24, 1978, it may adjourn to any date not later than March 1, 1978.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the report from the Committee on Education, reported February 2, 1978, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Hughes moved that in accordance with the report from the Committee on Education, reported February 2, 1978, the Senate, having given its advice, do now consent to and confirm the appointment of:

DEPARTMENT OF EDUCATION COMMISSIONER

Howard B. Casmey, 7519 Harold Avenue, Minneapolis, Hennepin County, effective August 1, 1977, for a term expiring the first Monday in January, 1979.

The question was taken on the adoption of the motion.

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

Those who voted in the affirmative were:

Ashbach	Gearty	Lessard	Perpich	Strand
Bang	Gunderson	Luther	Peterson	Stumpf
Benedict	Hughes	Menning	Schmitz	Ueland, A.
Borden	Johnson	Moe	Schrom	Ulland, J.
Chenoweth	Kirchner	Nelson	Setzepfandt	Vega
Chmielewski	Kleinbaum	Nichols	Sieloff	Wegener
Coleman	Knaak	Ogdahl	Sillers	Willet
Dunn	Knoll	Olson	Spear	
Engler	Knutson	Penny	Stokowski	

Those who voted in the negative were:

Davies	Keefe, J.	Purfeerst	Sikorski	Tennessen
Dieterich	Merriam	Schaaf		

The motion prevailed. So the appointment was confirmed.

GENERAL ORDERS

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

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

S. F. Nos. 838, 1603, 1698, 1684, 1779, 1955, 1693, 1787, 1842 and H. F. Nos. 1095, 1930, 85 which the committee recommends to pass.

S. F. No. 1021, which the committee recommends to pass with the following amendment offered by Mr. Moe:

Page 4, line 31, after "Subd. 4." insert "*The legislature intends that an amount equal to one-half of the income received from conservation areas will be appropriated as aid to counties with conservation areas.*"

Pages 6 and 7, delete all of section 7

Page 16, line 22, after "3," insert "84A.53;"

Renumber the sections in sequence

Amend the title as follows:

Line 8, delete "84A.53;"

Line 16, after "3;" insert "84A.53;"

S. F. No. 837, which the committee recommends to pass with the following amendment offered by Mr. Moe:

Page 10, strike lines 30 to 32

Page 11, strike lines 1 to 6

Page 11, line 7, before "Money" insert "*The legislature intends that an amount equal to one-half of the income received from state forests will be appropriated as aid to counties with state forests.*"

Page 31, line 26, after "year" insert "ending"

S. F. No. 839, which the committee recommends to pass with the following amendment offered by Mr. Moe:

Page 17, line 18, delete "62,587,588" and insert "63,872,613"

S. F. No. 1446, which the committee recommends to pass with the following amendments offered by Mr. Knoll:

Mr. Knoll moved to amend S. F. No. 1446 as follows:

Page 1, strike lines 18 to 27 and insert:

"Section 1. Minnesota Statutes 1976, Section 16.863, is amended to read:

16.863 [APPEALS.] Any person aggrieved by the final decision of any municipality as to the application of the code, *including any rules promulgated pursuant to sections 471.465 to 471.469*, may, within 30 days of said decision, appeal to the commissioner. Appellant shall submit a fee of \$20, payable to the commissioner, with his request for appeal. The final decision of the involved municipality shall be subject to review de novo by the commissioner or his designee, and the commissioner shall submit his written findings to the involved parties. Any person aggrieved by any ruling of the commissioner may appeal to the district court in the county in which the dispute arose. *For the purpose of this section "any person aggrieved" shall include the state council for the handicapped. No fee shall be required when the council for the handicapped is the appellant.*"

Page 2, strike lines 1 to 10

Page 4, line 30, strike "(7)" and insert "(8)"

Page 4, line 31, strike "(8)" and insert "(9)"

Page 5, line 1, before the period insert "; *provided that the council may delegate to an executive committee the authority to commence proceedings pursuant to section 16.863*"

Page 5, line 1, strike "15" and insert "7"

Page 5, line 5, after the period, insert "*In the case of a proceeding under subdivision 5, clause (8), at least 7 days notice shall be given to the building owner or building permit applicant.*"

Page 5, after line 19, insert a new section to read:

"Sec. 6. *This act is effective on the day following final enactment.*"

Amend the title as follows:

Page 1, line 10, strike "Section" and insert "Sections 16.863; and"

Page 1, line 13, strike "sections" and insert "a section"

Mr. Knoll then moved to amend S. F. No. 1446 as follows:

Page 5, line 5, after the period, insert "*It is the intent of this subdivision to provide all categories of handicapped persons with the opportunity to inform the council of any potential adverse effects of any action being considered by the council.*"

S. F. No. 1754, which the committee recommends to pass with the following amendment offered by Mr. Purfeerst:

Page 7, line 10, before the period, insert "*except a flag or reflector is not required to be displayed at the ten foot distance*"

Page 7, lines 30 to 31, strike the underlined language

S. F. No. 1611, which the committee recommends to pass with the following amendments offered by Mr. Davies:

Mr. Davies moved to amend S. F. No. 1611 as follows:

Page 1, line 24, strike "*shall*" and insert "*need*"

Mr. Davies then moved to amend S. F. No. 1611 as follows:

Page 3, strike section 2

Renumber the sections in sequence

Amend the title as follows:

Line 7, strike "*permitting*"

Strike lines 8 and 9

Line 10, strike "*their names,*"

Line 12, strike "*;* and" and insert a period

Strike line 13

S. F. No. 1622, which the committee recommends to pass with the following amendment offered by Mr. Peterson:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes, 1977 Supplement, Section 97.432, is amended to read:

97.432 [AMENDMENT TO LEECH LAKE SETTLEMENT AGREEMENT.] The commissioner may enter into an agreement with the reservation business committee of the Leech Lake Indian Reservation to amend the settlement agreement adopted in section 97.431 by providing that in lieu of collecting any additional fee fees in connection with the state waterfowl stamp for the privilege of hunting waterfowl on the Leech Lake Indian Reservation and in connection with the state trout fishing stamp for the privilege of fishing trout on the Leech Lake Indian Reservation five percent of the proceeds from the sale of said the waterfowl stamp and one-half of one percent of the proceeds from the sale of the trout fishing stamp shall be credited to the Leech Lake Band special license account established by section 97.431 and shall be remitted to the Leech Lake reservation business committee in the manner and subject to the terms and conditions provided in section 97.431."

Page 2, line 25, after the period, insert "*The legislature intends that all of the proceeds from the sale of trout fishing stamps shall be appropriated to the commissioner from the game and fish fund for acquisition of access to trout streams and improvement of designated "trout waters."*"

Renumber the sections in sequence

Amend the title as follows:

Line 6, after "*Sections*" insert "*97.432;*"

Mr. Ulland, J. moved to amend S. F. No. 1622 as follows:

Page 2, line 21, strike "\$5" and insert "\$3"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 19 and nays 30, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Knaak	Penny	Solon
Brataas	Johnson	Knutson	Pillsbury	Ueland, A.
Chenoweth	Keefe, J.	Lessard	Sieloff	Ulland, J.
Chmielewski	Kirchner	Menning	Sillers	

Those who voted in the negative were:

Benedict	Hanson	Luther	Perpich	Spear
Borden	Hughes	Merriam	Peterson	Stumpf
Coleman	Kleinbaum	Moe	Purfeerst	Tennessen
Davies	Knoll	Nelson	Schaaf	Vega
Gearty	Laufenburger	Nichols	Schmitz	Wegener
Gunderson	Lewis	Olson	Setzepfandt	Willet

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

The question was taken on the recommendation to pass S. F. No. 1622, as amended.

The roll was called, and there were yeas 30 and nays 20, as follows:

Those who voted in the affirmative were:

Benedict	Gunderson	Luther	Peterson	Sieloff
Borden	Hanson	Merriam	Pillsbury	Spear
Chenoweth	Hughes	Nelson	Purfeerst	Stumpf
Coleman	Kirchner	Nichols	Schaaf	Tennessen
Davies	Knoll	Olson	Schmitz	Vega
Gearty	Laufenburger	Perpich	Setzepfandt	Willet

Those who voted in the negative were:

Ashbach	Johnson	Knutson	Moe	Solon
Bang	Keefe, J.	Lessard	Penny	Ueland, A.
Brataas	Kleinbaum	Lewis	Schrom	Ulland, J.
Dieterich	Knaak	Menning	Sillers	Wegener

The motion prevailed. So S. F. No. 1622 was recommended to pass, as amended.

S. F. No. 1137 which the committee reports progress, after the following motion:

Mr. Lewis moved to amend S. F. No. 1137 as follows:

Page 1, line 11, after "*chiropractic*" insert "*, veterinary or dental*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 12 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Knaak	Penny	Schmitz	Ueland, A.
Brataas	Lewis	Perpich	Setzepfandt	Ulland, J.
Keefe, J.	Menning			

Those who voted in the negative were:

Bang	Gearty	Laufenburger	Pillsbury	Staples
Benedict	Gunderson	Lessard	Purfeerst	Stumpf
Borden	Johnson	Luther	Schaaf	Vega
Chenoweth	Kirchner	Merriam	Schrom	Wegener
Chmielewski	Kleinbaum	Moe	Sieloff	Willet
Coleman	Knoll	Nelson	Sillers	
Dieterich	Knutson	Olson	Spear	

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

S. F. No. 1137 was then progressed.

S. F. No. 1888, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 1, line 22, after "*except*" insert "*to make expenditures*"

Page 1, line 24, after the comma insert "*to pay*"

Page 2, line 2, strike "*the*" and insert "*to*" and strike "*of those*"

Page 2, line 3, strike "*which*" and insert "*whom*" and before "*expenses*" insert "*to pay*"

S. F. No. 1643, which the committee recommends to pass with the following amendment offered by Mr. Sikorski:

Page 1, lines 20 and 21, strike "*supplied the transportation required by this section*" and insert "*returned the individual to the location at which he was picked up*"

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

MEMBERS EXCUSED

Messrs. Anderson and Humphrey were excused from this evening's Session.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Monday, February 27, 1978. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate