

EIGHTY-EIGHTH DAY

St. Paul, Minnesota, Friday, March 10, 1978

The Senate met at 11:30 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

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

Anderson	Frederick	Merriam	Schmitz	Stumpf
Ashbach	Gearty	Moe	Schrom	Tennessee
Bang	Hanson	Nelson	Setzepfandt	Ueland, A.
Benedict	Hughes	Ogdahl	Sieloff	Vega
Bernhagen	Keefe, S.	Olhoft	Sikorski	Wegener
Chmielewski	Kleinbaum	Penny	Solon	Willett
Coleman	Lewis	Peterson	Spear	
Davies	McCutcheon	Pillsbury	Stokowski	
Dieterich	Menning	Purfeerst	Strand	

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

Prayer was offered by the Chaplain, Rev. Dave Schneider.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Mr. Humphrey was excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 9, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor to inform you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. Nos. 265, 1613, 1637, 1698, 1787, and 1802.

Sincerely,

Rudy Perpich, Governor

March 9, 1978

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

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1978 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1978	Date Filed 1978
	356	470	March 9	March 9
	1860	471	March 9	March 9
	1879	472	March 9	March 9
	1882	473	March 9	March 9
265		474	March 9	March 9
1613		475	March 9	March 9
1637		476	March 9	March 9
1698		477	March 9	March 9
1787		478	March 9	March 9
1802		479	March 9	March 9

Sincerely,

Joan Anderson Growe

Secretary of State

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Strand introduced—

S. F. No. 2399: A bill for an act relating to public utilities; routing of high voltage transmission lines; amending Minnesota Statutes, 1977 Supplement, Section 116C.57, Subdivision 4.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Renneke, Hughes, Purfeerst, Setzepfandt and Ueland, A. introduced—

S. F. No. 2400: A bill for an act relating to education; appropriating money to the Minnesota historical society for an interpretive center at Traverse des Sioux.

Referred to the Committee on Agriculture and Natural Resources.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 478, 1754 and 1951.

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

Mr. President:

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

S. F. No. 1206: A bill for an act relating to aircraft; clarifying compulsory insurance requirements; requiring maintenance of liability coverage only during periods of contemplated aircraft use or operation; amending Minnesota Statutes 1976, Section 360.59, Subdivision 10.

Senate File No. 1206 is herewith returned to the Senate.

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

CONCURRENCE AND REPASSAGE

Mr. Ashbach moved that the Senate concur in the amendments by the House to S. F. No. 1206 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1206: A bill for an act relating to aircraft; clarifying compulsory insurance requirements; requiring maintenance of

liability coverage only during periods of contemplated aircraft operation; setting forth the registration procedure for pioneer aircraft; amending Minnesota Statutes 1976, Sections 360.59, Subdivision 10 and 360.55, by adding a subdivision.

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 57 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Laufenburger	Penny	Staples
Anderson	Gearty	Lessard	Peterson	Strand
Bang	Gunderson	Lewis	Pillsbury	Stumpf
Benedict	Hanson	Luther	Purfeerst	Tennessen
Bernhagen	Hughes	McCutcheon	Renneke	Ueland, A.
Brataas	Johnson	Menning	Schmitz	Ulland, J.
Chmielewski	Keefe, S.	Merriam	Schrom	Vega
Coleman	Kirchner	Moe	Setzepfandt	Wegener
Davies	Kleinbaum	Nelson	Sieloff	Willet
Dieterich	Knaak	Nichols	Sikorski	
Dunn	Knoll	Ogdahl	Solon	
Engler	Knutson	Olhoft	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 Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1607: A bill for an act relating to occupational safety and health; children under 16 not to be employed in occupations or places potentially injurious; amending Minnesota Statutes 1976, Section 182.09.

Senate File No. 1607 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 9, 1978

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 1607 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1607: A bill for an act relating to occupational safety and health; children under 16 not to be employed in occupations or places potentially injurious; repealing Minnesota Statutes 1976, Section 182.09.

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 1955: A bill for an act relating to transportation construction contracts; defining the term "small business"; amending Minnesota Statutes, 1977 Supplement, Section 161.321, Subdivision 1.

Senate File No. 1955 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 9, 1978

CONCURRENCE AND REPASSAGE

Mr. Knoll moved that the Senate concur in the amendments by the House to S. F. No. 1955 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1955 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 1643: A bill for an act relating to agriculture; corn detasseling employees; providing minimum labor standards; amending Minnesota Statutes 1976, Chapter 181, by adding sections.

Senate File No. 1643 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 9, 1978

Mr. Sikorski moved that the Senate do not concur in the amendments by the House to S. F. No. 1643 and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1323.

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.

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

Cohen, Cummiskey and Rose have been appointed as such committee on the part of the House.

House File No. 1323 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 9, 1978

Mr. Hughes moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1323, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in Senate amendments to House File No. 2493.

H. F. No. 2493: A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings with certain conditions; postponing deadline for submission of capital budget; authorizing purchase and sale of public lands and buildings; appropriating money; amending Minnesota Statutes 1976, Section 16A.11, Subdivision 1.

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

Norton, Samuelson, Faricy, Voss and Forsythe have been appointed as such committee on the part of the House.

House File No. 2493 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 9, 1978

Mr. Moe moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2493, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2494.

H. F. No. 2494: A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land

and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state building bonds; limiting capital improvements at vocational-technical schools; appropriating money; amending Minnesota Statutes 1976, Sections 121.21, Subdivision 4a; 121.214, Subdivisions 1, 3, and by adding a subdivision; 124.564; repealing Minnesota Statutes, 1977 Supplement, Sections 16.015 and 16.016.

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

Norton, Samuelson, Faricy, Voss and Forsythe have been appointed as such committee on the part of the House.

House File No. 2494 is herewith transmitted to the Senate with the request that the Senate appoint a like Committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 9, 1978

Mr. Moe moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2494, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1513, 1783, 1861, 1977, 499, 1898, 582 and 2041.

Edward A. Burdick, Chief Clerk, House of Representatives

FIRST READING OF HOUSE BILLS

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

H. F. No. 1513: A bill for an act relating to contracts; distributing partial payments to construction subcontractors or material suppliers.

Referred to the Committee on Commerce.

H. F. No. 1783: A bill for an act relating to the city of Brainerd; service credit in the public employees police and fire fund for the fire chief therein.

Referred to the Committee on Governmental Operations.

H. F. No. 1861: A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; amending Minnesota Statutes 1976, Sections 353.01, Subdivisions 12, 16, and 20; 353.017, Subdivision 2; 353.30, by adding a sub-

division; 353.31, Subdivision 1; 353.32, Subdivisions 5 and 9; 353.33, Subdivision 11; 353.34, Subdivision 6; 353.656, Subdivision 6; 353.657, Subdivision 1; 354.41, by adding a subdivision; 356.32, Subdivision 1; Minnesota Statutes, 1977 Supplement, Sections 353.01, Subdivision 2b; 353.36, Subdivision 2; and 354.41, Subdivision 6; repealing Minnesota Statutes, 1977 Supplement, Section 353.32, Subdivision 7.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1654 now in the Subcommittee on Bill Scheduling.

H. F. No. 1977: 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.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1946 now on General Orders.

H. F. No. 499: A bill for an act relating to insurance; permitting employees to opt for lower benefits provided by certain group insurance contracts; amending Minnesota Statutes, 1977 Supplement, Section 471.616, Subdivision 1.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 2044 now in the Subcommittee on Bill Scheduling.

H. F. No. 1898: A bill for an act relating to public employment; the state civil service; providing on-the-job trial work experiences and noncompetitive appointment procedures for certain severely handicapped persons; amending Minnesota Statutes 1976, Section 43.20, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1764 now on General Orders.

H. F. No. 582: A bill for an act relating to human rights; specifying medical standards for employment and bona fide occupational qualifications; amending Minnesota Statutes, 1977 Supplement, Section 363.03, Subdivision 1.

Referred to the Committee on Employment.

H. F. No. 2041: A bill for an act relating to labor and employment; prohibiting mandatory retirement of public or private employees; rights and remedies of employees; amending Minnesota Statutes 1976, Sections 356.32; 422A.13, Subdivision 2; 423.075, Subdivision 1; 473.606, Subdivision 5; and Chapter 181, by adding a section; and Minnesota Statutes, 1977 Supplement, Section 363.02, Subdivision 6; repealing Minnesota Statutes 1976, Sections 125.12, Subdivision 5; 163.07, Subdivision 2a; 352B.075; 354A.21; and 423.26; and Minnesota Statutes, 1977 Supplement, Sections 43.051, Subdivisions 1, 2 and 4; and 354.44, Subdivision 1a.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 2000 now in the Subcommittee on Bill Scheduling.

REPORTS OF COMMITTEES

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

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

H. F. No. 1981: A bill for an act relating to natural resources; informal sales of state timber; removing the requirement of a certain affidavit; amending Minnesota Statutes 1976, Section 90.191, Subdivision 1.

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

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1976, Section 90.151, Subdivision 1, is amended to read:

90.151 [PERMITS TO CUT AND REMOVE TIMBER SOLD AT PUBLIC AUCTION.] Subdivision 1. Following receipt of the down payment for state timber sold at public auction, the commissioner shall issue a numbered permit to the purchaser, in a form approved by the attorney general, by the terms of which he shall be authorized to enter upon the land, and to cut and remove the timber therein described, according to the provisions of this chapter. The permit shall be correctly dated and executed by the commissioner or his agent and signed by the purchaser. The permit shall expire no later than two years after the date of sale as the commissioner shall specify, and the timber shall be cut within the time specified therein. All cut timber, equipment, and buildings not removed from the land within 90 days after expiration of the permit shall become the property of the state. The commissioner may grant an additional period of time not to exceed 120 days for the removal of cut timber, equipment, and buildings upon receipt of such request by the permit holder for good and sufficient reasons. *The commissioner may grant a second period of time not to exceed 120 days for the removal of cut timber, equipment and buildings upon receipt of such request by the permit holder for hardship reasons only.* No permit shall be issued to any person other than the purchaser in whose name the bid was made."

Page 1, line 8, strike "Section 1" and insert "Sec. 2"

Page 1, after line 21, insert:

"Sec. 3. Minnesota Statutes 1976, Section 90.191, Subdivision 2, is amended to read:

Subd. 2. Upon receipt of payment for the full appraised value, the commissioner may issue a permit to cut such timber within one year from the date of sale under such supervision and provi-

sions as the commissioner shall deem advisable. If the purchaser for good and sufficient reason is unable to cut the timber within the one-year period, an extension of time may be granted by the commissioner. Only one extension shall be granted and the extension shall not exceed one year. All cut timber, equipment, and buildings not removed from the land within 90 days after expiration of the permit shall become the property of the state. The commissioner of natural resources may grant an additional period of time not to exceed 120 days for the removal of cut timber, equipment, and buildings upon receipt of such request by the permit holder for good and sufficient reasons. *The commissioner may grant a second period of time not to exceed 120 days for the removal of cut timber, equipment and buildings upon receipt of such request by the permit holder for hardship reasons only.*"

Renumber the sections in sequence

Amend the title as follows:

Line 2, after the semicolon insert

"authorizing the commissioner of natural resources to grant a second extension of time for removal of cut timber, equipment and buildings for hardship reasons;"

Line 5, strike "Section" and insert "Sections 90.151, Subdivision 1;"

Line 5, strike "Subdivision" and insert "Subdivisions"

Line 5, after "1" insert "and 2"

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

H. F. No. 1661: A bill for an act relating to pollution control; providing for publication in the state register of certain behind schedule and substandard wastewater treatment projects.

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

Page 1, line 8, after "1." insert

"At the regularly scheduled meeting of the pollution control agency in January of each year, the agency shall consider a draft list of any principal consulting engineer, contracting engineer or principal contractor for a wastewater treatment project which, due to failures of design or workmanship, or other factors within the reasonable control of the contractor or engineer, the agency determines is either more than 90 days behind schedule or does not accomplish the purpose for which it was designed or constructed. At least 30 days prior to the January meeting the agency shall mail notice to any person whose name appears on the draft list. After the agency considers the draft list in January, any person adversely affected may request to be heard at a regularly

scheduled meeting of the agency. At the regularly scheduled meeting of the agency in March of each year, the agency shall issue an order incorporating a list of engineers or contractors responsible for delinquent or substandard projects. Any person adversely affected by the agency's order has the right of judicial review pursuant to section 15.0424."

Page 1, line 8, strike "July" and insert "April"

Page 1, strike lines 10 to 17

Page 1, line 18, strike "days behind schedule" and insert "the list determined pursuant to this section"

Page 1, strike line 19

Page 1, line 20, strike "and contracting engineers and principal contractors," and insert "also include"

Page 2, line 2, strike "An explanatory note may accompany each"

Page 2, strike lines 3 to 5

Page 2, after line 5, insert

"Sec. 2. This act shall expire January 1, 1985."

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

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.

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

Amend the title as follows:

Page 1, line 2, strike "adoption of rules concerning the"

Page 1, line 4, after the semicolon insert "clarifying the grounds for revocation or suspension of a site certificate or route suspension permit; extending the effective date of the board's emergency rules;"

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

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

S. F. No. 1689: A bill for an act relating to battered women; appropriating money; amending Minnesota Statutes, 1977 Sup-

plement, Sections 241.62, Subdivisions 1 and 4; 241.63; 241.66, Subdivision 2, and by adding a subdivision.

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

Page 2, after line 16, insert:

“Sec. 3. Minnesota Statutes, 1977 Supplement, Section 241.62, is amended by adding a subdivision to read:

Subd. 5. [CLASSIFICATION OF DATA COLLECTED BY GRANTEES.] Personal history information and other information collected, used or maintained by a grantee from which the identity of any battered woman may be determined is private data on individuals, as defined in section 15.162, subdivision 5a, and the grantee shall maintain the data in accordance with the provisions of sections 15.162 to 15.169.”

Page 3, strike lines 31 to 32 and insert:

“Sec. 7. [APPROPRIATION.] Subdivision 1. The sums set forth in this section are appropriated from the general fund to the commissioner of corrections for the purposes specified in this section.

Subd. 2. For the purpose of making grants pursuant to section 241.62, subdivision 1.....\$200,000

Subd. 3. For the purpose of implementing section 241.63, clause (e).....\$ 25,000

The approved complement of the department of corrections is increased by one unclassified position.”

Page 4, strike lines 1 and 2

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after “4” insert “and by adding a subdivision”

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. 1773: A bill for an act relating to taxation; income tax; reducing the tax rate imposed upon corporations; eliminating the arithmetic average from the formula used for apportionment of trade or business income among states; amending Minnesota Statutes 1976, Sections 290.06, Subdivision 1; 290.19, Subdivision 1; and 290.361, Subdivision 2.

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

Pages 2 to 5, strike Section 2

Renumber the remaining sections in sequence

Amend the title as follows:

Page 1, line 3, strike "eliminating the"

Page 1, strike lines 4 and 5

Page 1, line 6, strike "states;"

Page 1, line 7, strike "290.19, Subdivision 1;"

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

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

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.

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

Page 3, line 3, strike "do"

Page 3, strike lines 4 and 5

Page 3, line 6, strike "and"

Page 3, line 7, before the period insert "*made pursuant to chapter 429 or 430 or any special law*"

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. 1649: A bill for an act relating to taxation; property tax; extending class 3cc to homesteads of persons receiving private disability pensions; amending Minnesota Statutes, 1977 Supplement, Section 273.13, Subdivision 7.

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

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

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.

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

Page 1, line 12, after "buildings" strike "and" and insert a comma

Page 1, line 12, after "facilities" insert "and grounds"

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

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

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

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.

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 16.84, is amended by adding subdivisions to read:

Subd. 7. "Public building" means any building and the grounds appurtenant thereto, the cost of which is paid for by the state of Minnesota or any governmental subdivision thereof, or any agency of the state or of any governmental subdivision, or school district.

Subd. 8. "Physically handicapped" means sight disabilities, hearing disabilities, disabilities of incoordination, disabilities of aging, and any other disability that significantly reduces mobility, flexibility, coordination, or perceptiveness.

Subd. 9. "Remodeling" means deliberate reconstruction of an existing public building in whole or in part in order to bring it up to date in conformity with present uses of the structure and to which other rules on the upgrading of health and safety provisions are applicable.

Sec. 2. Minnesota Statutes, 1977 Supplement, Section 16.85, is amended to read:

16.85 [GENERAL POWERS OF COMMISSIONER, STATE BUILDING CODE.] Subdivision 1. Subject to the provisions of sections 16.83 to 16.867, the commissioner shall by rule establish a code of standards for the construction, reconstruction, alteration, and repair of state-owned buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety. *The code shall also provide for making public buildings constructed or remodeled after July 1, 1963, accessible to and usable by physically handicapped persons; provided that this shall not require the remodeling of public buildings solely to provide accessibility and usability to the physically handicapped when remodeling would not otherwise be undertaken.* The commissioner may amend the code from time to time as

provided in sections 16.83 to 16.867. The code and any amendment thereof shall conform insofar as practicable to model building codes generally accepted and in use throughout the United States. In the preparation of the code consideration shall be given to the existing state-wide specialty codes presently in use in the state of Minnesota. Such model codes with modifications as may be deemed necessary and state-wide specialty codes may be adopted by reference. The code so promulgated and any amendments thereof shall be based on the application of scientific principles, approved tests, and professional judgment; and to the extent that it is practical so to do the code shall be promulgated in terms of desired results instead of the means of achieving such results, avoiding wherever possible the incorporation of specifications of particular methods or materials. To that end the code shall encourage the use of new methods and new materials. *Except as otherwise provided in sections 16.83 to 16.867, the commissioner shall administer and enforce the provisions of those sections.*

The code shall require that any parking ramp or other parking facility constructed in accordance with the code include an appropriate number of spaces suitable for the parking of motor vehicles having a capacity of seven to 16 persons and which are principally used to provide prearranged commuter transportation of employees to or from their place of employment or to or from a transit stop authorized by a local transit authority.

The code shall require that all dwellings, lodging houses, apartment houses, and hotels as defined in section 299F.362 comply with the provisions of section 299F.362.

Subd. 1a. Construction or remodeling shall not be commenced on any public building owned by the state of Minnesota until the plans and specifications of the public building have been approved by the commissioner. In the case of any other public building the plans and specifications thereof shall be submitted to the commissioner for review, and within 30 days after his receipt thereof he shall notify the submitting authority of his recommendations if any.

Subd. 1b. No agency of the state may lease space for agency operations in a non-state owned building, unless the building satisfies the requirements of the state building code for accessibility by the physically handicapped, or is eligible to display the state symbol of accessibility. This limitation shall apply in respect to leases of thirty days or more for space of at least 1,000 square feet commencing on or after July 1, 1980.

Subd. 1c. After July 1, 1979, meetings or conferences attended by the public and sponsored by a state agency in non-publicly owned buildings shall be held in buildings that either meet the state building code requirements relating to accessibility for the physically handicapped or are eligible to display the state symbol for accessibility.

Subd. 1d. The commissioner of administration may grant an exemption from the requirements of subdivisions 1b and 1c if the head of the affected state agency certifies to the commissioner

that handicapped persons will not regularly seek access to the facilities used by the state agency and if reasonable efforts were made to secure facilities which complied with the requirements of subdivision 1b.

Sec. 3. [TEMPORARY PROVISION.] *Persons, appropriations and materials in respect to those functions in the office of state fire marshal transferred by this act shall be transferred by the commissioners of administration and finance, as appropriate, from the state fire marshal to the commissioner of administration.*

Sec. 4. [REPEALER.] *Minnesota Statutes 1976, Sections 299F.41, 299F.42, 299F.43, 299F.44 and 299F.45 are repealed.*

Sec. 5. [EFFECTIVE DATE.] *This act is effective July 1, 1978."*

Amend the title by striking it in its entirety and inserting

"A bill for an act relating to publicly-owned buildings; providing for access and usability by physically handicapped persons; requiring leased space and state agency meetings to be accessible; transferring enforcement from the state fire marshal to the commissioner of administration; amending Minnesota Statutes 1976, Section 16.84 by adding subdivisions; and Minnesota Statutes, 1977 Supplement, Section 16.85; repealing Minnesota Statutes 1976, Sections 299F.41, 299F.42, 299F.43, 299F.44 and 299F.45."

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

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

H. F. No. 1859 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
1859	1809				

and that the above Senate File be indefinitely postponed.

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

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

H. F. No. 1770 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
1770	1590				

and that the above Senate File be indefinitely postponed.

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

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

H. F. Nos. 2175, 2066, 2466 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
2175	2041				
2066	1900				
2466	2274				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2175 be amended as follows:

Page 1, line 12, delete everything after "may"

Page 1, delete lines 13 to 15

Page 1, line 16, delete everything before "The" and insert

"authorize the dispensing, by sale or otherwise, of intoxicating liquor at the premises known and used as Wakota arena. The ordinance may permit a person, firm or corporation permitted to use space on the premises for the purpose of conducting any convention, banquet, conference, meeting or social affair to engage any licensee having a regularly issued on-sale license for a location within the city to dispense intoxicating liquor to members or guests attending the convention, banquet, conference, meeting or social affair."

Page 1, line 17, delete the first "the" and insert "a"

Page 1, line 18, delete "Such" and insert "The"

And when so amended H. F. No. 2175 will be identical to S. F. No. 2041, and further recommends that H. F. No. 2175 be given its second reading and substituted for S. F. No. 2041, 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.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2066 be amended as follows:

Page 1, line 16, before "mail" insert "*send by certified*"

Page 1, lines 17 to 20, restore the stricken language and delete the underscored language

And when so amended H. F. No. 2066 will be identical to S. F. No. 1900, and further recommends that H. F. No. 2066 be given its second reading and substituted for S. F. No. 1900, 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.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2466 be amended as follows:

Delete page 2, line 7 to page 3, line 16

Page 3, delete lines 24 and 25 and insert

"Sec. 3. Minnesota Statutes 1976, Chapter 144, is amended by adding a section to read:

[144.1751] [DISCLOSURE OF INFORMATION FROM VITAL RECORDS.] *Subdivision 1. Except as otherwise provided for in this section and section 144.176, information contained in vital records is public information. Physical access to vital records shall be subject to the supervision and regulation of state and local registrars and their employees pursuant to rules promulgated by the commissioner in order to protect vital records from loss, mutilation or destruction and to prevent improper disclosure of records which are confidential or private data on individuals, as defined in section 15.162, subdivisions 2a and 5a.*

Subd. 2. Disclosure of information pertaining to births out of wedlock or information from which it can be ascertained shall be made only to the guardian of the person, the person to whom the record pertains when the person is 18 years of age or older, or upon order of a court of competent jurisdiction. The birth and death records of the commissioner of health shall be open to inspection by the commissioner of public welfare and it shall not be necessary for him to obtain an order of the court in order to inspect records or to secure certified copies thereof.

Subd. 3. No person shall prepare or issue any certificate which purports to be an original, certified copy, or copy of a vital record except as authorized in sections 144.151 to 144.205 or the rules of the commissioner.

Subd. 4. The state registrar may permit persons performing medical research access to the information restricted in subdivision 2 if those persons agree in writing not to disclose confidential or private data on individuals, as defined in section 15.162, subdivisions 2a and 5a.

Subd. 5. When a resident of another state is born or dies in this state, the state registrar shall send a report of the birth or death to the state of residence.

Sec. 4. [REPEALER.] *Minnesota Statutes 1976, Section 144.175, Subdivisions 1, 4, and 5; and Minnesota Statutes, 1977 Supplement, Section 144.175, Subdivision 2, are repealed.*"

Renumber sections in sequence

Further, delete the title and insert

"A bill for an act relating to departments of state; concerning confidential data on individuals; regarding emergency classification of data; guarding access to vital statistics records; amending Minnesota Statutes, 1977 Supplement, Sections 15.162, Subdivision 2a; 15.1642, Subdivision 5; and Minnesota Statutes 1976, Chapter 144, by adding a section; repealing Minnesota Statutes 1976, Section 144.175, Subdivisions 1, 4 and 5; and Minnesota Statutes, 1977 Supplement, Section 144.175, Subdivision 2."

And when so amended H. F. No. 2466 will be identical to S. F. No. 2274, and further recommends that H. F. No. 2466 be given its second reading and substituted for S. F. No. 2274, 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. Purfeerst from the Committee on Transportation, to which was referred

H. F. No. 1965: A bill for an act relating to highways; directing the department of transportation to utilize a certain corridor in Washington County for the construction of interstate highway marked No. I 94.

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

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 2044, 1839, 1961, 2275, 1404, 1722, 2033, 1026, 2272, 1478, 1781, 1726, 1721, 2051, 1628, 2230, 1884 and H. F. Nos. 2243, 1665, 1447, 1967, 1604, 2081, 1773, 1937 makes the following report:

That S. F. Nos. 2044, 1839, 1961, 2275, 1404, 1722, 2033, 1026, 2272, 1478, 1781, 1726, 1721, 2051, 1628, 2230, 1884 and H. F. Nos. 2243, 1665, 1447, 1967, 1604, 2081, 1773, 1937 be placed on the General Orders Calendar in the order indicated.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 1689, 1773 and 1649 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. 1729, 1859, 1770, 2175, 2066 and 2466 were read the second time.

H. F. Nos. 1981, 1661, 2087, 1726, 1736, and 1965 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 8:30 o'clock a.m., Saturday, March 11, 1978. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate