

## NINETY-FIRST DAY

St. Paul, Minnesota, Tuesday, March 14, 1978

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

### CALL OF THE SENATE

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

Ashbach	Gearty	Lewis	Pillsbury	Spear
Benedict	Gunderson	Luther	Purfeerst	Staples
Bernhagen	Hanson	McCutcheon	Renneke	Stumpf
Brataas	Hughes	Moe	Schmitz	Ueland, A.
Chmielewski	Kirchner	Nelson	Schrom	Vega
Coleman	Kleinbaum	Ogdahl	Setzepfandt	Willet
Davies	Knutson	Olson	Sieloff	
Dieterich	Laufenburger	Penny	Sikorski	
Engler	Lessard	Peterson	Sillers	

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

Prayer was offered by the Chaplain, Monsignor Terrence Murphy.

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

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

The President declared a quorum present.

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

### MEMBERS EXCUSED

Messrs. Bang and Dunn were excused from the Session of today.

**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. 403, 1282, 1656, 2183, 1285, 1635 and 1636.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1978

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted:

H. F. Nos. 449, 2461, 2516, 1819, 2341, 2374, 2010, 2047, 2147, 2451, 1091, 1950, 2050, 2075, 1943, 2002, 2086, 1945, 2124, 2218, 2223, 1476, 1799, 2188, 2146, 2246, 1227, 2445, 1995, 2248, 2291 and 2307.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 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. 1727: A bill for an act relating to state parks; deleting certain lands from the boundaries of Itasca state park; amending Laws 1976, Chapter 110, Section 2, Subdivision 2.

Senate File No. 1727 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1978

**CONCURRENCE AND REPASSAGE**

Mr. Moe moved that the Senate concur in the amendments by the House to S. F. No. 1727 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1727 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 1, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Laufenburger	Peterson	Stokowski
Ashbach	Hanson	Lessard	Pillsbury	Strand
Benedict	Hughes	Lewis	Purfeerst	Stumpf
Bernhagen	Humphrey	Luther	Renneke	Tennessee
Borden	Jensen	Menning	Schmitz	Ueland, A.
Brataas	Johnson	Moe	Schrom	Ulland, J.
Chenoweth	Keefe, J.	Nelson	Setzenfandt	Vega
	Kirchner	Nichols	Sieloff	Wegener
Davies	Kleinbaum	Olson	Sikorski	Willet
Engler	Knaak	Olhoft	Sillers	
Frederick	Knoll	Olson	Spear	
Gearty	Knutson	Penny	Staples	

Mr. Dieterich voted in the negative.

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

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have 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. 1690: A bill for an act relating to the Minneapolis-Saint Paul metropolitan airports commission; providing a maximum amount and funding terms for commission debt; amending Minnesota Statutes 1976, Section 473.667, Subdivisions 2 and 4, and by adding a subdivision.

Senate File No. 1690 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned March 13, 1978

#### CONCURRENCE AND REPASSAGE

Mr. Lewis moved that the Senate concur in the amendments by the House to S. F. No. 1690 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1690 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 1, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Hanson	Kirchner	Lessard
Ashbach	Dieterich	Hughes	Kleinbaum	Lewis
Benedict	Engler	Humphrey	Knaak	Luther
Bernhagen	Frederick	Jensen	Knoll	McCutcheon
Brataas	Gearty	Johnson	Knutson	Menning
Chmielewski	Gunderson	Keefe, J.	Laufenburger	Moe

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

Mr. Davies voted in the negative.

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

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have 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. 1616: A bill for an act relating to probate; enacting the Uniform International Wills Act; amending Minnesota Statutes 1976, Chapter 524, by adding sections.

Senate File No. 1616 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1978

#### CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 1616 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1616: A bill for an act relating to probate; enacting the Uniform International Wills Act; specifying the appropriate county for purposes of publication; clarifying the duration of letters of appointment; providing for probate court jurisdiction; protecting certain good faith purchasers; amending Minnesota Statutes 1976, Sections 524.1-201; 524.3-306; 524.3-310; 524.3-1003; Chapter 524, by adding sections; and Minnesota Statutes, 1977 Supplement, Sections 524.3-105 and 524.3-714.

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 37 and nays 16, as follows:

Those who voted in the affirmative were:

Benedict	Gearty	Johnson	Moe	Perpich
Bernhagen	Gunderson	Knoll	Nelson	Purfeerst
Chmielewski	Hanson	Laufenburger	Nichols	Schmitz
Coleman	Hughes	Lewis	Olhoft	Setzepfandt
Davies	Humphrey	Luther	Olson	Sikorski
Dieterich	Jensen	Menning	Penny	Spear

Stokowski Strand	Stumpf Tennessee	Vega	Wegener	Willet
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Those who voted in the negative were:

Ashbach	Keefe, J.	Lessard	Renneke	Sillers
Brataas	Knaak	Ogdahl	Schrom	Ueland, A.
Engler	Knutson	Pillsbury	Sieloff	Ulland, J.
Frederick				

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. 1662: A bill for an act relating to commerce; redefining "banking day"; amending Minnesota Statutes 1976, Section 336.4-104.

Senate File No. 1662 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1978

#### CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 1662 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1662: A bill for an act relating to commerce; regulating interest rates; providing loan yield computations; providing investigation powers; redefining "banking day"; amending Minnesota Statutes 1976, Sections 51A.39, Subdivision 1; 334.02; 334.03; 336.4-104; Minnesota Statutes, 1977 Supplement, Section 47.20, Subdivisions 2, 4, and 13.

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:

Anderson	Coleman	Hanson	Knaak	McCutcheon
Benedict	Davies	Hughes	Knoll	Menning
Bernhagen	Dieterich	Jensen	Knutson	Merriam
Borden	Engler	Johnson	Laufenburger	Moe
Brataas	Frederick	Keefe, J.	Lessard	Nelson
Chenoweth	Gearty	Keefe, S.	Lewis	Nichols
Chmielewski	Gunderson	Kirchner	Luther	Olhoft

Olson	Purfeerst	Sieloff	Strand	Vega
Penny	Renneke	Sikorski	Stumpf	Willet
Perpich	Schmitz	Spear	Tennessee	
Peterson	Schrom	Staples	Ueland, A.	
Pillsbury	Setzepfandt	Stokowski	Ulland, J.	

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

### FIRST READING OF HOUSE BILLS

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

H. F. No. 449: A bill for an act relating to game and fish; licensing and regulating the taking, sale and possession of minnows; permitting the use of tip-ups; amending Minnesota Statutes 1976, Sections 97.40, Subdivision 12; 97.45, Subdivision 15; 98.46, Subdivision 5, and by adding a subdivision; 98.52, Subdivisions 2 and 3; 101.41, by adding a subdivision; and 101.42, Subdivisions 11 and 20.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 526 now on General Orders.

H. F. No. 2461: A bill for an act relating to public utilities; telephone companies; assessment for costs of regulation; amending Minnesota Statutes 1976, Chapter 237, by adding a section; repealing Minnesota Statutes 1976, Section 237.29, as amended.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 2081 now on General Orders.

H. F. No. 2516: A bill for an act relating to certain commercial transactions; amending provisions of the uniform commercial code governing investment securities and related provisions; amending Minnesota Statutes 1976, Sections 336.1-201; 336.5-114; 336.8-102; 336.8-103; 336.8-104; 336.8-105; 336.8-106; 336.8-107; 336.8-201; 336.8-202; 336.8-203; 336.8-204; 336.8-205; 336.8-206; 336.8-207; 336.8-208; 336.8-301; 336.8-302; 336.8-303; 336.8-304; 336.8-305; 336.8-306; 336.8-307; 336.8-308; 336.8-309; 336.8-310; 336.8-311; 336.8-312; 336.8-313; 336.8-314; 336.8-315; 336.8-316; 336.8-317; 336.8-318; 336.8-319; 336.8-320; 336.8-401; 336.8-402; 336.8-403; 336.8-404; 336.8-405; 336.8-406; 336.9-103; 336.9-203; 336.9-302; 336.9-304; 336.9-305; 336.9-309; 336.9-312; and Chapter 336, by adding sections; Minnesota Statutes, 1977 Supplement, Section 336.9-105.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 2048 now on General Orders.

H. F. No. 1819: 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.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1753 now on General Orders.

H. F. No. 2341: 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 Rules and Administration for comparison to S. F. No. 2239 now on General Orders.

H. F. No. 2374: A bill for an act relating to labor and employment; employee wage deductions; amending Minnesota Statutes, 1977 Supplement, Section 181.79, Subdivision 1.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 2372 now on General Orders.

H. F. No. 2010: A bill for an act relating to municipal elections; providing for the hours of voting; establishing procedures for establishing candidacy; establishing filing fees; providing for the printing of election materials and ballots; providing for publication and posting of sample ballots; amending Minnesota Statutes 1976, Sections 205.021; 205.03; 205.13; 205.14, Subdivisions 1 and 3; and 205.16, Subdivision 2, and by adding a subdivision; repealing Minnesota Statutes 1976, Section 365.60.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 2139 now on General Orders.

H. F. No. 2047: A bill for an act relating to the city of Minneapolis; modifying the certification procedure for vacancies in the classified service.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1901 now on General Orders.

H. F. No. 2147: A bill for an act relating to commerce; credit unions; authorizing approval of lines of credit by credit committees; amending Minnesota Statutes 1976, Sections 52.10 and 52.16.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 2158 now on General Orders.

H. F. No. 2451: A bill for an act relating to elections; providing that public facilities be available for precinct caucuses; fixing the charge for their use; providing for the filing of certain nominating petitions; amending Minnesota Statutes 1976, Chapter 202A, by adding a section; and Section 202A.65, Subdivision 3.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 2308 now on General Orders.

H. F. No. 1091: A bill for an act relating to waters; permitting the establishment of rural water user districts.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 954 now on General Orders.

H. F. No. 1950: A bill for an act relating to the practice of dentistry; amending Minnesota Statutes 1976, Sections 150A.03, Subdivision 1; 150A.06, Subdivisions 1, 2, 2a, and 4; 150A.08, Subdivision 1; and 150A.09, by adding subdivisions.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 2181 now on General Orders.

H. F. No. 2050: A bill for an act providing for positions in the unclassified service of the city of Minneapolis; amending Laws 1969, Chapter 937, Section 1, Subdivision 1, as amended and by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1905 now on General Orders.

H. F. No. 2075: A bill for an act relating to employments licensed by the state; requiring the services of a licensed architect, engineer, surveyor or landscape architect for the supervision, erection or alteration of buildings and structures exceeding certain specified costs; requiring compliance with applicable building codes and ordinances; prescribing certain duties of the licensing board; amending Minnesota Statutes 1976, Sections 326.03, Subdivisions 1 and 2; and 326.06.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 2075 now on General Orders.

H. F. No. 1943: A bill for an act relating to fire and related insurance; permitting cancellation of fire and related insurance policies only under certain circumstances; requiring notice of reason for cancellation or nonrenewal; amending Minnesota Statutes 1976, Section 65A.01, by adding subdivisions.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1618 now on General Orders.

H. F. No. 2002: A bill for an act relating to Hennepin county; authorizing the county board to self-insure against claims of liability.

Referred to the Committee on Commerce.

H. F. No. 2086: A bill for an act relating to education; authorizing school districts to operate buses for nonpupils attending school events in other public school districts; amending Minnesota Statutes 1976, Section 123.39, by adding a subdivision.

Referred to the Committee on Education.

H. F. No. 1945: A bill for an act relating to veterans; classification of records; amending Minnesota Statutes 1976, Section 197.603.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1788 now on General Orders.



H. F. No. 2124: A bill for an act relating to corrections; providing for the licensing of correctional facilities; prohibiting the introduction of contraband or weapons into correctional facilities; providing penalties; amending Minnesota Statutes 1976, Sections 241.021, Subdivision 1; 260.185, Subdivision 1; 641.09; 641.165; and 641.18.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1926 now on General Orders.

H. F. No. 2218: A bill for an act relating to the tax court; providing for review of certain tax matters by the tax court; modifying procedures that condition the right to prosecute the tax matter; specifying qualifications of judges; providing for administration of the tax court; amending Minnesota Statutes 1976, Sections 274.19, Subdivisions 4 and 5; 277.011, Subdivision 3; 278.03; 356.30, by adding a subdivision; and Minnesota Statutes, 1977 Supplement, Sections 271.01, by adding a subdivision; 271.02; 271.04; 271.06, Subdivision 2; 277.011, Subdivision 1; and 278.01.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1885 now on General Orders.

H. F. No. 2223: A bill for an act relating to Hennepin county municipal court; authorizing the establishment of suburban court locations; amending Minnesota Statutes 1976, Section 488A.01, Subdivision 9.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 2281 now on General Orders.

H. F. No. 1476: A bill for an act relating to municipalities; hospital, nursing home and health care facilities; authorizing municipalities to include refinancing of existing indebtedness in the cost of a project; amending Minnesota Statutes 1976, Sections 447.35; 447.45, Subdivision 1; 447.47; 474.01, by adding a subdivision; 474.02, by adding a subdivision; 474.03; and 474.06.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1839 now on General Orders.

H. F. No. 1799: A bill for an act relating to the city of Albert Lea; authorizing the annexation of certain land located outside the city limits.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1648 now on General Orders.

H. F. No. 2188: A bill for an act relating to drivers' licenses; providing for automatic reinstatement of nonresident driving privilege in certain circumstances; providing limited protection to a resident whose driving privilege in another state has been suspended or revoked; amending Minnesota Statutes 1976, Section 171.15; and Chapter 171, by adding a section.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 2148 now on General Orders.

H. F. No. 2146: A bill for an act relating to insurance; regulating minimum nonforfeiture benefits and reserves of insurance policies and annuity contracts; amending Minnesota Statutes 1976, Sections 61A.08; 61A.21; 61A.24, Subdivisions 1, 9, and 11; 61A.25, Subdivisions 3, 3a, 4, 5, 6, 7, and by adding a subdivision; and Chapter 61A, by adding a section.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1983 now on General Orders.

H. F. No. 2246: A bill for an act relating to counties; providing for business days and hours for county offices and emergency closings; concerning the investment of county funds; amending Minnesota Statutes 1976, Sections 373.052 and 385.07.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 2154 now on General Orders.

H. F. No. 1227: A bill for an act relating to commerce; providing for deposits of public funds in thrift institutions; amending Minnesota Statutes 1976, Sections 51A.21, by adding a subdivision; 118.005; 118.01; 118.09; 118.11; and 118.16; repealing Minnesota Statutes 1976, Section 118.17.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1130 now on General Orders.

H. F. No. 2445: 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 Rules and Administration for comparison to S. F. No. 2300 now on General Orders.

H. F. No. 1995: A bill for an act relating to credit life and accident and health insurance; requiring notice of right to cancel and receive refund upon prepayment of indebtedness; amending Minnesota Statutes, 1977 Supplement, Section 62B.05.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1861 now on General Orders.

H. F. No. 2248: A bill for an act relating to municipal police and fire civil service commissions; requiring that commissioners be appointed by city councils; removing certain restrictions on other employment; limiting the commission's power to prescribe employment requirements; amending Minnesota Statutes 1976, Sections 419.02; 419.05; and 420.06.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1949 now on the Senate Calendar.

H. F. No. 2291: A bill for an act relating to labor; defining "hours worked"; providing that for certain employees the term shall not include certain periods and shall not be used in computing wages; amending Minnesota Statutes 1976, Section 177.23, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1848 now on General Orders.

H. F. No. 2307: A bill for an act relating to intoxicating liquor; hours and days of sale; requiring wholesalers to maintain a warehouse stock; restricting liquor licenses in the city of St. Paul; amending Minnesota Statutes 1976, Sections 340.07, Subdivision 8; 340.14, Subdivision 1; and Chapter 340, by adding a section.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 2204 now on General Orders.

### REPORTS OF COMMITTEES

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

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

S. F. No. 1730: A bill for an act relating to public welfare; extending the pilot dental health program; appropriating money; amending Laws 1976, Chapter 305, Sections 3 and 4, Subdivision 3.

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

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

S. F. No. 2128: A bill for an act relating to emergency telephone systems; providing for the payment of certain costs of operating emergency telephone systems; amending Minnesota Statutes, 1977 Supplement, Section 403.11.

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

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

S. F. No. 2165: A bill for an act relating to retirement; increased benefits of former probate judges; payment by the Minnesota state retirement system; appropriating money; amending Minnesota Statutes 1976, Chapter 490, by adding a section.

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

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

S. F. No. 1992: A bill for an act relating to emergency services; authorizing the division of emergency services to enter into an agreement with the federal disaster assistance administration for the maintenance of the Minnesota natural disaster assistance plan; appropriating money.

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

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

S. F. No. 2077: A bill for an act relating to public health; authorizing the contractual provision of statutorily prescribed public health services by the commissioner of health; modifying the definition of child in the maternal and child nutrition act; expanding scope of functions that may be performed by local health agencies; amending Minnesota Statutes 1976, Sections 145.031, Subdivision 1; 145.55, Subdivision 1; 145.892; 145.893; 145.918, Subdivision 2; and Chapter 144, by adding a section; repealing Minnesota Statutes 1976, Sections 12.56; 12.57; and 144.146, Subdivision 2.

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

Page 1, line 26, delete "*available*" and insert "*appropriated*"

Amend the title as follows:

Line 8, after the semicolon, insert "appropriating money;"

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. 1806: A bill for an act relating to housing; providing funds for housing programs for native Americans; appropriating money; amending Minnesota Statutes 1976, Sections 462A.07, by adding a subdivision; 462A.21, by adding a subdivision.

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

Page 2, line 15, strike "\$3,000,000" and insert "\$2,500,000

Page 2, line 21, strike "\$2,000,000" and insert "\$1,500,000"

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. 1766: A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in Beltrami county.

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

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

H. F. Nos. 1915, 1861, 2204 and 842 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.
1915	1930				
1861	1654				
2204	1874				
842	370				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1915 be amended as follows:

Page 2, after line 32, insert

"Sec. 2. Minnesota Statutes 1976, Chapter 272, is amended by adding a section to read:

[272.70] [CLASSIFICATION OF ASSESSORS' FIELD CARDS.] *Assessors' field cards shall be classified as private data as defined in section 15.162. The term "field cards" means those cards on which the assessor records his observations and opinions with respect to the piece of property which was assessed.*"

Delete page 4, line 3 to page 9, line 8

Page 11, line 3, delete "before" and insert "no later than one week after"

Page 11, line 15, delete "be" and insert "is"

Delete page 21, line 23 to page 22, line 16

Page 22, line 21, delete "6 and 20" and insert "2, 5 and 17"

Page 22, line 22, delete "2,"

Page 22, line 23, delete "5, 7 and 19" and insert "6 and 16"

Page 22, line 24, delete "8, 14, 15 and 16" and insert "7 and 13"

Page 22, line 25, delete "9 and 10" and insert "8 and 9"

Page 22, line 27, before the period insert "; provided that, if a refund has been paid prior to January 1, 1978, in accordance with the provisions of section 11, to the survivor of a disabled claimant who died prior to June 1 of the year of the claim, no refund of the excess amount paid in accordance with that section shall be required by the commissioner of revenue. A claimant who would qualify for a credit pursuant to the provisions of section 11 which is greater than that which he has received pursuant to Minnesota

*Statutes 1976, Section 290A.04, Subdivision 1, may file with the department of revenue a claim for an additional refund in the amount of the excess. Claims made pursuant to this provision shall not be subject to the penalties provided in Minnesota Statutes, Section 290A.06, if filed before December 31, 1978"*

Page 22, line 28, delete "11" and insert "10"

Page 22, line 29, delete "12 and 13" and insert "11 and 12"

Page 22, line 30, delete "17 and 18" and insert "14 and 15"

Page 22, delete lines 31 and 32 and insert "effective July 1, 1978."

Renumber sections in sequence

Further, amend the title as follows:

Line 8, delete "providing a seven year carryforward"

Delete line 9

Line 10, delete "charitable contributions;"

Lines 24 and 25, delete "altering the method of computing metropolitan council tax levies;"

Lines 32, delete "473.249, Subdivisions 1 and 2" and insert "and Chapter 272, by adding a section"

Delete line 34

And when so amended H. F. No. 1915 will be identical to S. F. No. 1930, and further recommends that H. F. No. 1915 be given its second reading and substituted for S. F. No. 1930, 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. 842 be amended as follows:

Page 2, line 30, delete "10" and insert "30" and delete "30" and insert "60"

Page 5, line 12, delete "10" and insert "30" and delete "30" and insert "60"

Page 7, delete lines 15 and 16

And when so amended H. F. No. 842 will be identical to S. F. No. 370, and further recommends that H. F. No. 842 be given its second reading and substituted for S. F. No. 370, 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. 2204 be amended as follows:

Page 1, line 16, delete "*the greater of*"

Page 1, line 18, after "*election*" insert "*, whichever is greater*"

Page 1, line 22, delete "*Only one election*" and after "*period*" insert "*only one election*"

Page 2, line 11, delete the underscored language

Page 2, line 14, before the period insert "*, whichever is greater*"

Page 2, line 16, delete "*within two years of an election held*"

Page 2, delete line 17 and insert "*this subdivision within two years of an election.*"

Sec. 3. [EFFECTIVE DATE.] *This act is effective the day after final enactment.*"

And when so amended H. F. No. 2204 will be identical to S. F. No. 1874, and further recommends that H. F. No. 2204 be given its second reading and substituted for S. F. No. 1874, 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. 1861 be amended as follows:

Page 6, line 28, strike "*, whichever is later*"

Page 6, after line 28, insert

"Sec. 6. Minnesota Statutes, 1977 Supplement, Section 353.03, Subdivision 1, is amended to read:

353.03 [BOARD OF TRUSTEES.] Subdivision 1. [MANAGEMENT; COMPOSITION; ELECTION.] The management of the public employees retirement fund is hereby vested in a board of trustees consisting of 15 members, who shall be known as the board of trustees. This board shall consist of ~~three~~ *four* trustees, one of whom shall be designated by each of the following associations or organizations, Minnesota school boards association, League of Minnesota Cities, and Association of Minnesota Counties and the executive committee of the statewide general labor organization which includes among its membership the employee organizations, as defined in section 179.63, subdivision 5, which represent the largest number of employees who are association members; nine area trustees, who shall be elected from the membership employed in one of the areas described below by the members employed in such area except members of the police and fire fund; one trustee who shall be a retired annuitant elected at large by other annuitants; and one trustee who is a member of the police and fire fund elected at large by the membership of the police and fire fund. ~~The remaining trustee shall be elected prior~~

to January 1 by the governing bodies of employee organizations, as defined in section 179.63, subdivision 5, representing association employees; provided that in making the election each employee organization shall have one vote for each association employee it represents. The respective governing bodies shall implement and administer a system for the election of this member and the filling of vacancies, and any dispute in the election process shall be resolved by the secretary of state. Elected trustees shall hold office for a term of four years. For seven days beginning December 1 of each year, the association shall accept at its office filings in person or by mail of candidates for the board of trustees. An area candidate shall submit at the time of filing a nominating petition signed by 25 or more members of the fund from the area of the candidate, a retired annuitant candidate, a nominating petition signed by 25 or more such annuitants, and a police and fire fund candidate, a nominating petition signed by 25 or more members of such fund. No nominee may withdraw his name from nomination after December 15. By January 10 of each year in which elections are to be held the board shall distribute by mail to the members and annuitants ballots listing the candidates. No member may vote for more than one candidate but a blank line shall be provided for a write in vote. A ballot indicating a vote for more than one person shall be void. No special marking may be used on the ballot to indicate incumbents. The last day for mailing ballots to the fund shall be January 31. Except as provided in this section, all terms expire on January 31 of the fourth year, and the position shall remain vacant until the newly elected member is qualified. The ballot envelopes shall be so designed and the ballots shall be counted in such a manner as to insure that each vote is secret. For the purpose of electing the nine area trustees, the state shall be divided into three areas as follows: Area one shall include Anoka, Hennepin, Ramsey and Washington counties. Area two shall include Big Stone, Swift, Kandiyohi, Meeker and Wright counties and all counties south thereof, except counties in area one. Area three shall include all the remaining counties of the state. If any governmental unit is located in more than one area, place of employment shall be deemed to be in the area in which the main office of the governmental unit is located. Each year for three years one area trustee shall be elected to a four-year term from each area by the members employed in the respective areas. In the fourth year one trustee shall be elected at large by the police and fire fund membership and one trustee elected at large by the annuitants.

Notwithstanding the foregoing, however, in order to provide for a transition to regional elections, in the year 1978 only, a retired trustee shall be elected by the annuitants, and three trustees shall be elected from each of the three areas by the members of the area who may vote for only one candidate. The annuitant candidate receiving the most votes shall serve a three-year term, the candidate in each area receiving the largest number of votes shall serve a four-year term, the candidate in each area receiving the second largest number of votes shall serve a two-year term and the candidate in each area receiving the third largest number of votes shall serve a one-year term. The elections shall be



supervised by the secretary of state. It shall be the duty of the board of trustees to faithfully administer the law without prejudice and consistent with the expressed intent of the legislature. They shall act as trustees with a fiduciary obligation to the state of Minnesota which created the fund, the taxpayers of the governmental subdivisions which aid in financing it and the public employees who are its beneficiaries.

Sec. 7. Minnesota Statutes 1976, Section 353.30, Subdivision 1b, is amended to read:

Subd. 1b. Any person with 30 years or more of allowable service credit who elects early retirement under subdivision 1, shall receive an annuity reduced by ~~one-half~~ *one-fourth* of one percent for each month that such person is under age 62 at the time of retirement."

Page 12, line 22, after "5" delete the comma

Page 13, line 25, delete "*Section 5*" and insert "*Sections 5 and 6*"

Page 13, line 28, after "(3)" delete the comma

Renumber the sections in sequence

Further, amend the title as follows:

Line 6, before "by" insert "Subdivision 1b, and"

Line 10, before "by" insert "Subdivision 6, and"

Line 12, after the semicolon insert "353.03, Subdivision 1; and"

Line 13, delete "and 354.41, Subdivision 6;"

And when so amended H. F. No. 1861 will be identical to S. F. No. 1654, and further recommends that H. F. No. 1861 be given its second reading and substituted for S. F. No. 1654, and that the Senate File be indefinitely postponed.

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

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

H. F. No. 2098 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
2098	2143				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2098 be amended as follows:

Strike everything after the enacting clause and insert

"Section 1. Minnesota Statutes 1976, Section 145.922, is amended by adding a subdivision to read:

*Subd. 3. The commissioner may make special grants to (1) cities, counties, groups of cities or counties, or hospitals licensed pursuant to sections 144.50 to 144.56, or (2) to nonprofit corporations which do not perform abortions, to provide pre-pregnancy family planning services. No grant recipient may contract for any family planning services with any nonprofit corporation other than a licensed hospital or licensed health maintenance organizations, which performs abortions. Applicants shall submit for approval a plan and budget for the use of funds in the form and detail as specified by the commissioner. The plan submitted to the commissioner shall include the amount of money spent by the applicant for family planning services in the previous year. The applicant must agree not to reduce its expenditures for family planning services below the level in the year prior to receiving a grant. The commissioner may adopt by permanent rules criteria for approval of plans and budgets. Grantees shall maintain records, including records of expenditures to be audited, and shall furnish reports as specified by the commissioner. The commissioner of health may not require that any city or county apply for or receive grants under this subdivision as a condition for the receipt of any state or federal funds unrelated to family planning services.*

Sec. 2. Minnesota Statutes 1976, Chapter 145, is amended by adding a section to read:

[145.923] [INDIVIDUAL RIGHTS; MEDICAL PRIVILEGE.] *Subdivision 1. The request of any person for family planning services or his or her refusal to accept any service shall in no way affect the right of the person to receive public assistance, public health services, or any other public service. Nothing in section 1 shall abridge the right of the individual to make decisions concerning family planning, nor shall any individual be required to state his or her reason for refusing any offer of family planning services.*

*Subd. 2. Any employee of the agencies engaged in the administration of the provisions of section 1 may refuse to accept the duty of offering family planning services to the extent that the duty is contrary to his personal beliefs. A refusal shall not be grounds for dismissal, suspension, demotion, or any other discrimination in employment. The directors or supervisors of the agencies shall reassign the duties of employees in order to carry out the provisions of section 1.*

*Subd. 3. All information gathered by any agency, entity, or individual conducting programs in family planning is private data on individuals within the meaning of section 15.162, subdivision 5a.*

Sec. 3. *The sum of \$1,400,000 is appropriated from the general fund to the commissioner of health for the biennium ending June 30, 1979 for the purposes specified in this act.*

*Sec. 4. This act is effective on the day following final enactment."*

Further, strike the title and insert

"A bill for an act relating to family planning services; providing for special grants for family planning services; appropriating money; amending Minnesota Statutes 1976, Section 145.922, by adding a subdivision; and Chapter 145, by adding a section."

And when so amended H. F. No. 2098 will be identical to S. F. No. 2143, and further recommends that H. F. No. 2098 be given its second reading and substituted for S. F. No. 2143, and that the Senate File be indefinitely postponed.

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

#### SECOND READING OF SENATE BILLS

S. F. Nos. 1730, 2128, 2165, 1992, 2077 and 1806 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. 1915, 1861, 2204, 842, 1766 and 2098 were read the second time.

#### MOTIONS AND RESOLUTIONS

Mr. Hughes moved that the report from the Committee on Education, reported March 9, 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 March 9, 1978, the Senate, having given its advice, do now consent to and confirm the appointments of:

#### STATE BOARD FOR COMMUNITY COLLEGES

Elna Ponto, Route 1, Box 235, Albert Lea, Freeborn County, effective June 30, 1977, for a term expiring January 1, 1980.

Thomas D. Peacock, Route 2, Cass Lake, Cass County, effective January 30, 1978, for a term expiring the first Monday in January, 1982.

**STATE UNIVERSITY BOARD**

Marian Keith, RR 2, Rochester, Olmsted County, effective January 3, 1978, for a term expiring the first Monday in January, 1979.

**COUNCIL ON QUALITY EDUCATION**

Jan Storms, Route No. 2, Box 135A, Chaska, Carver County, effective January 3, 1978, for a term expiring the first Monday in January, 1980.

Nancy Belbas, 4603 Lakeview Drive, Edina, Hennepin County, effective January 10, 1978, for a term expiring the first Monday in January, 1979.

**STATE BOARD OF EDUCATION**

Louis R. Smerling, 2552 West Lake of the Isles Blvd., Minneapolis, Hennepin County, effective January 1, 1978, for a term expiring the first Monday in January, 1981.

The motion prevailed. So the appointments were confirmed.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Stokowski, for Mr. Gearty, moved that the report from the Committee on Elections, reported March 9, 1978, pertaining to appointments, be taken from the table. The motion prevailed.

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

**CONFIRMATION**

Mr. Stokowski moved that in accordance with the report from the Committee on Elections, reported March 9, 1978, the Senate, having given its advice, do now consent to and confirm the appointments of:

**ETHICAL PRACTICES BOARD**

Vernon Jensen, 2485 Linden Lane, Maplewood, Ramsey County, effective January 30, 1978, for a term expiring the first Monday in January, 1982.

Richard Temple, Route 5, Box 92, Alexandria, Douglas County, effective January 30, 1978, for a term expiring the first Monday in January, 1979.

The motion prevailed. So the appointments were confirmed.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Stokowski, for Mr. Gearty, moved that the report from the Committee on Elections, reported March 9, 1978, pertaining to appointments, be taken from the table. The motion prevailed.

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

**CONFIRMATION**

Mr. Stokowski moved that in accordance with the report from the Committee on Elections, reported March 9, 1978, the Senate, having given its advice, do not now consent to and do not confirm the appointment of:

**ETHICAL PRACTICES BOARD**

Patrick Flanders, R.R. 3, Paynesville, Stearns County, effective January 30, 1978, for a term expiring January 1, 1981.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 50 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Lewis	Penny	Solon
Benedict	Hughes	McCutcheon	Peterson	Spear
Bernhagen	Humphrey	Menning	Renneke	Staples
Borden	Jensen	Merriam	Schaaf	Stokowski
Chmielewski	Johnson	Moe	Schmitz	Strand
Coleman	Keefe, J.	Nelson	Schrom	Stumpf
Davies	Keefe, S.	Nichols	Setzepfandt	Tennessee
Engler	Kleinbaum	Ogdahl	Sieloff	Ueland, A.
Gearty	Knaak	Olhoft	Sikorski	Vega
Gunderson	Lessard	Olson	Sillers	Willet

Those who voted in the negative were:

Dieterich	Luther	Perpich	Purfeerst	Ulland, J.
Kirchner				

The motion prevailed. So the appointment was not confirmed.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Schmitz moved that S. F. No. 1693 be taken from the table. The motion prevailed.

**CONCURRENCE AND REPASSAGE**

Mr. Schmitz moved that the Senate concur in the amendments by the House to S. F. No. 1693 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1693: A bill for an act relating to the national guard; increasing the pay for enlisted persons on active duty; amending Minnesota Statutes 1976, Section 192.51, Subdivision 2; repealing Minnesota Statutes 1976, Section 192.51, Subdivision 1.

Was read the third time, as amended by the House.

Mr. Schmitz moved that S. F. No. 1693 be laid on the table. The motion prevailed.

**SUSPENSION OF RULES**

Remaining on the Order of Business of Motions and Resolutions,

Mr. Coleman moved to take up the Consent Calendar and waive the lie-over requirement. The motion prevailed.

### CONSENT CALENDAR

H. F. No. 2214: A bill for an act relating to mutual insurance companies; providing for their conversion into stock companies; protecting the rights of guaranty fund certificate holders; amending Minnesota Statutes 1976, Section 66A.16, by adding a subdivision.

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 51 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Lessard	Peterson	Staples
Benedict	Hughes	Lewis	Pillsbury	Strand
Bernhagen	Jensen	Luther	Purfeerst	Stumpf
Brataas	Johnson	McCutcheon	Renneke	Tennessee
Chmielewski	Keefe, S.	Menning	Schaaf	Ulland, J.
Coleman	Kirchner	Merriam	Setzepfandt	Vega
Davies	Kleinbaum	Nichols	Sieloff	Willet
Dieterich	Knaak	Ogdahl	Sikorski	
Engler	Knoll	Olhoff	Sillers	
Gearty	Knutson	Penny	Solon	
Gunderson	Laufenburger	Perpich	Spear	

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS—CONTINUED

#### SUSPENSION OF RULES

Mrs. Staples moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 2098 and that the rules of the Senate be so far suspended as to give H. F. No. 2098, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

H. F. No. 2098: A bill for an act relating to family planning services; providing for special grants for family planning services; appropriating money; amending Minnesota Statutes 1976, Section 145.922, by adding a subdivision; and Chapter 145, by adding a section.

#### CALL OF THE SENATE

Mr. Chmielewski imposed a call of the Senate for the balance of the proceedings on H. F. No. 2098. The following Senators answered to their names:

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

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

Mr. Chmielewski moved to amend H. F. No. 2098, as amended pursuant to Rule 49, adopted by the Senate March 14, 1978, as follows:

(The text of the amended House File is identical to S. F. No. 2143.)

Page 3, after line 4, insert:

*"Sec. 3. [INFORMED CONSENT.] Any person requesting family planning services shall be informed of:*

*(a) The procedures to be followed, including an identification of any which are experimental;*

*(b) A description of any attendant discomforts or risks which might reasonably be expected;*

*(c) A fair explanation of the likely results, should the procedure fail;*

*(d) A description of any benefits which might reasonably be expected;*

*(e) A disclosure of any appropriate alternative methods or procedures that might be advantageous;*

*(f) An offer to answer any inquiries concerning the procedures; and*

*(g) An instruction that the subject is free either to decline entrance into a project or to withdraw his consent, and to discontinue participation in the project or activity at any time without prejudicing his future participation.*

*Sec. 4. [ACTS PROHIBITED.] Any grantee who receives grants pursuant to this act, who coerces or endeavors to coerce any individual to undergo an abortion or sterilization procedure shall be fined not more than \$1,000 or imprisoned for not more than one year, or both."*

Renumber the sections in sequence

Amend the title as follows:

Line 3, after the semicolon, insert "requiring informed consent; providing a penalty;"

Mr. Keefe, J. requested division of the amendment as follows:

First portion:

Page 3, after line 4, insert:

*"Sec. 3. [INFORMED CONSENT.] Any person requesting family planning services shall be informed of:*

*(a) The procedures to be followed, including an identification of any which are experimental;*

*(b) A description of any attendant discomforts or risks which might reasonably be expected;*

*(c) A fair explanation of the likely results, should the procedure fail;*

*(d) A description of any benefits which might reasonably be expected;*

*(e) A disclosure of any appropriate alternative methods or procedures that might be advantageous;*

*(f) An offer to answer any inquiries concerning the procedures; and*

*(g) An instruction that the subject is free either to decline entrance into a project or to withdraw his consent, and to discontinue participation in the project or activity at any time without prejudicing his future participation."*

Renumber the sections in sequence

Amend the title as follows:

Line 3, after the semicolon, insert "requiring informed consent;"

Second portion:

*"Sec. 4. [ACTS PROHIBITED.] Any grantee who receives grants pursuant to this act, who coerces or endeavors to coerce any individual to undergo an abortion or sterilization procedure shall be fined not more than \$1,000 or imprisoned for not more than one year, or both."*

Renumber the sections in sequence

Amend the title as follows:

Line 3, after the semicolon, insert "providing a penalty;"

The question was taken on the adoption of the first portion of the Chmielewski amendment.

The roll was called, and there were yeas 37 and nays 20, as follows:

Those who voted in the affirmative were:

Bernhagen	Hughes	Laufenburger	Penny	Sikorski
Chenoweth	Jensen	Lessard	Peterson	Stumpf
Chmielewski	Johnson	Luther	Purfeerst	Vega
Engler	Keefe, J.	Menning	Renneke	Wegener
Frederick	Kleinbaum	Merriam	Schmitz	Willet
Gearty	Knaak	Moe	Schrom	
Gunderson	Knoll	Olhoft	Setzepfandt	
Hanson	Knutson	Olson	Sieloff	



Those who voted in the negative were:

Ashbach	Humphrey	Nelson	Pillsbury	Staples
Benedict	Keefe, S.	Nichols	Schaaf	Strand
Brataas	Kirchner	Ogdahl	Sillers	Tennessee
Dieterich	Lewis	Perpich	Spear	Ulland, J.

The motion prevailed. So the first portion of the Chmielewski amendment was adopted.

The question was taken on the adoption of the second portion of the Chmielewski amendment.

The roll was called, and there were yeas 36 and nays 23, as follows:

Those who voted in the affirmative were:

Bernhagen	Hughes	Menning	Renneke	Ueland, A.
Chmielewski	Jensen	Merriam	Schmitz	Vega
Coleman	Johnson	Moe	Schrom	Wegener
Engler	Kleinbaum	Olhoff	Setzepfandt	Willet
Frederick	Knaak	Olson	Sieloff	
Gearty	Knutson	Penny	Sikorski	
Gunderson	Lessard	Peterson	Strand	
Hanson	Luther	Purfeerst	Stumpf	

Those who voted in the negative were:

Ashbach	Humphrey	Laufenburger	Ogdahl	Spear
Benedict	Keefe, J.	Lewis	Perpich	Staples
Borden	Keefe, S.	McCutcheon	Pillsbury	Ulland, J.
Brataas	Kirchner	Nelson	Schaaf	
Dieterich	Knoll	Nichols	Sillers	

The motion prevailed. So the second portion of the Chmielewski amendment was adopted.

Pursuant to Rule 21, Mr. Moe moved that the following members be excused for a Conference Committee on H. F. Nos. 2493 and 2494:

Messrs. Moe, Lewis, Humphrey, Kleinbaum and Kirchner. The motion prevailed.

Pursuant to Rule 21, Mr. Merriam moved that the following members be excused for a Conference Committee on H. F. No. 1885:

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

Mr. Chenoweth moved to amend H. F. No. 2098, as amended pursuant to Rule 49, adopted by the Senate March 14, 1978, as follows:

(The text of the amended House File is identical to S. F. No. 2143.)

Page 2, line 11, after the period insert "Except as provided in sections 144.341 and 144.342, any person or entity receiving funds pursuant to this subdivision, who recommends an abortion or sterilization to any unemancipated minor 16 years of age or young-

*er, shall, following such recommendation, so notify the parent or guardian of the reasons such action is in the best interests of the minor."*

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 35 and nays 21, as follows:

Those who voted in the affirmative were:

Bernhagen	Hanson	Knutson	Penny	Solon
Chenoweth	Hughes	Lessard	Peterson	Strand
Chmielewski	Jensen	McCutcheon	Renneke	Stumpf
Engler	Johnson	Menning	Schmitz	Ueland, A.
Frederick	Keefe, J.	Merriam	Schrom	Vega
Gearty	Knaak	Olhoft	Setzepfandt	Wegener
Gunderson	Knoll	Olson	Sieloff	Willet

Those who voted in the negative were:

Anderson	Davies	Luther	Schaaf	Ulland, J.
Ashbach	Dieterich	Nelson	Sillers	
Benedict	Keefe, S.	Ogdahl	Spear	
Brataas	Laufenburger	Perpich	Staples	
Coleman	Lewis	Pillsbury	Tennessee	

The motion prevailed. So the amendment was adopted.

Mr. Bernhagen moved to amend H. F. No. 2098, as amended pursuant to Rule 49, adopted by the Senate March 14, 1978, as follows:

(The text of the amended House File is identical to S. F. No. 2143.)

Page 1, line 19, after the period, insert *"Family planning services shall not be provided by any grantee in any primary or secondary school."*

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 31 and nays 19, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	McCutcheon	Schmitz	Vega
Bernhagen	Hanson	Menning	Schrom	Wegener
Chmielewski	Hughes	Olhoft	Setzepfandt	Willet
Coleman	Johnson	Olson	Sieloff	
Engler	Knaak	Peterson	Solon	
Frederick	Laufenburger	Purfeerst	Strand	
Gearty	Lessard	Renneke	Ueland, A.	

Those who voted in the negative were:

Anderson	Dieterich	Luther	Schaaf	Stumpf
Benedict	Keefe, J.	Merriam	Sillers	Tennessee
Brataas	Keefe, S.	Ogdahl	Spear	Ulland, J.
Davies	Knoll	Pillsbury	Staples	

The motion prevailed. So the amendment was adopted.

H. F. No. 2098 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 51 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Pillsbury	Stokowski
Ashbach	Gearty	Laufenburger	Renneke	Strand
Benedict	Gunderson	Lessard	Schaaf	Stumpf
Bernhagen	Hanson	Luther	Schmitz	Tennessee
Borden	Hughes	Merriam	Setzpfandt	Ueland, A.
Brataas	Jensen	Nelson	Sieloff	Ulland, J.
Chenoweth	Johnson	Ogdahl	Sikorski	Vega
Coleman	Keefe, J.	Olhoft	Sillers	
Davies	Keefe, S.	Olson	Solon	
Dieterich	Knaak	Penny	Spear	
Engler	Knoll	Peterson	Staples	

Those who voted in the negative were:

Chmielewski	Menning	Purfeerst	Wegener	Willet
McCutcheon	Perpich	Schrom		

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

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated H. F. No. 2233 a Special Order to be heard immediately.

H. F. No. 2233: A bill for an act relating to state government; directing the commissioner of administration to grant contract preference to American made products; amending Minnesota Statutes 1976, Chapter 16, by adding a section.

Mr. Johnson moved to amend H. F. No. 2233, as amended pursuant to Rule 49, adopted by the Senate March 13, 1978, as follows:

(The text of the amended House File is identical to S. F. No. 2111.)

Page 2, line 3, strike the period and insert a semicolon

Page 2, after line 3, insert

“(e) “Purchase” means acquire by purchase or lease.”

Page 2, line 8, after the period insert “When all other factors are substantially equal, preference shall be given to those products which are manufactured to the greatest extent in the United States.”

The motion prevailed. So the amendment was adopted.

Pursuant to Rule 21, Mr. McCutcheon moved that the following members be excused for a Conference Committee on S. F. No. 65:

Messrs. McCutcheon, Lewis, Sikorski, Davies and Keefe, J. The motion prevailed.

#### CALL OF THE SENATE

Mr. Johnson imposed a call of the Senate for the balance of the proceedings on H. F. No. 2233. The following Senators answered to their names:

Ashbach	Hanson	Lewis	Purfeerst	Spear
Benedict	Humphrey	Luther	Renneke	Stokowski
Borden	Jensen	Menning	Schaaf	Strand
Brataas	Johnson	Nelson	Schmitz	Stumpf
Chenoweth	Keefe, S.	Olson	Schrom	Tennessee
Chmielewski	Knaak	Penny	Setzepfandt	Ulland, J.
Coleman	Knutson	Perpich	Sieloff	Vega
Engler	Laufenburger	Peterson	Sikorski	Wegener
Gunderson	Lessard	Pillsbury	Solon	Willet

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

H. F. No. 2233 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 36 and nays 25, as follows:

Those who voted in the affirmative were:

Benedict	Hughes	Lessard	Olhoff	Strand
Borden	Humphrey	Lewis	Penny	Stumpf
Chenoweth	Johnson	Luther	Perpich	Vega
Chmielewski	Keefe, S.	Menning	Peterson	Willet
Coleman	Kirchner	Moe	Setzepfandt	
Engler	Kleinbaum	Nelson	Sikorski	
Gearty	Knoll	Nichols	Solon	
Hanson	Laufenburger	Ogdahl	Stokowski	

Those who voted in the negative were:

Anderson	Dieterich	Knutson	Renneke	Sillers
Ashbach	Frederick	Merriam	Schaaf	Spear
Bernhagen	Gunderson	Olson	Schmitz	Tennessee
Brataas	Jensen	Pillsbury	Schrom	Ulland, J.
Davies	Knaak	Purfeerst	Sieloff	Wegener

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

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 1364 a Special Order to be heard immediately.

S. F. No. 1364: A bill for an act relating to the state civil service; requiring a statewide affirmative action program and agency plans; providing for expanding eligible lists so as to include protected group members; amending Minnesota Statutes 1976, Section 43.15.

Mr. Chenoweth moved to amend S. F. No. 1364 as follows:

Page 4, line 8, after the period insert "*Notwithstanding any provision of this subdivision to the contrary, no person shall be added to an appointment list as a result of this subdivision if that person received a score of less than 70 on the applicable test.*"

The motion prevailed. So the amendment was adopted.

S. F. No. 1364 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 45 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Gerty	Laufenburger	Peterson	Sillers
Benedict	Gunderson	Lessard	Pillsbury	Solon
Bernhagen	Jensen	Lewis	Purfeerst	Spear
Brataas	Johnson	Luther	Renneke	Staples
Chenoweth	Keefe, S.	Moe	Schaaf	Stokowski
Chmielewski	Kleinbaum	Nichols	Schmitz	Stumpf
Coleman	Knaak	Ogdahl	Schrom	Ulland, J.
Engler	Knoll	Olhoft	Setzepfandt	Vega
Frederick	Knutson	Penny	Sieloff	Willet

Mr. Olson voted in the negative.

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

#### MOTIONS AND RESOLUTIONS—CONTINUED SUSPENSION OF RULES

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

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Ashbach	Gearty	Lessard	Peterson	Solon
Benedict	Gunderson	Lewis	Pillsbury	Spear
Bernhagen	Jensen	Luther	Purfeerst	Staples
Borden	Johnson	Menning	Renneke	Stokowski
Brataas	Keefe, S.	Moe	Schaaf	Stumpf
Chenoweth	Kleinbaum	Nichols	Schmitz	Ulland, J.
Chmielewski	Knaak	Ogdahl	Schrom	Vega
Coleman	Knoll	Olhoff	Setzepfandt	Willet
Engler	Knutson	Olson	Sieloff	
Frederick	Laufenburger	Penny	Sillers	

So the bill passed and its title was agreed to.

### THIRD READING OF HOUSE BILLS

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Ashbach	Gunderson	Lewis	Pillsbury	Staples
Benedict	Hanson	Luther	Purfeerst	Stokowski
Bernhagen	Jensen	Menning	Renneke	Strand
Borden	Johnson	Moe	Schaaf	Stumpf
Brataas	Keefe, S.	Nelson	Schmitz	Tennessee
Chenoweth	Kleinbaum	Nichols	Schrom	Ulland, J.
Chmielewski	Knaak	Ogdahl	Setzepfandt	Vega
Coleman	Knoll	Olhoff	Sieloff	Willet
Engler	Knutson	Olson	Sillers	
Frederick	Laufenburger	Penny	Solon	
Gearty	Lessard	Peterson	Spear	

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Ashbach	Chenoweth	Gearty	Keefe, S.	Laufenburger
Benedict	Chmielewski	Gunderson	Kirchner	Lessard
Bernhagen	Coleman	Hanson	Kleinbaum	Lewis
Borden	Engler	Jensen	Knaak	Luther
Brataas	Frederick	Johnson	Knutson	Menning

Moe	Penny	Schmitz	Spear	Ulland, J.
Nelson	Peterson	Schrom	Staples	Vega
Nichols	Pillsbury	Setzepfandt	Stokowski	Willet
Ogdahl	Purfeerst	Sieloff	Strand	
Olhoff	Renneke	Sillers	Stumpf	
Olson	Schaaf	Solon	Tennessee	

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Ashbach	Gunderson	Lessard	Peterson	Spear
Benedict	Hanson	Lewis	Pillsbury	Staples
Bernhagen	Jensen	Luther	Purfeerst	Stokowski
Borden	Johnson	Menning	Renneke	Strand
Brataas	Keefe, S.	Moe	Schaaf	Stumpf
Chenoweth	Kirchner	Nelson	Schmitz	Tennessee
Chmielewski	Kleinbaum	Nichols	Schrom	Ulland, J.
Coleman	Knaak	Ogdahl	Setzepfandt	Vega
Engler	Knoll	Olhoff	Sieloff	Willet
Frederick	Knutson	Olson	Sillers	
Gearty	Laufenburger	Penny	Solon	

So the bill passed and its title was agreed to.

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 Minnesota 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 28; 353.01, Subdivision 2b; 354.05, Subdivision 2; and 422A.09, Subdivision 3.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Ashbach	Brataas	Engler	Hanson	Kirchner
Benedict	Chenoweth	Frederick	Jensen	Kleinbaum
Bernhagen	Chmielewski	Gearty	Johnson	Knaak
Borden	Coleman	Gunderson	Keefe, S.	Knoll

Knutson	Nelson	Pillsbury	Sieloff	Stumpf
Laufenburger	Nichols	Purfeerst	Sillers	Tennessee
Lessard	Ogdahl	Renneke	Solon	Ulland, J.
Lewis	Olhoff	Schaaf	Spear	Vega
Luther	Olson	Schmitz	Staples	Willet
Menning	Penny	Schrom	Stokowski	
Moe	Peterson	Setzepfandt	Strand	

So the bill passed and its title was agreed to.

H. F. No. 838: A bill for an act relating to natural resources; watershed districts; changing bonding provisions for managers; changing and clarifying administrative provisions; establishing a survey and data acquisition fund; creating fees for applications for permits and for field inspections; authorizing watershed districts to require a permit applicant to post a bond; providing penalties and enforcement provisions; amending Minnesota Statutes 1976, Sections 112.42, Subdivision 1; 112.43, Subdivision 1; 112.48, Subdivision 4; 112.49, by adding a subdivision; 112.50, Subdivision 1; 112.55; 112.61, by adding a subdivision; 112.62, by adding a subdivision; 112.69; 112.761, Subdivision 1; 112.85, Subdivision 1; and Chapter 112, by adding sections; repealing Laws 1969, Chapter 969.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Ashbach	Gunderson	Lessard	Peterson	Spear
Benedict	Hanson	Lewis	Pillsbury	Staples
Bernhagen	Jensen	Luther	Purfeerst	Stokowski
Borden	Johnson	Menning	Renneke	Strand
Brataas	Keefe, S.	Moe	Schaaf	Stumpf
Chenoweth	Kirchner	Nelson	Schmitz	Tennessee
Chmielewski	Kleinbaum	Nichols	Schrom	Ulland, J.
Coleman	Knaak	Ogdahl	Setzepfandt	Vega
Engler	Knoll	Olhoff	Sieloff	Willet
Frederick	Knutson	Olson	Sillers	
Gearty	Laufenburger	Penny	Solon	

So the bill passed and its title was agreed to.

H. F. No. 1808: A bill for an act relating to special school district No. 1 of the city of Minneapolis; establishing four year terms of office for directors of the board of education; amending Laws 1959, Chapter 462, Section 3, Subdivision 1, as amended and renumbered.

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

The question was taken on the passage of the bill.

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



Those who voted in the affirmative were:

Ashbach	Gunderson	Lessard	Peterson	Spear
Benedict	Hanson	Lewis	Pillsbury	Staples
Bernhagen	Jensen	Luther	Purfeerst	Stokowski
Borden	Johnson	Menning	Renneke	Strand
Brataas	Keefe, S.	Moe	Schaaf	Stumpf
Chenoweth	Kirchner	Nelson	Schmitz	Tennessee
Chmielewski	Kleinbaum	Nichols	Schrom	Ulland, J.
Coleman	Knaak	Ogdahl	Setzepfandt	Vega
Engler	Knoll	Olhoff	Sieloff	Willet
Frederick	Knutson	Olson	Sillers	
Gearty	Laufenburger	Penny	Solon	

So the bill passed and its title was agreed to.

Pursuant to Rule 21, Mr. Moe moved that the following members be excused for a Conference Committee on H. F. Nos. 2493 and 2494:

Messrs. Moe, Kirchner, Lewis, Kleinbaum and Humphrey. 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. No. 2294, H. F. Nos. 1838, 2256, 1976, 1921, 1851, 1898, 2051, 2176, 1797, 1833, 2221, 1442, 2177, 2066, 2419, 1786, 1870, 1873, 1908 which the committee recommends to pass.

S. F. No. 2069 which the committee recommends be returned to its author.

H. F. No. 1754 which the committee recommends to pass, subject to the following motion:

Mr. Strand moved that the amendment made to H. F. No. 1754 by the Committee on Rules and Administration in the report adopted March 13, 1978, pursuant to Rule 49, be stricken, except for the amendment to page 4, line 27.

The motion prevailed. So the amendment, except for the amendment to page 4, line 27, was stricken.

H. F. No. 1790, which the committee recommends to pass subject to the following motions:

Mr. Vega moved that the amendment made to H. F. No. 1790 by the Committee on Rules and Administration in the report adopted March 13, 1978, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Vega then moved to amend H. F. No. 1790 as follows:

Amend the title as follows:

Page 1, strike line 3

The motion prevailed. So the amendment was adopted.

H. F. No. 2159, which the committee recommends to pass with the following amendment offered by Mr. Solon:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1976, Section 486.05, Subdivision 1, is amended to read:

486.05 [DISTRICT COURT; REPORTERS' SALARIES.]  
Subdivision 1. The judge by an order filed with the county auditors on or before the second Monday in June ; ~~1975~~, shall *annually* fix and establish the salary of the court reporter at an amount not exceeding ~~\$19,100~~ \$22,500 per year, and, in such order, each judge, except those judges in the second and fourth judicial districts, shall apportion the salaries of the reporters in their respective districts among the several counties, and each county shall be required by such order to pay a specified amount thereof in monthly installments, which shall be such proportion of the whole salary as the population in each county bears to the total population in the district as set forth in the most recent federal census. It is provided, however, that in the event a judge is temporarily transferred to hold court in some county other than in his judicial district then, and in that event, the said county shall pay that part of the monthly salary of the judge's reporter as that part of the month worked by said reporter in said county. Each reporter shall have and maintain his residence in the district in which he is appointed. The reporter, in addition to his salary, shall be paid such sums as he shall accrue as necessary mileage, traveling, and hotel expenses while absent from the city in which he resides in the discharge of his official duties, such expenses to be paid by the county for which the same were incurred upon presentation of a verified itemized statement thereof approved by the judge; and the auditor of such county, upon presentation of such approved statement, shall issue his warrant in payment thereof.

All laws now in force relating to the salary of district court reporters inconsistent herewith relating to any and all counties are hereby repealed and superseded, except the manner of setting salary as hereinbefore set forth shall not apply to the second and fourth judicial districts."

Renumber the sections in sequence

Amend the title as follows:

Line 2, after the semicolon, insert "increasing the maximum salary for district court reporters;"

Line 7, strike "Section" and insert "Sections 486.05, Subdivision 1; and"

H. F. No. 1744, which the committee recommends to pass with the following amendment offered by Mr. Gunderson:

Page 2, line 4, strike "seated in" and insert "occupying"

Page 2, line 32, strike "to secure the wheelchair user" and insert "which are approved by the commissioner of public safety"

Page 3, line 1, strike "may" and insert "required by this subdivision shall be adequate to secure the occupant of a wheelchair who is being transported by the vehicle. These seat belts shall"

Page 3, line 3, after "all" insert "other"

Page 3, line 3, strike "federal and"

Page 4, line 17, strike "complied" and insert "complies"

Page 4, line 26, after the period insert "For the purposes of this section "wheelchair securement device" means such a device approved by the commissioner of public safety."

Page 5, line 1, strike "sections 2 and 3" and insert "section 2, subdivision 1, and section 3, subdivision 1,"

Page 5, line 4, strike "upon"

Page 5, line 5, strike everything before the period and insert "the day following final enactment"

Amend the title as follows:

Page 1, line 8, after the semicolon insert "directing the commissioner of public safety to adopt rules and to approve devices required by the act,"

H. F. No. 2273, which the committee recommends to pass with the following amendments offered by Mr. Olson:

Mr. Olson moved to amend H. F. No. 2273 as follows:

Page 1, line 16, strike "rule 103.03,"

Page 1, line 17, strike "clauses (b) and (g) of"

Page 1, line 23, strike "department" and insert "commissioner"

Page 2, line 3, strike "department" and insert "commissioner"

Page 2, line 9, strike "department" and insert "commissioner"

Mr. Olson then moved to amend H. F. No. 2273 as follows:

Page 2, line 1, strike "file with the clerk of the" and insert "commence an action in"

Page 2, line 2, strike "a petition"

Page 2, line 3, strike "Thereupon"

Page 2, strike lines 4 to 9 and strike line 10 before "If"

H. F. No. 669, which the committee recommends to pass with the following amendments offered by Messrs. Lessard and Peterson:

Mr. Lessard moved to amend H. F. No. 669, as amended pursuant to Rule 49, adopted by the Senate March 13, 1978, as follows:

(The text of the amended House File is identical to S. F. No. 1759.)

Page 3, line 26, after "98" insert "*and under which he was exercising or attempting to exercise a privilege while violating this section,*"

Page 3, line 27, after "84.82" insert "*, if he was operating a snowmobile while violating this section,*"

Page 3, line 28, after "license" insert "*for that purpose*"

Page 4, line 1, after "98" insert "*and under which he was exercising or attempting to exercise a privilege while violating this section,*"

Page 4, line 2, after "84.32" insert "*, if he was operating a snowmobile while violating this section,*"

Page 4, line 4, after "license" insert "*for that purpose*"

Mr. Peterson moved to amend H. F. No. 669, as amended pursuant to Rule 49, adopted by the Senate March 13, 1978, as follows:

(The text of the amended House File is identical to S. F. No. 1759.)

Page 2, line 10, after "products" insert "*, lands enclosed by a legal fence as defined by section 344.02.*"

Page 2, line 11, after "except" insert "*any such*"

Page 2, line 11, strike "*designated trout*" and insert "*the water's edge of lakes and*"

S. F. No. 2170, which the committee recommends to pass with the following amendment offered by Mr. Spear:

Page 2, line 6, after "each" insert "*monthly*"

Page 2, line 8, strike "*regular*" and insert "*statutory*"

Page 2, line 14, strike "*regular*" and insert "*statutory*"

Page 2, line 17, strike "*regular*" and insert "*statutory*"

Page 2, line 21, strike "*regular*" and insert "*statutory*"

Page 2, line 24, strike "*regular*" and insert "*statutory*"

Page 2, line 26, strike "*regular*" and insert "*statutory*"

H. F. No. 2299 which the committee reports progress, subject to the following motion:

Mr. Schmitz moved that the amendment made to H. F. No. 2299 by the Committee on Rules and Administration in the report adopted March 13, 1978, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 2299 was then progressed.

S. F. No. 1985, which the committee recommends to pass with the following amendment offered by Mr. Stokowski:

Page 7, line 10, strike "REFUNDMENTS" and insert "REFUND"

Page 7, line 28, strike "for" and insert "of"

Page 7, line 32, after "*balances.*" insert "*No refunds of contributions made to the metropolitan transit commission-transit operating division employees retirement fund received prior to July 1, 1978 or for service rendered prior to July 1, 1978 may be repaid.*"

Page 11, line 28, strike "*of annuitants and benefit recipients*"

Page 12, line 7, strike "9" and insert "10"

Page 12, line 12, strike "*appropriated*" and insert "*transferred*"

Page 12, line 15, strike "9" and insert "10"

Page 12, line 28, strike "9" and insert "10"

Page 15, line 7, strike the second "*survivorship*" and insert "*survivor of deceased active employee*"

Page 15, line 29, strike "*Minnesota state*" and insert "*state employees retirement fund*"

Page 15, line 30, strike "*retirement system*"

Page 16, line 24, strike "*for a*" and insert a period

Page 16, strike lines 25, 26 and 27

Page 17, line 13, strike "*upon the date of*" and insert "*on June 30, 1978,*"

Page 17, line 14, strike "*transfer*"

Page 18, line 28, after "*credited to,*" insert "*the dates of birth of,*"

Page 18, line 29, after "*members*" insert "*, retirees and benefit recipients, and deceased members*"

Page 20, line 14, strike "*immediately prior to the effective date of this act*" and insert "*on December 31, 1977*"

Page 23, line 1, strike "*Any*" and insert "*The*"

Page 23, strike lines 2 through 8 and insert "*chapter 352 shall govern in all instances where not inconsistent with the provisions of this act.*"

Page 23, line 22 before "section" insert "*Minnesota Statutes 1976,*"

Page 23, line 30, after "fund" insert "*, including any increases provided for by this act,*"

Page 23, line 31, strike "*next following the effective date of this act*" and insert "*as of June 30, 1978*"

Page 24, line 29, after "(b)" insert "*who is at least age 55*"

Page 25, line 30, strike "9" and insert "10"

S. F. No. 1468, which the committee recommends to pass with the following amendments offered by Messrs. Jensen and Davies:

Mr. Jensen moved to amend S. F. No. 1468 as follows:

Page 3, line 25, strike "within a reasonable time"

Page 3, line 26, strike "after the estimate has been made" and insert "and the shop undertakes the repairs"

Mr. Davies moved to amend S. F. No. 1468 as follows:

Page 5, lines 4 and 6, strike "an" and insert "a written"

Page 7, line 9, after "its" insert "written"

H. F. No. 1823, which the committee recommends to pass subject to the following motions:

Mr. Lewis moved that the amendment made to H. F. No. 1823 by the Committee on Rules and Administration in the report adopted March 13, 1978, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Chmielewski moved to amend H. F. No. 1823 as follows:

Page 3, after line 10, insert:

"Sec. 2. *Notwithstanding any provision of sections 144.801 to 144.8091, any person operating an ambulance service on the effective date of this act who was issued a license by the Minnesota board of health between December 31, 1974 and January 1, 1976 may continue to operate the ambulance service without the issuance of an additional license or license renewal until January 1, 1980.*"

Re-number the remaining section

Amend the title as follows:

Line 3, after the semicolon, insert "providing for the continuation of certain ambulance services;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 27, as follows:

Those who voted in the affirmative were:

Benedict	Lessard	Olson	Schmitz	Stokowski
Chenoweth	Lewis	Peterson	Schrom	Vega
Chmielewski	Menning	Renneke	Solon	Willet
Johnson	Olhoff			

Those who voted in the negative were:

Ashbach	Gearty	Laufenburger	Penny	Spear
Bernhagen	Gunderson	Luther	Purfeerst	Staples
Borden	Hughes	Merriam	Setzepfandt	Strand
Brataas	Keefe, S.	Moe	Sieloff	Ueland, A.
Davies	Kirchner	Ogdahl	Sillers	Wegener
Frederick	Kleinbaum			

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

Mr. Peterson moved to amend H. F. No. 1823 as follows:

Page 3, after line 10, insert

“Sec. 2. Minnesota Statutes 1976, Section 145.74, is amended to read:

145.74 [HEALTH PLANNING AGENCIES; MEMBERSHIP REGULATIONS.] The state planning agency shall, subject to chapter 15, after consulting with the state board of health promulgate regulations concerning the membership of area wide comprehensive health planning agencies. The regulations shall include, but not be limited to, the following factors. The regulations shall:

(1) comply with the provisions of the Partnership for Health Act, P.L. 89-749, as amended, and with the National Health Planning and Resources Development Act, P.L. 93-641;

(2) provide that a majority of the membership be composed of consumers;

(3) provide for representation of hospital and nursing home providers;

(4) provide for representation of licensed medical doctors and other health professionals;

(5) provide for a fixed term of membership; and

(6) provide that members of an area wide comprehensive health planning agency shall not select their successors ; and

(7) allow for the creation of an executive committee of not more than 25 members to take action on behalf of the area wide comprehensive health planning agency where required under P.L. 93-641 .

No existing area wide comprehensive health planning agency shall exercise the functions provided in sections 145.71 to 145.83

until it is in compliance with regulations issued pursuant to this section.

If there is no area wide comprehensive health planning agency in a designated area of the state in compliance with sections 145.71 to 145.83, the Minnesota state planning agency shall perform the functions and duties of an area wide comprehensive health planning agency for that area. *The area wide comprehensive health planning agency or executive committee, if any, shall act only by a majority of its members present and voting at a meeting called upon adequate notice to all of its members and at which a quorum is in attendance. A quorum for an area wide comprehensive health planning agency, or executive committee, shall be not less than one-half of its members.*”

Page 3, line 12, after the period, insert “*Section 2 shall be effective for all decisions of comprehensive health planning agencies beginning January 1, 1978.*”

Renumber the sections in sequence

Amend the title as follows:

Line 3, after the semicolon, insert “*modifying voting requirements for area wide comprehensive health planning agencies;*”

Line 4, strike “*Section*” and insert “*Sections*” and after “*123.70*” insert “*; and 145.74*”

The motion prevailed. So the amendment was adopted.

H. F. No. 2197, which the committee recommends to pass with the following amendment offered by Mr. Knoll:

Page 4, line 5, reinstate the stricken language

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

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

#### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2527.

H. F. No. 2527: A bill for an act relating to the organization and operation of state government; clarifying, supplementing, and providing for deficiencies in appropriations for the expenses of state government with certain conditions; providing for payment of claims; shortening time for cancellation of certain drafts; authorizing fees and special accounts in certain cases; transferring duties; extending existence of advisory council or economic status of women; appropriating money; amending Minnesota Statutes 1976, Sections 3.736, Subdivision 7; 3.98, Subdivision 4; 10.15; 10A.20, Subdivision 3, as amended; 10A.27, Subdivision 4, as



amended; 10.32, Subdivision 3, as amended; 15.061; 16.32, Subdivision 1; 16A.128; 16A.15, Subdivision 1; 16A.60; 16A.67, Subdivision 2; 60A.13, Subdivision 7; 60A.14, Subdivision 1; 136A.29, Subdivision 9; 242.385, Subdivision 1; 299C.10; 299C.11; 299D.03, Subdivision 6; 341.12; 363.14, Subdivision 1; 480.13; and Chapter 16A, by adding sections; Minnesota Statutes, 1977 Supplement, Sections 15A.083, Subdivision 4, and by adding a subdivision; 16.125, Subdivisions 1 and 3; 16.72, Subdivision 7; 43.42; 43.43, Subdivision 2; 120.17, Subdivision 7a; 139.18, Subdivision 2; 298.28, Subdivision 1; 473.591, Subdivision 3; 484.62; 484.68, Subdivision 6; and 484.68, by adding subdivisions; amending Laws 1976, Chapter 337, Sections 1, Subdivision 4; and 4; amending Laws 1977, Chapter 421, Section 13, by adding a subdivision; Laws 1977, Chapter 445, Section 3, Subdivision 3; Laws 1977, Chapter 454, Section 5, Subdivision 1; repealing Minnesota Statutes 1976, Sections 3.732, Subdivision 4; 16.171; 60A.13, Subdivisions 3 and 4; 162.19; 325.64 to 325.76; and 363.122.

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

Norton, Kahn, Eckstein, Samuelson and Searle have been appointed as such committee on the part of the House.

House File No. 2527 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 14, 1978

Mr. Moe moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2527, 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. 1918.

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.

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

Skoglund, Vanasek and Tomlinson have been appointed as such committee on the part of the House.

House File No. 1918 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 14, 1978

Mr. McCutcheon moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1918, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2250:

H. F. No. 2250: A bill for an act relating to taxation; increasing credits available to certain taxpayers; removing sales taxes on residential heating fuels; providing additional refunds for residential heating cost for certain taxpayers; reducing the income tax rate on corporations; eliminating the arithmetic average from the formula used for the apportionment of trade or business income among states; amending Minnesota Statutes 1976, Sections 290.06, Subdivisions 1 and 3d; 290.19, Subdivision 1; 290.361, Subdivision 2; 290A.07, Subdivision 1; 297A.25, Subdivision 1; Chapter 290, by adding a section; and Chapter 290A, by adding a section; and Minnesota Statutes, 1977 Supplement, Sections 290.06, Subdivision 3c; and 290A.06.

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

Kelly, W.; Sabo; Anderson, I.; Vanasek and Savelkoul have been appointed as such committee on the part of the House.

House File No. 2250 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 14, 1978

Mr. McCutcheon moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2250, 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. 2196:

H. F. No. 2196: A bill for an act relating to claims against the state; appropriating money for the payment thereof.

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

McCarron; Arlandson; Faricy; Sieben, M.; and Carlson, D. have been appointed as such committee on the part of the House.

House File No. 2196 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 14, 1978

Mr. Menning moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2196, 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. 2098:

H. F. No. 2098: A bill for an act relating to family planning services; providing for special grants to provide family planning services; requiring informed consent; providing a penalty; appropriating funds; amending Minnesota Statutes 1976, Section 145.922, by adding subdivisions.

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

Berglin, Reding and Kaley have been appointed as such committee on the part of the House.

House File No. 2098 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 14, 1978

Mrs. Staples moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2098, 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.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Peterson moved that S. F. No. 1738 be stricken from General Orders and returned to its author. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 12:30 o'clock p.m., Wednesday, March 15, 1978. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate