

NINETY-FOURTH DAY

St. Paul, Minnesota, Friday, March 17, 1978

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

CALL OF THE SENATE

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

| | | | | |
|-------------|-----------|--------------|------------|------------|
| Anderson | Frederick | Laufenburger | Peterson | Staples |
| Ashbach | Gearty | Lessard | Purfeerst | Stokowski |
| Benedict | Hanson | Lewis | Renneke | Strand |
| Borden | Hughes | Luther | Schmitz | Stumpf |
| Brataas | Humphrey | McCutcheon | Schrom | Ueland, A. |
| Chmielewski | Johnson | Nelson | Setzpfandt | Ulland, J. |
| Davies | Keefe, S. | Olhoft | Sillers | Vega |
| Dieterich | Kirchner | Olson | Solon | Wegener |
| Dunn | Kleinbaum | Penny | Spear | Willet |

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

Prayer was offered by the Chaplain, Rabbi Harold Schecter.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Mr. Bang was excused from the Session of today. Mr. Lessard

was excused from the Session of today at 1:30 o'clock p.m. Mr. Knutson was excused from the Session of today from 1:30 until 3:00 o'clock p.m.

Pursuant to Rule 21, Mr. Moe moved that the following members be excused for a Conference Committee on H. F. No. 2527:

Messrs. Willet; Moe; Keefe, S.; Keefe, J. and Purfeerst. The motion prevailed.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 16, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor to inform you that I have received, approved, signed, and deposited in the Office of the Secretary of State, Senate File Nos. 1096, 1116, 1194, 1206, 1431, 1547, 1603, 1664, and 1955.

Sincerely,
Rudy Perpich, Governor

March 16, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor to inform you that I have received, approved, signed, and deposited in the Office of the Secretary of State, Senate File Nos. 478, 1607, 1617, 1699, 1713, 1754, 1758, 1951, and 1959.

Sincerely,
Rudy Perpich, Governor

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. 997, 1425, 1612, 1743, 2316 and 1510.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 16, 1978

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 1722: A bill for an act relating to education; providing

educational aids for children attending nonpublic schools; appropriating money; amending Minnesota Statutes 1976, Sections 120.17, Subdivision 9; 123.931; 123.932, Subdivision 7, and by adding subdivisions; 123.933; 123.935; 123.936; 123.937; 124.212, by adding a subdivision; and Chapter 123, by adding sections; Minnesota Statutes, 1977 Supplement, Sections 124.212, Subdivision 9a; and 124.223; repealing Minnesota Statutes 1976, Sections 123.932, Subdivisions 1, 2, 6 and 8; 123.934; and Laws 1977, Chapter 447, Article VI, Section 12.

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

Pehler, Eken and Stanton.

Senate File No. 1722 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 16, 1978

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 1864: A bill for an act relating to state employees; improving testing procedures; tightening provisions relating to provisional appointments; providing for a pilot reliability-based band width certification program; altering certain requirements for appointment and benefit eligibility; establishing special procedures for filling certain positions; providing for modified reimbursements of costs; providing notification of appeal rights; appropriating money; amending Minnesota Statutes 1976, Sections 43.13, Subdivision 1, and by adding a subdivision; 43.14, Subdivision 1; 43.18; 43.19, Subdivision 1; 43.20, Subdivisions 2, 3, 5, and by adding a subdivision; 43.24, Subdivision 1; 43.32, Subdivision 11; 43.327, Subdivisions 1 and 2; 43.491, by adding a subdivision; and Chapter 43, by adding a section.

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

Berglin, Petrafeso and Zubay.

Senate File No. 1864 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 16, 1978

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 1891: A bill for an act relating to taxation; property tax; exempting certain cities containing utility plants from per capita levy limitations; amending Minnesota Statutes 1976, Section 275.11, by adding a subdivision.

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

McEachern; Kelly, W. and Pleasant.

Senate File No. 1891 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 16, 1978

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 669.

H. F. No. 669: A bill for an act relating to trespass; prohibiting trespass on certain lands of another for purposes of taking wild animals, fish or plants; limiting discharge of a firearm within 500 feet of an occupied building; amending Minnesota Statutes 1976, Sections 100.273; and 100.29, Subdivision 21; repealing Minnesota Statutes 1976, Section 100.29, Subdivision 22.

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

Clawson, Searle and Nelson have been appointed as such committee on the part of the House.

House File No. 669 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 16, 1978

Mr. Purfeerst moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 669, 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. 1091.

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

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

Stanton, Casserly and Erickson have been appointed as such committee on the part of the House.

House File No. 1091 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 16, 1978

Mr. Nichols moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1091, 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. 1119.

H. F. No. 1119: A bill for an act relating to Ramsey county; providing for additional membership on its civil service commission; further prescribing and clarifying the duties of the commission; eliminating per diem payments for library board members; amending Laws 1974, Chapter 435, Section 3.02; repealing Laws 1974, Chapter 435, Section 1.0208.

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

Wynia, Novak and Kelly, R. have been appointed as such committee on the part of the House.

House File No. 1119 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 16, 1978

Mr. Dieterich moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1119, 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. 1520.

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

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

George, Brinkman and Niehaus have been appointed as such committee on the part of the House.

House File No. 1520 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 16, 1978

Mr. Tennesen moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1520, 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. 1736.

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

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

Berkelman; Anderson, G. and Carlson, D. have been appointed as such committee on the part of the House.

House File No. 1736 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 16, 1978

Mr. Benedict moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1736, 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. 1744.

H. F. No. 1744: A bill for an act relating to mobility disabled persons; requiring installation and use of wheelchair securement

devices in vehicles used for transporting wheelchair users; providing for inspection of wheelchair securement devices; requiring other safety measures in vehicles used for transporting wheelchair users; authorizing the admissibility of certain evidence in litigation; providing penalties.

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

Berkelman, Brandl and Heinitz have been appointed as such committee on the part of the House.

House File No. 1744 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 16, 1978

Mr. Gunderson moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1744, 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. 1786.

H. F. No. 1786: A bill for an act relating to children; requiring a welfare agency receiving a report of a maltreated minor to notify the local police department or county sheriff; amending Minnesota Statutes 1976, Section 626.556, Subdivisions 1, 3, 4, 6, 7, 8 and 9; and Minnesota Statutes, 1977 Supplement, Section 626.556, Subdivisions 2 and 11.

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

Hokanson, Kahn and Kaley have been appointed as such committee on the part of the House.

House File No. 1786 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 16, 1978

Mrs. Staples moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1786, 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. 1823.

H. F. No. 1823: A bill for an act relating to public health; requiring certain immunizations for students; amending Minnesota Statutes 1976, Section 123.70.

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

Carlson, L.; Swanson and Berglin have been appointed as such committee on the part of the House.

House File No. 1823 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 16, 1978

Mr. Lewis moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1823, 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. 1838.

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

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

Pehler, Brinkman and Niehaus have been appointed as such committee on the part of the House.

House File No. 1838 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 16, 1978

Mr. Kleinbaum moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1838, 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. 1914.

H. F. No. 1914: A bill for an act relating to Koochiching county; authorizing the county law library to be supported by judicially imposed fee charges.

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

Anderson, I.; Corbid and Brinkman have been appointed as such committee on the part of the House.

House File No. 1914 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 16, 1978

Mr. Lessard moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1914, 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. 1915.

H. F. No. 1915: A bill for an act relating to taxation; providing that all orders relating to valuation of property for ad valorem taxes be issued on or before November 15; authorizing the commissioner of revenue to provide new income tax tables; defining the deduction for tuition and transportation expense in computing income tax; providing a seven year carryforward for farm losses; limiting the deduction for charitable contributions; authorizing the commissioner to require a copy of computations used to compute federal income tax; allowing spouses to file combined returns even if one is a nonresident; requiring employers to file a withholding application; providing property tax relief benefits for persons becoming disabled before June 1; defining the acreage eligible for homestead exemption for inheritance tax purposes; changing gift tax rates and credits for certain donees; changing interest rates on certain gift tax refunds; altering classification of alcoholic beverages for tax purposes; eliminating inheritance tax receipts; repealing the deduction for alimony; altering the method of computing metropolitan council tax levies; amending Minnesota Statutes 1976, Sections 270.12, Subdivision 3; 290.09, Subdivision 22; 290.37, Subdivision 3; 290.39, Subdivision 2, and by adding a subdivision; 290.92, by adding a subdivision; 290A.04, Subdivision 1; 291.05; 292.07, Subdivisions 3 and 5; 292.125; 340.47, Subdivision 1; 473.249, Subdivisions 1 and 2; and Minnesota Stat-

utes, 1977 Supplement, Sections 290.09, Subdivision 29; 290.21, Subdivision 3; 290A.04, Subdivision 2b; 340.47, Subdivision 1a; repealing Minnesota Statutes 1976, Section 291.13, Subdivision 2; and Minnesota Statutes, 1977 Supplement, Section 290.09, Subdivision 14.

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

Vanasek, Casserly and Searles have been appointed as such committee on the part of the House.

House File No. 1915 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 16, 1978

Mr. Setzepfandt moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1915, 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. 2124.

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.

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

Jaros, Nelson and Esau have been appointed as such committee on the part of the House.

House File No. 2124 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 16, 1978

Mr. Lewis moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2124, 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. 2159.

H. F. No. 2159: A bill for an act relating to courts; permitting personal jurisdiction over non-residents for causes of action relating to tortious acts; revising the provision to accord with federal constitutional requirements; amending Minnesota Statutes 1976, Section 543.19, Subdivision 1.

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

Sieben, M.; Sieben, H. and Patton have been appointed as such committee on the part of the House.

House File No. 2159 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 16, 1978

Mr. Hanson moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2159, 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. 2261.

H. F. No. 2261: A bill for an act relating to energy; changing the powers of the Minnesota energy agency; implementing certain residential energy efficiency standards; establishing insulation product and application standards; prescribing penalties; appropriating money; amending Minnesota Statutes 1976, Section 116H.08; and Minnesota Statutes, 1977 Supplement, Section 116H.129, Subdivision 1, and by adding subdivisions.

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

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

House File No. 2261 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 16, 1978

Mr. Humphrey moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2261,

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. 2341.

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.

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

Kelly, R.; Wynia and Tomlinson have been appointed as such committee on the part of the House.

House File No. 2341 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 16, 1978

Mr. Stumpf moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2341, 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 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. 291: A bill for an act relating to labor; prohibiting termination of employee benefits; amending Minnesota Statutes 1976, Chapter 181, by adding a section.

Senate File No. 291 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 15, 1978

Without objection, S. F. No. 291 was laid on the table.

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. 438: A bill for an act relating to bank charters; classifying data contained in financial statements of applicants; requiring payment of certain costs; requiring approval of managing officers; regulating issuance and expiration of certificates of authorization and charters; amending Minnesota Statutes 1976, Sections 45.04; and 45.07.

Senate File No. 438 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 16, 1978

Without objection, S. F. No. 438 was laid on the table.

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. 645: A bill for an act relating to vital statistics; requiring reporting; establishing registration districts; defining terms; providing penalties; repealing Minnesota Statutes 1976, Sections 144.151 to 144.205; 517.071; 517.08, Subdivisions 2 and 3; and 518.001.

Senate File No. 645 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 16, 1978

CONCURRENCE AND REPASSAGE

Mr. Nelson moved that the Senate concur in the amendments by the House to S. F. No. 645 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 645 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|-----------|--------------|---------|
| Anderson | Davies | Hughes | Kleinbaum | Luther |
| Ashbach | Dieterich | Humphrey | Knaak | Merriam |
| Benedict | Dunn | Jensen | Knoll | Nelson |
| Bernhagen | Engler | Johnson | Knutson | Nichols |
| Borden | Frederick | Keefe, J. | Laufenburger | Ogdahl |
| Brataas | Gearty | Keefe, S. | Lessard | Olhoft |
| Chmielewski | Hanson | Kirchner | Lewis | Olson |

| | | | | |
|-----------|-------------|-----------|------------|---------|
| Penny | Schmitz | Sillers | Strand | Vega |
| Peterson | Schrom | Solon | Stumpf | Wegener |
| Pillsbury | Setzepfandt | Spear | Tennessen | Willet |
| Purfeerst | Sieloff | Staples | Ueland, A. | |
| Renneke | Sikorski | Stokowski | Ulland, J. | |

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

Mr. Merriam moved that S. F. No. 291 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Merriam moved that the Senate concur in the amendments by the House to S. F. No. 291 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 291: A bill for an act relating to labor; prohibiting termination of employee benefits unless certain conditions are met; amending Minnesota Statutes 1976, Chapter 181, by adding a section.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

Mr. Tennessen moved that S. F. No. 438 be taken from the table. The motion prevailed.

Mr. Tennessen moved that the Senate do not concur in the amendments by the House to S. F. No. 438 and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

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. 744: A bill for an act relating to elections; defining member of a political party; altering various provisions relating to publication of constitutional amendment explanation, ballots, judges, summary statements, canvasses and returns; amending Minnesota Statutes 1976, Chapter 204A, by adding a section; and Sections 3.21; 200.02, by adding a subdivision; 204A.18, Subdivision 1; 204A.32, Subdivision 4; 204A.42, Subdivision 1; 204A.45, Subdivision 1; 204A.46, Subdivisions 1, 2, 3 and 4; 204A.47; and 204A.51, Subdivisions 2 and 3; repealing Minnesota Statutes 1976, Sections 204A.45, Subdivision 2; and 204A.48.

Senate File No. 744 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 16, 1978

Mr. Stokowski moved that S. F. No. 744 be laid on the table. The motion prevailed.

Mr. President:

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

S. F. No. 757: A bill for an act relating to transportation; repealing the "Sunday holiday law"; allowing commercial vehicles to operate within 35 miles of cities of the first class on Sundays and legal holidays; amending Minnesota Statutes 1976, Section 221.221; repealing Minnesota Statutes 1976, Sections 221.191, 221.201 and 221.211.

Senate File No. 757 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 16, 1978

Without objection, S. F. No. 757 was laid on the table.

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. 861: A bill for an act relating to public welfare; providing for allocation of fees collected by community mental health programs.

Senate File No. 861 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 15, 1978

CONCURRENCE AND REPASSAGE

Mr. Keefe, S. moved that the Senate concur in the amendments by the House to S. F. No. 861 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 861 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 78 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 910: A bill for an act relating to local government; amending powers and duties of the Minnesota municipal board; regulating the incorporation, annexation, detachment, consolidation and boundary adjustments of certain local governmental units; amending Minnesota Statutes 1976, Sections 414.01, Subdivisions 1, 2, 5, 7a, 8, 12, 14, and 15; 414.011, Subdivision 5, and by adding subdivisions; 414.02; 414.031; 414.033, Subdivisions 1, 2, 3, 5, 6, 7, and by adding a subdivision; 414.041; 414.06; 414.061, Subdivisions 1 and 4; 414.065; 414.067; 414.07; 414.09; and Chapter 414, by adding sections; repealing Minnesota Statutes 1976, Sections 414.021; 414.032; 414.033, Subdivision 4; 414.034; and 414.068.

Senate File No. 910 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 15, 1978

Mr. Wegener moved that the Senate concur in the amendments by the House to S. F. No. 910 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 910: A bill for an act relating to local government; amending powers and duties to the Minnesota municipal board; regulating the incorporation, annexation, detachment, consolidation and boundary adjustments of certain local governmental units; amending Minnesota Statutes 1976, Sections 414.01, Subdivisions 1, 2, 5, 7a, 8, 12, 14, and 15; 414.011, Subdivision 5, and by adding subdivisions; 414.02; 414.031; 414.033, Subdivisions 1, 2, 3, 5, 6, 7, and by adding a subdivision; 414.041; 414.06; 414.061, Subdivisions 1 and 4, and by adding a subdivision; 414.065; 414.067; 414.07; 414.09; and Chapter 414, by adding sections; repealing Minnesota Statutes 1976, Sections 414.021; 414.032; 414.033, Subdivision 4; 414.034; and 414.068.

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

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. 912: A bill for an act relating to education; providing for the correction or elimination of erroneous, ambiguous, omitted and obsolete references and text; amending Minnesota Statutes 1976, Sections 120.10, Subdivision 3; 120.17, Subdivision 5a; 120.171; 120.66; 121.02, Subdivision 1; 121.09; 121.12; 121.21, Subdivision 6; 121.212, Subdivision 1; 121.28; 121.49; 121.86; 122.34; 123.34, Subdivisions 6, 8 and 10; 123.36, Subdivision 5; 123.37, Subdivisions 1 and 13; 123.39, Subdivision 6; 123.40, Subdivision 5; 123.58, Subdivisions 2, 4, 6 and 10; 123.581, Subdivi-

sions 4 and 7; 123.69, Subdivision 2; 123.79, Subdivision 1; 124.09; 124.15, Subdivision 2; 124.17, Subdivision 2; 124.30, Subdivision 5; 124.38, Subdivision 10; 124.41, Subdivision, 1; 124.47, Subdivision 1; 124.561, Subdivision 3; 125.05, Subdivision 3; 125.08; 125.12, Subdivisions 6b and 9; 125.183, Subdivision 5; 125.185, Subdivision 5; 136.09, Subdivision 3; 136.11, Subdivision 4; 136.141; 136.142, Subdivision 1; 136.145; 136.15; 136.31, Subdivision 2; 136A.142; 136A.17, Subdivision 1; 136A.172; 136A.173, Subdivision 1; 136A.174; 136A.175, Subdivision 4; 136A.176; 136A.177; 136A.178; 136A.179; 136A.28; 137.01, Subdivision 2; 275.09, Subdivision 4; 375.08; 375.14; 382.01; repealing Minnesota Statutes 1976, Sections 120.02, Subdivision 11; 121.16, Subdivision 2; 122.26; 124.562, Subdivision 6; 124.563, Subdivision 4; 136.87, Subdivision 3; Laws 1965, Chapter 705, Section 1, Subdivisions 12, 13, 14, 15, 16 and 17; Laws 1969, Chapter 699, Section 2; Laws 1969, Chapters 939 and 1110; and Laws 1971, Chapter 256.

Senate File No. 912 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 16, 1978

CONCURRENCE AND REPASSAGE

Mr. Stumpf moved that the Senate concur in the amendments by the House to S. F. No. 912 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 912: A bill for an act relating to education; providing for the correction or elimination of erroneous, ambiguous, omitted and obsolete references and text; amending Minnesota Statutes 1976, Sections 120.10, Subdivision 3; 120.171; 120.66; 121.12; 121.212, Subdivision 1; 121.28; 121.49; 121.86; 122.34; 123.12, Subdivision 2; 123.21; 123.34, Subdivisions 6, 8 and 10; 123.36, Subdivision 5; 123.37, Subdivisions 1 and 13; 123.39, Subdivision 6; 123.40, Subdivision 5; 123.58, Subdivisions 2, 4, 6 and 10; 123.581, Subdivisions 4 and 7; 123.69, Subdivision 2; 123.79, Subdivision 1; 124.09; 124.15, Subdivision 2; 124.38, Subdivision 10; 124.41, Subdivision 1; 124.47, Subdivision 1; 124.561, Subdivision 3; 125.12, Subdivisions 6b and 9; 125.183, Subdivision 5; 125.185, Subdivision 5; 136.09, Subdivision 3; 136.11, Subdivision 4; 136.141; 136.142, Subdivision 1; 136.145; 136.15; 136.31, Subdivision 2; 136A.142; 136A.17, Subdivision 1; 136A.172; 136A.173, Subdivision 1; 136A.174; 136A.175, Subdivision 4; 136A.176; 136A.177; 136A.178; 136A.179; 136A.28; 137.01, Subdivision 2; 275.09, Subdivision 4; 375.08; 375.14; 382.01; Minnesota Statutes, 1977 Supplement, Sections 121.02, Subdivision 1; 124.17, Subdivision 2; 124.212, Subdivision 11; 125.05, Subdivision 3; 125.61, Subdivision 2; 126.35, Subdivision 3; 126.46; 136A.55; repealing Minnesota Statutes 1976, Sections 120.02, Subdivision 11; 122.26; 123.12, Subdivisions 3, 4, 5, 6, 7, 8, 10, 11, 12, 13 and 15; 123.13, Subdivisions 1, 3, 4, 5, 6 and 7; 123.14; 123.15, Subdivisions 4, 5, 6, 7, 8, 9 and 10; 123.16; 123.17; 123.18; 123.19; 123.20; 136.87, Subdivision 3; Laws 1965, Chapter 705, Section 1, Subdivisions 12, 13, 14, 15, 16 and 17; Laws 1969, Chapter 699, Section 2;

Laws 1969, Chapters 939 and 1110; Laws 1971, Chapter 256; Laws 1977, Chapter 307, Section 27; and Laws 1977, Chapter 410, Section 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 1106: A bill for an act relating to solid waste disposal; authorizing counties to prohibit transportation of solid waste to other counties for disposal; authorizing counties to designate disposal sites for solid waste generated within their boundaries; amending Minnesota Statutes 1976, Section 400.24, by adding a subdivision.

Senate File No. 1106 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 15, 1978

Mr. Olson moved that S. F. No. 1106 be laid on the table. The motion prevailed.

Mr. President:

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

S. F. No. 1120: A bill for an act relating to public waters; their classification and drainage; providing for venue of certain actions involving the commissioner of natural resources; amending Minnesota Statutes 1976, Chapter 105, by adding a section.

Senate File No. 1120 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 16, 1978

Mr. Olson moved that the Senate do not concur in the amendments by the House to S. F. No. 1120 and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce 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. 1548: A bill for an act relating to courts; changing fees collected by court clerks for certain actions and services; amending Minnesota Statutes 1976, Section 357.021, Subdivision 2; Chapter 525 by adding a section; and Minnesota Statutes, 1977 Supplement, Section 517.08, Subdivision 1.

Senate File No. 1548 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 16, 1978

Mr. Merriam moved that S. F. No. 1548 be laid on the table. The motion prevailed.

Mr. President:

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

S. F. No. 1606: A bill for an act relating to no-fault automobile insurance; increasing medical expense threshold for recovery of damages for non-economic detriment; amending Minnesota Statutes 1976, Section 65B.51, Subdivision 3.

Senate File No. 1606 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 16, 1978

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 1606 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1606 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|--------------|-------------|------------|
| Anderson | Gearty | Laufenburger | Olson | Spear |
| Ashbach | Hanson | Lessard | Penny | Staples |
| Benedict | Hughes | Lewis | Peterson | Stokowski |
| Bernhagen | Humphrey | Luther | Pillsbury | Strand |
| Brataas | Jensen | McCutcheon | Purfeerst | Tennessen |
| Chenoweth | Johnson | Menning | Renneke | Ulland, J. |
| Chmielewski | Keefe, J. | Merriam | Schmitz | Vega |
| Coleman | Keefe, S. | Moe | Schrom | Willet |
| Davies | Kirchner | Nelson | Setzepfandt | |
| Dieterich | Kleinbaum | Nichols | Sieloff | |
| Dunn | Knaak | Ogdahl | Sillers | |
| Engler | Knoll | Olhoft | Solon | |

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. 1614: A bill for an act relating to courts; board on judicial standards; providing for appointment of an executive secretary by the board; amending Minnesota Statutes, 1977 Supplement, Section 490.15, Subdivision 1.

Senate File No. 1614 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 15, 1978

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 1614 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1614: A bill for an act relating to courts; board on judicial standards; providing for appointment of an executive secretary by the board; expanding the board's power to censure or remove judges; providing for appointment of all board members by the governor; amending Minnesota Statutes 1976, Sec-

tion 490.16, Subdivision 3; and Minnesota Statutes, 1977 Supplement, Section 490.15, Subdivision 1.

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

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

The roll was called, and there were yeas 56 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Keefe S. and Merriam 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. 1842: A bill for an act relating to the Minnesota historical society; providing for a liaison position; implementing the administration of a state humanities program; updating statutory provisions; amending Minnesota Statutes 1976, Sections 138.081, Subdivision 2, and by adding a subdivision; 138.17, Subdivision 1; 138.35, Subdivision 1; repealing Minnesota Statutes 1976, Section 138.162.

Senate File No. 1842 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 16, 1978

CONCURRENCE AND REPASSAGE

Mr. Moe moved that the Senate concur in the amendments by the House to S. F. No. 1842 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1842: A bill for an act relating to the Minnesota historical society; providing for a liaison position; implementing the administration of a state humanities program; updating statu-

tory provisions; amending Minnesota Statutes 1976, Sections 138.081, Subdivision 2; 138.17, Subdivision 1; 138.35, Subdivision 1; repealing Minnesota Statutes 1976, Section 138.162.

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

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

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

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 620: A bill for an act relating to sheriffs; salaries, fees and budgets; providing that the salary and budget of the sheriff shall be set by the county board in each county of the state; authorizing costs and reasonable attorney fees on appeal; amending Minnesota Statutes 1976, Section 387.20, Subdivisions 1, 2 and 7; repealing Minnesota Statutes 1976, Section 387.20, Subdivision 8.

Senate File No. 620 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 16, 1978

Mr. Chmielewski moved that the Senate do not concur in the amendments by the House to S. F. No. 620 and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce 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. 798: A bill for an act relating to worker's compensation; providing that persons assisting law enforcement officials may be eligible for benefits; amending Minnesota Statutes 1976, Section 176.011, Subdivision 9.

Senate File No. 798 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 16, 1978

CONCURRENCE AND REPASSAGE

Mr. Dunn moved that the Senate concur in the amendments by the House to S. F. No. 798 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 798: A bill for an act relating to worker's compensation; providing that persons assisting law enforcement officials may be eligible for benefits; amending Minnesota Statutes, 1977 Supplement, Section 176.011, Subdivision 9.

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

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

The roll was called, and there were yeas 56 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Luther 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. 1450: A bill for an act relating to economic devel-

opment; creating an operating unit within the department of economic development relating to small businesses; creating an advisory task force; requiring reports and recommendations; transferring the administration of laws relating to community development corporations; amending Minnesota Statutes, 1977 Supplement, Section 362.41, Subdivision 5; and Minnesota Statutes 1976, Chapter 362, by adding a section.

Senate File No. 1450 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 16, 1978

CONCURRENCE AND REPASSAGE

Mr. Peterson moved that the Senate concur in the amendments by the House to S. F. No. 1450 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1450 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:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 1630: A bill for an act relating to elections; providing certain safeguards against improper voter registration and casting of absentee ballots; revising forms and procedures for administering absentee ballot laws; prescribing certain powers and duties of and granting temporary rulemaking power to the secretary of state; eliminating civil service appointment of election judges in first class cities; prescribing penalties; amending Minnesota Statutes 1976, Sections 201.121; 201.15; 201.27; 204A.14,

Subdivision 2; 207.04; 207.06; 207.08; 207.09; 207.30, Subdivisions 2, 3, 4, 5 and 6; Chapters 201, by adding a section; and 207, by adding a section; Minnesota Statutes, 1977 Supplement, Sections 201.061, Subdivision 3; 201.071, Subdivision 4; 204A.13, Subdivisions 2 and 6; 204A.17, Subdivision 1; 204A.175; 207.02; 207.03; 207.05, Subdivision 1; 207.10; 207.11; and 207.31; repealing Minnesota Statutes 1976, Sections 204A.17, Subdivision 2; 207.101; 207.12; 207.13; and 207.30, Subdivision 1.

Senate File No. 1630 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 16, 1978

CONCURRENCE AND REPASSAGE

Mr. Keefe, S. moved that the Senate concur in the amendments by the House to S. F. No. 1630 and that the bill be placed on its repassage as amended.

Mr. Jensen moved that the Senate do not concur in the amendments by the House to S. F. No. 1630, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House.

The question was taken on the adoption of the Jensen motion.

The roll was called, and there were yeas 18 and nays 37, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|----------|-----------|---------|------------|
| Ashbach | Engler | Knutson | Renneke | Ueland, A. |
| Bernhagen | Jensen | Ogdahl | Schrom | Ulland, J. |
| Brataas | Kirchner | Olhoft | Sieloff | |
| Dunn | Knaak | Pillsbury | Sillers | |

Those who voted in the negative were:

| | | | | |
|-------------|-----------|---------|-------------|----------|
| Anderson | Gunderson | Lessard | Peterson | Stumpf |
| Borden | Hanson | Lewis | Schaaf | Tennesen |
| Chenoweth | Hughes | Luther | Schmitz | Vega |
| Chmielewski | Humphrey | Menning | Setzepfandt | Wegener |
| Coleman | Johnson | Moe | Sikorski | Willet |
| Davies | Keefe, S. | Nelson | Spear | |
| Dieterich | Kleinbaum | Nichols | Stokowski | |
| Gearty | Knoll | Penny | Strand | |

The motion did not prevail.

The question recurred on the motion of Mr. Keefe, S. The motion prevailed.

S. F. No. 1630 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 50 and nays 8, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|---------|-------------|------------|
| Anderson | Dunn | Knoll | Olhoft | Sillers |
| Benedict | Engler | Knutson | Penny | Spear |
| Bernhagen | Gearty | Lessard | Peterson | Stokowski |
| Borden | Gunderson | Lewis | Pillsbury | Strand |
| Brataas | Hanson | Luther | Purfeerst | Stumpf |
| Chenoweth | Hughes | Menning | Schaaf | Tennessee |
| Chmielewski | Humphrey | Merriam | Schmitz | Ulland, J. |
| Coleman | Johnson | Moe | Schrom | Vega |
| Davies | Keefe, S. | Nelson | Setzepfandt | Wegener |
| Dieterich | Kleinbaum | Nichols | Sikorski | Willet |

Those who voted in the negative were:

| | | | | |
|---------|----------|---------|---------|------------|
| Ashbach | Kirchner | Ogdahl | Sieloff | Ueland, A. |
| Jensen | Knaak | Renneke | | |

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. 1765: A bill for an act relating to the organization of state government; restructuring the Gillette hospital board; requiring an annual report; amending Minnesota Statutes 1976, Section 250.05, Subdivisions 1, 3 and 5; Minnesota Statutes, 1977 Supplement, Section 250.05, Subdivision 2.

Senate File No. 1765 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 16, 1978

Mr. Chenoweth moved that S. F. No. 1765 be laid on the table. The motion prevailed.

Mr. President:

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

S. F. No. 1779: A bill for an act relating to public health; requiring owner identification marks on removable dental prostheses; prescribing penalties.

Senate File No. 1779 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 16, 1978

CONCURRENCE AND REPASSAGE

Mr. Setzepfandt moved that the Senate concur in the amendments by the House to S. F. No. 1779 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1779 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 54 and nays 3, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|--------------|---------|-------------|------------|
| Anderson | Hanson | Lessard | Perpich | Staples |
| Benedict | Hughes | Lewis | Peterson | Stokowski |
| Bernhagen | Johnson | Luther | Pillsbury | Strand |
| Brataas | Keefe, J. | Menning | Purfeerst | Stumpf |
| Chenoweth | Keefe, S. | Merriam | Renneke | Tennessen |
| Chmielewski | Kirchner | Moe | Schaaf | Ueland, A. |
| Coleman | Kleinbaum | Nelson | Schmitz | Ulland, J. |
| Davies | Knaak | Nichols | Setzepfandt | Vega |
| Dunn | Knoll | Ogdahl | Sikorski | Wegener |
| Engler | Knutson | Olhoff | Sillers | Willet |
| Gearty | Laufenburger | Penny | Spear | |

Messrs. Dieterich, Schrom and Sieloff voted in the negative.

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

Mr. Chenoweth moved that S. F. No. 1765 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Chenoweth moved that the Senate concur in the amendments by the House to S. F. No. 1765 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1765 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 793: A bill for an act relating to public waters; 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; 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.

Senate File No. 793 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 15, 1978

Mr. Stumpf moved that the Senate do not concur in the amendments by the House to S. F. No. 793 and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

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

House Concurrent Resolution No. 11: A house concurrent resolution designating May 1st of each year as Law Day U.S.A.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 16, 1978

Referred to the Committee on Rules and Administration.

Mr. Merriam moved that S. F. No. 1548 be taken from the table. The motion prevailed.

Mr. Merriam moved that the Senate do not concur in the amendments by the House to S. F. No. 1548 and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce 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. 1468: A bill for an act relating to commerce; regulating the repair of motor vehicles, appliances, and dwelling places; regulating service calls, estimates, and repairs; providing penalties.

Senate File No. 1468 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 16, 1978

CONCURRENCE AND REPASSAGE

Mr. Merriam moved that the Senate concur in the amendments by the House to S. F. No. 1468 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1468 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 29 and nays 31, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-----------|--------------|----------|------------|
| Benedict | Hughes | Kleinbaum | Nelson | Stokowski |
| Borden | Humphrey | Knoll | Penny | Stumpf |
| Chenoweth | Jensen | Laufenburger | Peterson | Tennessee |
| Coleman | Johnson | Lewis | Schaaf | Ulland, J. |
| Dieterich | Keefe, J. | Luther | Sikorski | Vega |
| Gearty | Keefe, S. | Moe | Spear | |

Those who voted in the negative were:

| | | | | |
|-----------|----------|-----------|-------------|------------|
| Ashbach | Hanson | Nichols | Renneke | Ueland, A. |
| Bernhagen | Kirchner | Ogdahl | Schmitz | Wegener |
| Brataas | Knaak | Olhoff | Schrom | Willet |
| Davies | Knutson | Olson | Setzepfandt | |
| Dunn | Lessard | Perpich | Sieloff | |
| Engler | Menning | Pillsbury | Sillers | |
| Frederick | Merriam | Purfeerst | Strand | |

So the bill failed to pass.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 2017.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 16, 1978

FIRST READING OF HOUSE BILLS

The following bill was read the first time and referred to the committee indicated.

H. F. No. 2017: A bill for an act relating to cable communications; providing for line extension; amending Minnesota Statutes 1976, Sections 238.02, by adding subdivisions; 238.08, Subdivision 1; and Chapter 238, by adding a section.

Referred to the Committee on Commerce.

REPORTS OF COMMITTEES

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

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 2024 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. |
| 2024 | 2006 | | | | |

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2024 be amended as follows:

Page 1, line 10, delete the headnote and insert "[NOTICE TO REMOVE; SUBSEQUENT DISQUALIFICATION.]"

And when so amended H. F. No. 2024 will be identical to S. F. No. 2006, and further recommends that H. F. No. 2024 be given its second reading and substituted for S. F. No. 2006, 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. 2093 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. |
| | | | | 2093 | 1918 |

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2093 be amended as follows:

Page 2, lines 17 and 18, delete "*survivor of deceased active employee benefits*" and insert "*survivorship benefits of annuitants and benefit recipients*"

Page 3, lines 1 and 2, delete "*but shall be considered transferred as of June 30, 1978*"

Page 3, line 32, delete "*if any,*"

Delete page 5, line 21 to page 19, line 1 and insert

"Sec. 4. [EFFECTIVE DATE.] This act shall be effective July 1, 1978."

Delete the underlining from the bill

Further, amend the title as follows:

Delete lines 7 to 13 and insert "assets and records."

And when so amended H. F. No. 2093 will be identical to S. F. No. 1918, and further recommends that H. F. No. 2093 be given its second reading and substituted for S. F. No. 1918, 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. 2518 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. |
| | | | | 2518 | 1804 |

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2518 be amended as follows:

Page 1, line 7, delete "EXPUNGEMENT" and insert "SEALING"

And when so amended H. F. No. 2518 will be identical to S. F. No. 1804, and further recommends that H. F. No. 2518 be given its second reading and substituted for S. F. No. 1804, 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. 1998 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

| GENERAL ORDERS | | CONSENT CALENDAR | | CALENDAR | |
|----------------|-----------|------------------|-----------|-----------|-----------|
| H. F. No. | S. F. No. | H. F. No. | S. F. No. | H. F. No. | S. F. No. |
| | | | | 1998 | 2170 |

and that the above Senate File be indefinitely postponed.

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

SECOND READING OF HOUSE BILLS

H. F. Nos. 2024, 2093, 2518 and 1998 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Engler moved that the name of Mr. Sikorski be added as co-author to S. F. No. 1303. The motion prevailed.

Mr. Hughes moved that the names of Messrs. Chenoweth, McCutcheon and Mrs. Knaak be added as co-authors to S. F. No. 1707. The motion prevailed.

Mr. Olson moved that the name of Mr. Purfeerst be stricken and Mr. Luther be added as co-author to S. F. No. 1106. The motion prevailed.

Mr. Peterson moved that S. F. No. 1773 be stricken from General Orders and re-referred to the Bill Scheduling Subcommittee of the Committee on Rules and Administration. The motion prevailed.

Mr. Luther moved that S. F. No. 1943 be taken from the table. The motion prevailed.

Mr. Luther moved that the Senate do not concur in the amendments by the House to S. F. No. 1943 and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. Coleman moved that H. F. No. 1243 be withdrawn from the Committee on Commerce and re-referred to the Referral Subcommittee of the Committee on Rules and Administration for comparison with S. F. No. 97, now in the Bill Scheduling Subcommittee of the Committee on Rules and Administration.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 35 and nays 14, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-----------|------------|-------------|---------|
| Benedict | Gunderson | Lessard | Nichols | Spear |
| Borden | Hanson | Lewis | Olhoft | Staples |
| Chenoweth | Hughes | Luther | Olson | Strand |
| Coleman | Humphrey | McCutcheon | Perpich | Stumpf |
| Davies | Johnson | Menning | Schmitz | Vega |
| Dieterich | Keefe, S. | Moe | Schrom | Wegener |
| Gearty | Knoll | Nelson | Setzepfandt | Willet |

Those who voted in the negative were:

| | | | | |
|-----------|-----------|----------|-----------|------------|
| Ashbach | Engler | Kirchner | Ogdahl | Sillers |
| Bernhagen | Jensen | Knaak | Pillsbury | Ueland, A. |
| Brataas | Keefe, J. | Knutson | Renneke | |

The motion prevailed.

Mr. Davies moved that Joint Rule 2.06 be suspended as to the

printing requirement for the Conference Committee Report on S. F. No. 823. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 823

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

March 16, 1978

The Honorable Edward J. Gearty
President of the Senate

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

We, the undersigned conferees for S. F. No. 823, report that we have agreed upon the items in dispute and recommend as follows:

The House recede from its amendments, and S. F. No. 823 be further amended as follows:

Page 3, line 2, strike "For"

Page 3, strike lines 3 to 6

Page 3, line 14, strike "consisting of or providing"

Page 3, after line 14, insert

"(1) consisting of or providing"

Page 3, line 15, strike "(1)"

Page 3, line 16, strike the comma and insert "; or"

Page 3, line 16, strike "(2) more than"

Page 3, after line 16, insert

"(2) which is partially or wholly nonresidential in character and

(a) the work or improvement is to provide or add more than 5,000 total usable square feet of floor space; or

(b) is an improvement to real property"

Page 3, strike lines 17 to 20

Page 3, line 22, strike "and the improvement is" and insert "
or"

Page 3, after line 22, insert

"(c) is an improvement to real property which contains more than 5,000 square feet and does not involve the construction"

Page 3, strike lines 23 to 26

Page 3, line 27, after "or" insert "*an addition to or the*"

Page 3, line 27, after the second "*building*" insert a period

Page 3, after line 27, insert "*For the purposes of clause (c), improvements include,*"

Page 3, line 28, strike "*including*"

Page 3, line 28, after "*but*" insert "*are*"

Page 3, line 28, after "*to*" insert a comma

Page 3, line 31, strike "*and the*" and insert a period

Page 3, strike line 32

Page 4, strike line 1 and insert

"Sec. 4. Minnesota Statutes 1976, Section 514.011, is amended by adding a subdivision to read:

Subd. 5. For the purposes of this section, "owner" means the owner of any legal or equitable interest in real property who enters into a contract for the improvement of the real property."

Page 4, line 4, strike "1977" and insert "1978"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after "4" insert ", and by adding a subdivision"

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

Senate Conferees: (Signed) Jack Davies, Roger E. Strand, Carl A. Jensen

House Conferees: (Signed) Wayne A. Simoneau, Howard J. Nielsen, Kenneth P. Zubay

Mr. Davies moved that the foregoing recommendations and Conference Committee Report on S. F. No. 823 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 823: A bill for an act relating to mechanics liens; increasing the period in which notice must be given to the owner of improved real estate; amending the definition of owner; enlarging the circumstances in which notice is not required to be given; providing penalties; amending Minnesota Statutes 1976, Section 514.011, Subdivisions 2, 3 and 4.

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

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

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

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|------------|-------------|------------|
| Ashbach | Gunderson | Lessard | Olson | Spear |
| Bernhagen | Hughes | Lewis | Penny | Stokowski |
| Brataas | Humphrey | Luther | Perpich | Strand |
| Chmielewski | Jensen | McCutcheon | Pillsbury | Stumpf |
| Coleman | Johnson | Menning | Renneke | Tennessee |
| Davies | Keefe, J. | Moe | Schmitz | Ueland, A. |
| Dieterich | Kirchner | Nelson | Schrom | Ulland, J. |
| Dunn | Kleinbaum | Nichols | Setzepfandt | Vega |
| Frederick | Knoll | Ogdahl | Sieloff | Willet |
| Gearty | Knutson | Olhoft | Sillers | |

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

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

THIRD READING OF HOUSE BILLS

H. F. No. 1806: A bill for an act relating to taxation; tax returns; excepting certain tax information about liquor license applicants from confidentiality requirements; amending Minnesota Statutes 1976, Section 297A.43; Chapters 290, by adding a section; and 297A, by adding a section; and Minnesota Statutes, 1977 Supplement, Section 290.1.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

| | | | | |
|-----------|-----------|--------------|-----------|------------|
| Ashbach | Hughes | Laufenburger | Olson | Stumpf |
| Bernhagen | Jensen | Lessard | Penny | Tennessee |
| Brataas | Johnson | Lewis | Perpich | Ueland, A. |
| Coleman | Keefe, J. | Luther | Pillsbury | Ulland, J. |
| Davies | Keefe, S. | McCutcheon | Renneke | Vega |
| Dieterich | Kirchner | Moe | Schmitz | Willet |
| Dunn | Kleinbaum | Nelson | Schrom | |
| Frederick | Knaak | Nichols | Sieloff | |
| Gearty | Knoll | Ogdahl | Sillers | |
| Gunderson | Knutson | Olhoft | Stokowski | |

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated the General Orders Calendar a Special Orders Calendar to be heard immediately.

SPECIAL ORDER

H. F. No. 1803: A bill for an act relating to taxation; property tax; providing for delay in increased valuation on certain rehabilitation projects.

Mr. Keefe, S. moved that the amendment made to H. F. No. 1803 by the Committee on Rules and Administration in the report adopted March 16, 1978, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 1803 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 45 and nays 5, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|--------------|-------------|------------|
| Anderson | Hanson | Laufenburger | Olson | Staples |
| Benedict | Humphrey | Lessard | Penny | Stokowski |
| Bernhagen | Jensen | Luther | Peterson | Strand |
| Brataas | Johnson | McCutcheon | Renneke | Stumpf |
| Chenoweth | Keefe, J. | Menning | Schaaf | Tennessen |
| Chmielewski | Keefe, S. | Merriam | Schmitz | Ueland, A. |
| Engler | Kleinbaum | Moe | Setzepfandt | Ulland, J. |
| Frederick | Knoll | Nichols | Solon | Vega |
| Gearty | Knutson | Olhoft | Spear | Willet |

Those who voted in the negative were:

| | | | | |
|-----------|----------|---------|---------|---------|
| Dieterich | Kirchner | Perpich | Sieloff | Wegener |
|-----------|----------|---------|---------|---------|

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1773: A bill for an act relating to unemployment compensation; providing limited benefits to certain employees; amending Minnesota Statutes, 1977 Supplement, Section 268.09, Subdivision 1.

Mr. Luther moved to amend H. F. No. 1773 as follows:

Page 3, after line 30, insert

"Sec. 2. Minnesota Statutes 1976, Section 268.16, Subdivision 1, is amended to read:

268.16 [COLLECTION OF CONTRIBUTIONS.] Subdivision 1. [INTEREST ON PAST DUE CONTRIBUTIONS.] If contributions are not paid on the date on which they are due the unpaid balance thereof shall bear interest at the rate of one percent per month or any part thereof for the first 12 months of delinquency and one-half of one percent per month thereafter. Contributions received by mail postmarked on a day following the date on which the law requires contributions to be paid shall be deemed to have been paid on the due date if there is substantial evidence tending to prove that the contribution was actually deposited in the United States mails properly addressed to the department with postage prepaid thereon on or before the due date. Interest collected pursuant to this subdivision shall be paid into the contingent account. *Interest on contributions due under this subdivision may be waived in accordance with rules as the commissioner may adopt.*"

Further, amend the title as follows:

Page 1, line 3, after the semicolon insert "permitting the commissioner to waive interest penalties in payment of employer contributions;"

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

Page 1, line 5, after "1" insert "; and 268.16, Subdivision 1"

The motion prevailed. So the amendment was adopted.

Mr. Penny moved to amend H. F. No. 1773 as follows:

Page 3, after line 30, insert:

"Sec 2. Laws 1977, Chapter 242, is amended by adding a section to read:

Sec. 2. Benefits provided pursuant to chapter 268 shall be provided to individuals defined in section 268.09, subdivision 1, clause (2)(d), when the separation from employment occurs on July 2, 1977, or thereafter."

Amend the title as follows:

Line 3, after "employees" insert ", and benefits for certain persons reaching mandatory retirement age"

Line 5, before the period, insert "; and Laws 1977, Chapter 242, by adding a section"

The motion prevailed. So the amendment was adopted.

H. F. No. 1773 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|--------------|-------------|------------|
| Anderson | Gunderson | Knoll | Olhoft | Stokowski |
| Benedict | Hanson | Knutson | Penny | Strand |
| Bernhagen | Hughes | Laufenburger | Peterson | Stumpf |
| Brataas | Jensen | Lessard | Renneke | Tennessen |
| Chenoweth | Johnson | McCutcheon | Schmitz | Ueland, A. |
| Chmielewski | Keefe, J. | Merriam | Setzepfandt | Ulland, J. |
| Davies | Keefe, S. | Moe | Sieloff | Vega |
| Dunn | Kirchner | Nelson | Sillers | Wegener |
| Frederick | Kleinbaum | Nichols | Spear | Willet |

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

SPECIAL ORDER

H. F. No. 2466: A bill for an act relating to departments of state; concerning confidential data on individuals; regarding emergency classification of data; guarding access to vital statistics rec-

ords; amending Minnesota Statutes, 1977 Supplement, Sections 15.162, Subdivision 2a; 15.1642, Subdivision 5; and Minnesota Statutes 1976, Chapter 144, by adding a section; repealing Minnesota Statutes 1976, Section 144.175, Subdivisions 1, 4 and 5; and Minnesota Statutes, 1977 Supplement, Section 144.175, Subdivision 2.

Mr. Tennesen moved to amend H. F. No. 2466, as amended pursuant to Rule 49, adopted by the Senate March 10, 1978, as follows:

(The text of the amended House File is identical to S. F. No. 2274.)

Pages 2 and 3, strike section 3

Page 3, line 21, strike "*Minnesota Statutes 1976, Section*"

Page 3, line 22, strike "*144.175, Subdivisions 1, 4, and 5; and*"

Page 3, line 23, strike "*Section*" and insert "*Sections 144.151, Subdivisions 8 and 9; and*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, strike "guarding access"

Page 1, line 5, strike "to vital statistics records;"

Page 1, line 7, after the first semicolon insert "and" and at the end of the line, strike "and"

Page 1, strike lines 8 to 10

Page 1, line 11, before "Minnesota" insert "repealing"

Page 1, line 11, strike "*Section*" and insert "*Sections 144.151, Subdivisions 8 and 9; and*"

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend H. F. No. 2466, as amended pursuant to Rule 49, adopted by the Senate March 10, 1978, as follows:

(The text of the amended House File is identical to S. F. No. 2274.)

Page 2, after line 15, insert

"Sec. 3. Minnesota Statutes, Chapter 15, is amended by adding a section to read:

[15.1643] [INTERNATIONAL DISSEMINATION PROHIBITED.] *No state agency or political subdivision shall transfer or disseminate any private or confidential data on individuals to the private international organization known as Interpol."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon insert "prohibiting the release of certain data to the international organization known as Interpol;"

Page 1, line 8, strike "Chapter" and insert "Chapters 15, by adding a section; and"

The motion prevailed. So the amendment was adopted.

H. F. No. 2466 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 42 and nays 2, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|--------------|-----------|-------------|------------|
| Benedict | Johnson | Moe | Schrom | Tennessen |
| Bernhagen | Keefe, J. | Nelson | Setzepfandt | Ueland, A. |
| Chenoweth | Knoll | Nichols | Sieloff | Ulland, J. |
| Chmielewski | Knutson | Olhoft | Sillers | Vega |
| Davies | Laufenburger | Penny | Solon | Wegener |
| Dieterich | Lessard | Perpich | Spear | Willet |
| Dunn | Luther | Peterson | Stokowski | |
| Gunderson | Menning | Pillsbury | Strand | |
| Hughes | Merriam | Renneke | Stumpf | |

Messrs. Anderson and Schaaf voted in the negative.

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

SPECIAL ORDER

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

Mr. Luther moved that the amendment made to H. F. No. 2223 by the Committee on Rules and Administration in the report adopted March 15, 1978, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Benedict moved to amend H. F. No. 2223 as follows:

Page 1, line 13, after "Minneapolis" reinstate the stricken language

Page 1, line 14, after "in" strike "at"

Page 1, line 15, strike "least four"

Page 1, line 15, after "other" insert "northern and western"

Page 2, line 2, reinstate the stricken "shall" and strike "may"

Page 2, line 2, after "in" insert "Richfield, Hopkins, and"

The motion prevailed. So the amendment was adopted.

H. F. No. 2223 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 34 and nays 16, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|--------------|-------------|------------|
| Anderson | Gunderson | Knutson | Penny | Solon |
| Benedict | Hughes | Laufenburger | Pillsbury | Strand |
| Brataas | Humphrey | Lewis | Purfeerst | Ueland, A. |
| Chenoweth | Johnson | Luther | Renneke | Ulland, J. |
| Chmielewski | Keefe, J. | Menning | Schmitz | Vega |
| Dieterich | Kirchner | Moe | Schrom | Willet |
| Dunn | Knaak | Nichols | Setzepfandt | |

Those who voted in the negative were:

| | | | | |
|-----------|---------|----------|---------|-----------|
| Davies | Knoll | Perpich | Sillers | Stokowski |
| Engler | Merriam | Peterson | Spear | Stumpf |
| Gearty | Ogdahl | Sieloff | Staples | Tennessee |
| Keefe, S. | | | | |

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

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

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

SPECIAL ORDER

H. F. No. 2015: A bill for an act relating to state government; providing for classifying certain CETA employees as state employees.

Mr. Moe moved that the amendment made to H. F. No. 2015 by the Committee on Rules and Administration in the report adopted March 16, 1978, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 2015 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 44 and nays 4, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|--------------|---------|-------------|------------|
| Anderson | Gunderson | Lewis | Perpich | Staples |
| Benedict | Hughes | Luther | Peterson | Stokowski |
| Bernhagen | Johnson | Menning | Pillsbury | Strand |
| Chmielewski | Keefe, J. | Merriam | Renneke | Stumpf |
| Davies | Keefe, S. | Moe | Schmitz | Tennessee |
| Dieterich | Kirchner | Nelson | Setzepfandt | Ueland, A. |
| Engler | Knoll | Nichols | Sillers | Vega |
| Frederick | Laufenburger | Ogdahl | Solon | Willet |
| Gearty | Lessard | Penny | Spear | |

Mrs. Brataas, Messrs. Knutson, McCutcheon and Ulland, J. voted in the negative.

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. No. 2527:

Messrs. Willet; Moe; Keefe, S.; Keefe, J. and Purfeerst. The motion prevailed.

SPECIAL ORDER

H. F. No. 2041: A bill for an act relating to labor and employment; prohibiting mandatory retirement of public or private employees before the age of 70; rights and remedies of employees; amending Minnesota Statutes 1976, Sections 356.32; 422A.13, Subdivision 2; 423.075, Subdivision 1; and Chapters 181, by adding a section; 423, by adding a section and Minnesota Statutes, 1977 Supplement, Sections 43.051, Subdivision 1; 363.02, Subdivision 6; 422A.09, Subdivision 3.

Mr. Spear moved to amend H. F. No. 2041, as amended pursuant to Rule 49, adopted by the Senate March 15, 1978, as follows:

(The text of the amended House File is identical to S. F. No. 2000.)

Page 1, strike lines 17 to 23

Page 1, line 24, strike "1, 1974, or upon reaching the age of 68."

Page 1, line 24, strike "July" and insert "June"

Page 1, line 25, strike "1975" and insert "1980"

Page 1, line 25, strike "officer or"

Page 2, line 1, strike "or unclassified service of the state civil"

Page 2, line 2, after "service" insert a comma

Page 2, line 2, after "and" insert "*an employee in the unclassified service*"

Page 2, line 4, strike "if such officer or employee has"

Page 2, line 5, strike "reached the age of 65 prior to July 1, 1975, or"

Page 2, line 6, strike ". The mandatory retirement age"

Page 2, strike line 7

Page 2, line 8, strike "state,"

Page 2, line 9, strike "if not otherwise provided for by" and insert "*other*"

Page 2, line 9, strike ", shall be 70"

Page 2, line 14, strike "*Normal*" and insert "*Designated*"

Page 2, line 25, after "*where*" insert "*federal statutes or rules or*"

Page 2, line 26, strike "*enactments of only local*"

Page 2, line 27, strike the first "or"

Page 2, line 27, strike "application, or federal statutes or rules" and insert "laws"

Page 2, line 28, strike "provided that" and insert a period

Page 2, line 30, after "age" strike "and" and insert "or more;"

Page 2, line 32, after "of" insert "a"

Page 3, line 1, strike "employees" and insert "employee"

Page 3, line 2, strike "have" and insert "has"

Page 3, line 2, after "attained" insert "at least"

Page 3, line 3, strike "but not 70 years of age"

Page 3, line 3, strike "are" and insert "is"

Page 3, line 5, after "plan" insert "of an employer plus any social security benefit"

Page 3, line 6, strike "plans, of the employer of the" and insert "benefits"

Page 3, line 7, strike "employee,"

Page 3, line 7, strike "equal" and insert "totals"

Page 3, line 9, after the first "the" insert "equivalent annualized payment"

Page 3, line 9, after "be" insert "actuarially"

Page 3, line 11, after the period insert "Pilots and flight crew members shall not be subject to the provisions of this section or section 363.02, subdivision 6, but shall be retired from this employment pursuant to standards contained in regulations promulgated by the federal aviation administration for airline pilots and flight officers and are subject to the bona fide occupational requirements for these employees as promulgated by the federal aviation administration."

Page 3, line 14, strike "normal" and insert "designated"

Page 3, line 18, strike "normal" and insert "designated"

Page 3, line 20, strike "employer's" and insert "receipt of the"

Page 3, line 20, strike "to" and insert "by"

Page 3, line 21, strike "normal" and insert "designated"

Page 3, line 22, after "allow" insert "continued"

Page 3, line 30, strike "normal" and insert "designated"

Page 4, line 7, strike "normal" and insert "designated"

Page 4, line 30, after "award" insert "reinstatement or"

Page 5, line 2, strike "a suit" and insert "an action"

- Page 5, line 3, strike "*suit attempt to*" and insert "*action*"
- Page 5, line 4, strike "*show that*" and insert "*allege*"
- Page 5, line 5, strike "*has also occurred*"
- Page 5, line 5, strike the first "*that*" and insert "*seek*"
- Page 5, line 5, strike "*is also*"
- Page 5, line 6, strike "*appropriate, providing*" and insert "*if*"
- Page 5, line 7, strike "*Minnesota Statutes,*"
- Page 5, line 7, after "*363*" strike the comma
- Page 5, line 8, after "*Alternatively*" insert a comma
- Page 5, line 8, strike "*a suit*" and insert "*an action*"
- Page 5, line 10, strike "*suit attempt to show that*" and insert "*action allege*"
- Page 5, line 11, strike "*has occurred*"
- Page 5, line 11, strike "*that*" and insert "*seek*"
- Page 5, line 12, strike "*is also appropriate*"
- Page 5, line 18, after "*356.32,*" insert "*Subdivision 1,*"
- Pages 6 and 7, delete all of subdivision 2
- Page 7, line 6, strike "*, provided the age limit is*" and insert "*if it is established consistent with section 2 of this act*"
- Page 7, strike lines 7 to 12
- Page 7, line 13, strike "*applicable*"
- Page 7, line 13, strike "*1*" and insert "*2*"
- Page 11, line 1, strike "*Subdivision 1.*"
- Page 11, line 2, after the colon strike "*no*" and insert "*(1) No*"
- Page 11, line 7, strike "*until the earlier of*"
- Page 11, strike lines 8 and 9 and insert a period
- Page 11, line 10, strike "*Subd. 2.*" and insert "*(2)*"
- Page 11, line 11, strike "*or*" and insert a comma
- Page 11, line 11, after "*reinstatement*" strike "*of*" and insert "*or payment of additional benefits to*"
- Page 11, line 12, strike "*retired*" and insert "*who terminates service prior to June 1, 1980,*"
- Page 11, line 14, strike "*prior to June 1, 1980*"
- Page 11, line 14, strike "*in the case of private*" and insert "*any other employee who terminates service prior to the termination of*"

Page 11, line 15, strike "employees covered by"

Page 11, line 16, strike "such"

Page 11, line 16, strike ", the" and insert a period

Page 11, after line 16, insert

"(3) No collective bargaining agreement executed following the enactment date of this act shall provide for mandatory retirement prior to attaining 70 years of age for an employee who terminates service June 1, 1980, or subsequent thereto."

Page 11, strike lines 17 to 18

The motion prevailed. So the amendment was adopted.

H. F. No. 2041 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 50 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|--------------|------------|-------------|------------|
| Ashbach | Gearty | Lewis | Perpich | Spear |
| Bernhagen | Gunderson | Luther | Peterson | Staples |
| Borden | Hanson | McCutcheon | Pillsbury | Strand |
| Brataas | Jensen | Menning | Schaaf | Stumpf |
| Chenoweth | Johnson | Merriam | Schmitz | Tennessen |
| Coleman | Keefe, S. | Moe | Setzepfandt | Ueland, A. |
| Davies | Kirchner | Nelson | Sieloff | Ulland, J. |
| Dunn | Kleinbaum | Nichols | Sikorski | Vega |
| Engler | Knoll | Ogdahl | Sillers | Wegener |
| Frederick | Laufenburger | Penny | Solon | Willet |

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

SPECIAL ORDER

H. F. No. 2111: A bill for an act relating to aeronautics; providing for reimbursement for services; changing the permitted number of certain types of airports; permitting municipalities flexibility in airport acquisition; amending Minnesota Statutes 1976, Sections 360.015, Subdivision 7; 360.032, by adding a subdivision; and 360.305, 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 44 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|--------------|------------|-------------|------------|
| Ashbach | Gearty | Luther | Peterson | Stokowski |
| Bernhagen | Gunderson | McCutcheon | Pillsbury | Strand |
| Borden | Jensen | Menning | Schaaf | Stumpf |
| Brataas | Johnson | Merriam | Schmitz | Tennessen |
| Chenoweth | Kirchner | Moe | Setzepfandt | Ueland, A. |
| Coleman | Kleinbaum | Nelson | Sikorski | Ulland, J. |
| Davies | Knoll | Nichols | Sillers | Vega |
| Dunn | Laufenburger | Ogdahl | Solon | Willet |
| Engler | Lewis | Perpich | Staples | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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 45 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|--------------|------------|-------------|------------|
| Ashbach | Gearty | Lessard | Ogdahl | Solon |
| Benedict | Gunderson | Lewis | Penny | Staples |
| Bernhagen | Jensen | Luther | Perpich | Stokowski |
| Borden | Johnson | McCutcheon | Peterson | Strand |
| Brataas | Keefe, J. | Menning | Pillsbury | Stumpf |
| Chenoweth | Kirchner | Merriam | Schaaf | Tennessee |
| Davies | Kleinbaum | Moe | Schmitz | Ueland, A. |
| Dunn | Knoll | Nelson | Setzepfandt | Ulland, J. |
| Engler | Laufenburger | Nichols | Sillers | Vega |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1403: A bill for an act relating to retirement; providing for service pensions of the Spring Lake Park firefighter's relief association.

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 47 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|--------------|------------|-------------|------------|
| Ashbach | Gearty | Lewis | Peterson | Stokowski |
| Benedict | Gunderson | Luther | Pillsbury | Strand |
| Bernhagen | Jensen | McCutcheon | Schaaf | Stumpf |
| Borden | Johnson | Menning | Schmitz | Tennessee |
| Brataas | Keefe, J. | Merriam | Schrom | Ueland, A. |
| Chenoweth | Kirchner | Nelson | Setzepfandt | Ulland, J. |
| Coleman | Kleinbaum | Nichols | Sillers | Vega |
| Davies | Knoll | Ogdahl | Solon | |
| Dunn | Laufenburger | Penny | Spear | |
| Engler | Lessard | Perpich | Staples | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 474: A bill for an act relating to highway traffic regulations; defining terms; driving rules; pedestrian rules; regulating the operation of motor vehicles, bicycles and other human powered vehicles; amending Minnesota Statutes 1976, Sections 169.01, Subdivisions 2, 3, 31, 51, and by adding a subdivision; 169.18, Subdivision 7; 169.19, Subdivisions 1 and 8; 169.20, Subdivision 4;

169.21, Subdivision 3; 169.31; and Chapter 169, by adding a section; repealing Minnesota Statutes 1976, Section 169.221.

Mr. McCutcheon moved to amend the amendment placed on H. F. No. 474 by the Committee on Transportation, adopted by the Senate March 11, 1978, as follows:

After section 13 insert:

"Sec. 14. Minnesota Statutes 1976, Section 169.99, is amended by adding a subdivision to read:

Subd. 1b. The copy of the uniform traffic ticket provided to the violator shall include a notice specifying the consequences which may result pursuant to section 171.16, subdivision 3, if the violator fails to respond to the citation.

Sec. 15. Minnesota Statutes 1976, Section 171.16, Subdivision 3, is amended to read:

Subd. 3. [SANCTIONS FOR FAILURE TO APPEAR OR PAY FINE.] When any court reports to the commissioner that a person: (1) has been convicted of charged with violating a law of this state or an ordinance of a political subdivision which regulates the operation or parking of motor vehicles, and has failed to appear in response to the citation, or (2) has been convicted of violating a law of this state or an ordinance of a political subdivision which regulates the operation or parking of motor vehicles, has been sentenced to the payment of a fine only, and (3) has refused or failed to comply with that sentence notwithstanding the fact that the court has determined that the person has the ability to pay the fine, the commissioner shall take the following action:

(a) In the case of a moving traffic violation, he shall suspend the driver's license of such the person for 30 days for a period of refusal or failure to pay or six months or until notified by the court that an appearance has been made or the fine has been paid, whichever is shorter.

(b) In the case of a parking violation, he shall refuse to issue license plates or tabs to the vehicle named in the citation until notified by the court that an appearance has been made or the fine has been paid. If the vehicle named in the citation is transferred to another owner, the commissioner shall issue license plates or tabs to the new owner but not to any other vehicle owned by the owner of the vehicle named in the citation until notified by the court that an appearance has been made or the fine has been paid.

No warrant for the arrest of a person charged with a parking violation shall be issued.

Sec. 16. Minnesota Statutes 1976, Section 171.16, is amended by adding a subdivision to read:

Subd. 6. [PARKING VIOLATIONS.] *For the purposes of this section, "parking violation" means a violation of the provisions of sections 169.32, 169.34 to 169.36, or any law or ordinance adopted by a local authority in conformance with these sections or with section 169.04, clause (1), or any other law or ordinance providing for or regulating the parking, stopping or standing of a motor vehicle."*

Renumber sections

Further, amend H. F. No. 474 as follows:

Page 11, line 26, strike "14" and insert "17"

Page 11, after line 27, insert:

"Sec. 18. [EFFECTIVE DATE.] Sections 15, 16 and 17 are effective July 1, 1979, and apply to all proceedings commenced on or after that date."

Amend the title as follows:

Line 5, after the semicolon, insert "limiting the issuance of vehicle registration plates or tabs and title documents; prohibiting the issuance of arrest warrants for violations of parking laws; defining parking violations;"

Line 10, before "and" insert "169.99, by adding a subdivision; 171.16, Subdivision 3, and by adding a subdivision;"

The motion prevailed. So the amendment was adopted.

H. F. No. 474 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 50 and nays 1, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|--------------|------------|-------------|------------|
| Ashbach | Humphrey | Lessard | Peterson | Staples |
| Benedict | Jensen | Lewis | Pillsbury | Stokowski |
| Bernhagen | Johnson | Luther | Renneke | Strand |
| Borden | Keefe, J. | McCutcheon | Schmitz | Stumpf |
| Brataas | Keefe, S. | Menning | Schrom | Tennessen |
| Engler | Kirchner | Moe | Setzepfandt | Ueland, A. |
| Gearty | Kleinbaum | Nelson | Sikorski | Ulland, J. |
| Gunderson | Knaak | Nichols | Sillers | Vega |
| Hanson | Knoll | Penny | Solon | Wegener |
| Hughes | Laufenburger | Perpich | Spear | Willet |

Mr. Chmielewski voted in the negative.

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

SPECIAL ORDER

H. F. No. 830: A bill for an act relating to public utilities; regulation of cooperative electric associations; amending Minnesota Statutes 1976, Sections 216B.01; 216B.02, Subdivision 4; 216B.06; 216B.17, by adding a subdivision; 216B.36; 216B.38, Subdivision

5; 216B.45; 216B.47; 216B.62, by adding a subdivision; repealing Minnesota Statutes 1976, Sections 216B.48, Subdivision 7; 216B.49, Subdivision 6; 216B.50, Subdivision 2; and 216B.51, Subdivision 2.

Mr. Johnson moved to amend the amendment placed on H. F. No. 830 by the Committee on Commerce, adopted by the Senate March 7, 1978, as follows:

In the amendment to page 2, line 22, after "stockholders," insert "*which elects to become exempt from rate regulation by the commission pursuant to sections 216B.03 to 216B.23. The election shall be approved by a majority of the members or stockholders voting by mail ballot initiated by petition of no less than 10 percent of the members or stockholders of the association. The ballot to be used for the election shall be approved by the board of directors and the department of public service. The department shall mail the ballots to the cooperative's members who shall return the ballots to the department. The department will keep the ballots sealed until a date agreed upon by the department and the board of directors. On this date, representatives of the department and the cooperative will count the ballots. If a majority of the cooperative's members who vote elect to become exempt from rate regulation by the commission, the election shall be effective 30 days after certified copies of the resolutions approving the election are filed with the commission. Any cooperative electric association subject to regulation of rates by the commission shall be exempt from the provisions of sections 216B.48, 216B.49, 216B.50, and 216B.51.*"

Strike the committee amendment to page 3, after line 3

In the amendment to page 7, after line 3, strike "electing to become subject to" and insert "not becoming exempt from"

In the title amendment to page 1, line 3, strike "unless" and insert "when" and strike "continue" and insert "be exempt from"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 12 and nays 43, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|---------|---------|------------|--------|
| Dieterich | Knoll | Perpich | Spear | Vega |
| Johnson | Luther | Schaaf | Ulland, J. | Willet |
| Keefe, S. | Merriam | | | |

Those who voted in the negative were:

| | | | | |
|-------------|-----------|--------------|-------------|------------|
| Anderson | Frederick | Laufenburger | Peterson | Sillers |
| Ashbach | Gearty | Menning | Pillsbury | Solon |
| Bernhagen | Gunderson | Moe | Purfeerst | Staples |
| Borden | Hanson | Nelson | Renneke | Strand |
| Brataas | Jensen | Nichols | Schmitz | Tennessen |
| Chmielewski | Keefe, J. | Ogdahl | Schrom | Ueland, A. |
| Davies | Kirchner | Olhoff | Setzepfandt | Wegener |
| Dunn | Kleinbaum | Olson | Sieloff | |
| Engler | Knaak | Penny | Sikorski | |

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

H. F. No. 830 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 47 and nays 11, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|--------------|-------------|------------|
| Anderson | Frederick | Laufenburger | Peterson | Solon |
| Ashbach | Gearty | Lewis | Pillsbury | Staples |
| Benedict | Gunderson | Menning | Purfeerst | Strand |
| Bernhagen | Hanson | Moe | Renneke | Tennessen |
| Borden | Hughes | Nelson | Schmitz | Ueland, A. |
| Brataas | Jensen | Nichols | Schrom | Wegener |
| Chmielewski | Keefe, J. | Ogdahl | Setzepfandt | Willet |
| Davies | Kirchner | Olhoff | Sieloff | |
| Dunn | Kleinbaum | Olson | Sikorski | |
| Engler | Knaak | Penny | Sillers | |

Those who voted in the negative were:

| | | | | |
|-----------|--------|---------|--------|------------|
| Dieterich | Knoll | Merriam | Schaaf | Ulland, J. |
| Johnson | Luther | Perpich | Spear | Vega |
| Keefe, S. | | | | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

Mr. Davies moved to amend the amendment placed on H. F. No. 1707 by the Committee on Commerce, adopted by the Senate March 13, 1978, as follows:

Strike sections 1 and 2 of the committee amendment

Renumber the sections in sequence

Strike the committee amendment to line 2 of the title

In the title amendment to page 1, line 7, strike "Sections 65B.44, Subdivision 1; 65B.47, by adding a subdivision;"

The motion prevailed. So the amendment was adopted.

H. F. No. 1707 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 38 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|--------------|------------|----------|------------|
| Ashbach | Johnson | Lewis | Renneke | Stumpf |
| Benedict | Keefe, J. | Luther | Schaaf | Ueland, A. |
| Bernhagen | Kirchner | McCutcheon | Schmitz | Ulland, J. |
| Chenoweth | Kleinbaum | Moe | Sieloff | Vega |
| Chmielewski | Knaak | Ogdahl | Sikorski | Wegener |
| Davies | Knoll | Olhoff | Sillers | Willet |
| Frederick | Laufenburger | Penny | Staples | |
| Gearty | Lessard | Pillsbury | Strand | |

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. No. 2527:

Messrs. Moe; Keefe, J.; Keefe, S.; Willet and Purfeerst.

The motion prevailed.

Pursuant to Rule 21, Mr. McCutcheon moved that the following members be excused for a Conference Committee on H. F. No. 1918:

Messrs. McCutcheon, Peterson and Nelson.

The motion prevailed.

CALL OF THE SENATE

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

| | | | | |
|-------------|-----------|---------|-----------|------------|
| Ashbach | Coleman | Knoll | Olson | Sillers |
| Benedict | Davies | Lessard | Penny | Solon |
| Bernhagen | Gearty | Lewis | Pillsbury | Spear |
| Borden | Johnson | Luther | Schaaf | Strand |
| Chenoweth | Kirchner | Ogdahl | Sieloff | Ueland, A. |
| Chmielewski | Kleinbaum | Olhoff | Sikorski | Ulland, J. |

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

SPECIAL ORDER

H. F. No. 2228: A bill for an act relating to retirement; authorizing an annuity for the surviving spouse of a certain deceased former member of the public employees retirement association.

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 37 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|-----------|--------------|-----------|
| Ashbach | Chmielewski | Gearty | Knoll | Ogdahl |
| Benedict | Coleman | Hanson | Laufenburger | Olson |
| Bernhagen | Davies | Johnson | Lessard | Penny |
| Borden | Engler | Kirchner | Lewis | Pillsbury |
| Brataas | Frederick | Kleinbaum | Luther | Renneke |

Schaaf
Sieloff
Sikorski

Sillers
Solon
Spear

Stokowski
Strand

Ueland, A.
Ulland, J.

Vega
Wegener

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2025: A bill for an act relating to the city of Chisholm; police and firemen's relief associations; reversion of funds and bond of treasurer.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 41 and nays 2, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|--------------|-----------|-----------|------------|
| Ashbach | Hanson | Lewis | Renneke | Stumpf |
| Benedict | Humphrey | Luther | Schaaf | Ueland, A. |
| Borden | Johnson | Menning | Sieloff | Ulland, J. |
| Brataas | Kirchner | Ogdahl | Sikorski | Vega |
| Chmielewski | Kleinbaum | Olhoft | Solon | Wegener |
| Coleman | Knaak | Olson | Spear | |
| Davies | Knoll | Penny | Staples | |
| Frederick | Laufenburger | Perpich | Stokowski | |
| Gearty | Lessard | Pillsbury | Strand | |

Messrs. Bernhagen and Engler voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 933: A bill for an act relating to Ramsey county; amending the Ramsey county code by rearranging certain provisions therein relating to welfare and by deleting obsolete provisions therein relating to welfare; amending Laws 1974, Chapter 435, Sections 1.0204 and 3.13.

Mr. Stumpf moved to amend H. F. No. 933 as follows:

Page 1, line 22, strike "hereinafter"

Page 1, line 23, after "provided" insert "*in this subdivision*"

Page 2, line 8, strike "hereunder" and insert "*pursuant to this subdivision*"

Page 2, line 25, strike "herein" and insert "*of this subdivision*"

Page 3, after line 5, insert:

"Sec. 2. Laws 1974, Chapter 435, Section 1.0207, as amended by Laws 1975, Chapter 426, Section 2, is amended to read:

Sec. 1.0207 [HEALTH.] ~~(a)~~ *Subdivision 1.* [ADDITION TO ST. PAUL-RAMSEY HOSPITAL PLANNING.] Ramsey county may issue and sell general obligation bonds of the county in an amount not to exceed \$400,000 to plan and design an addition to

St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority. The county shall pledge its full faith and credit and taxing powers for the payment of the bonds in accordance with Minnesota Statutes, Chapter 475, except that no election shall be required and these bonds shall not be included in computing the net debt of the county under any laws; and taxes required to be levied for the payment of the bonds shall not be subject to any limitation of rate or amount.

~~(b)~~ Subd. 2. [MORGUE.] ~~(1)~~ Ramsey county shall *construct or otherwise provide and , equip, maintain and operate* a public morgue at the county seat for the receipt and proper disposition of all dead bodies, which are by law subject to a post mortem or coroner's inquest, without charge to anyone .

~~(2)~~ The morgue shall be under the control of the county, be maintained in a suitable building, separate from any other business, and equipped with the best modern approved appliances for the handling and disposition of dead bodies. It may not be connected in any manner with an undertaking establishment; no person may be employed in or about the morgue who is in any manner connected with or interested in the undertaking business.

~~(c)~~ Subd. 3. [HEALTH DEPARTMENT.] ~~(1)~~ (a) [HEALTH DEPARTMENT; PURPOSE.] It is the purpose of this subsection *subdivision* to provide enabling authority for Ramsey county to establish a comprehensive health department and to provide co-ordinated public and mental health services to the residents of Ramsey county. The term "department" means the comprehensive health department established in Ramsey county. This subsection *subdivision* is in addition to any statutory authority now existing for the establishment of a health department for Ramsey county.

~~(2)~~ (b) [CREATION OF DEPARTMENT.] Ramsey county may create a county health department which is under the supervision and control of the county board.

~~(3)~~ (c) [POWERS AND RESPONSIBILITIES.] ~~(A)~~ (1) The responsibilities assigned to the department shall include but not be limited to all or some of the responsibilities as set forth in the following subparagraphs *clauses 2 to 13* .

~~(B)~~ (2) The powers and duties vested in or imposed upon a local health board as provided in Minnesota Statutes 1969, Chapter 145, for the area of all of Ramsey county.

~~(C)~~ (3) The powers and duties imposed upon a board of county commissioners to employ public health nurses as provided in Minnesota Statutes 1969, Chapter 145.

~~(D)~~ (4) Health services for school children vested in or imposed upon a school district when the board of education of the school district petitions the county to provide the services by contract or otherwise for its district.

~~(E)~~ (5) The powers and duties vested in or imposed upon the health officer of a city inside the county of Ramsey who has elect-

ed to maintain local registration of vital statistics and the powers and duties of the clerk of the district court of Ramsey county as local registrar of vital statistics.

~~(F)~~ (6) The county may authorize the health department to operate a mental health program and may utilize the authorities of the community mental health boards as set forth in Minnesota Statutes, Sections 245.61 to 245.68. When so authorized, the county board shall suffice to function in lieu of the community mental health board provided for in Minnesota Statutes, Section 245.66.

~~(G)~~ (7) Prepare and have published an annual report of the work of the health department.

~~(H)~~ (8) Recommend to the governing body of a governmental unit inside the county of Ramsey local legislation pertaining to public health.

~~(I)~~ (9) The department may be authorized to provide other health services as may be directed by the county board if the services are authorized by law to be provided by the county or by any agency or department thereof.

~~(J)~~ (10) The department may be authorized to buy services from other agencies, public or private, that are providing services consistent with health department purposes.

~~(K)~~ (11) The department may be authorized to establish fee schedules based on ability to pay for services rendered.

~~(L)~~ (12) The county ~~shall have the authority to~~ *may* adopt and enforce ~~regulations rules~~ for the preservation of public health applicable to the whole or a part of the county, but no ~~county regulation rule~~ may supersede higher standards established by statute, the ~~regulations rules~~ of the ~~state board commissioner of the state department~~ of health, or provisions of the charter or ordinances of a municipality inside the county pertaining to the same subject. Nothing in this ~~subparagraph clause~~ shall prohibit a municipality from adopting ordinances or resolutions for the regulation of the public health setting higher standards than those of the ~~state board commissioner of the state department~~ of health, the county board, or state law.

~~(M)~~ (13) The health department shall cause all laws and ~~regulations rules~~ relating to public health to be obeyed and enforced inside its jurisdictional area.

~~(4)~~ (d) [FUNDING.] ~~(A)~~ (1) The health department shall be operated and maintained from funds appropriated for and fees collected by the department together with the state, federal, and private grants that are made available to it or to any of the local governmental units in the county of Ramsey for health purposes.

~~(B)~~ (2) The county shall annually prepare and approve a budget of the department's proposed expenditures for the ensuing fiscal year.

~~(5)~~ (e) [TRANSFER OF FUNCTIONS.] Upon assignment by the county board of the responsibilities under ~~paragraph (3)~~ *clause (c)*, the powers and duties of a department, board, agency, governmental subdivision, or bureau whose powers and duties have been placed in the health department shall end and its records and personnel relating to the powers and duties are transferred to the health department.

~~(6)~~ (f) [PERSONNEL.] ~~(A)~~ (1) [HEALTH OFFICER.] The county shall appoint a health officer who shall be designated the director of public health and who shall be responsible for the operation of the department. The county shall fix his salary.

~~(B)~~ (2) [QUALIFICATIONS OF HEALTH OFFICER.] The health officer must be a licensed physician experienced or trained in public health administration, or instead a person, other than a physician with training or experience in public health administration. If the appointee is not a physician, the county board shall provide, in addition, the services of a licensed physician that are necessary on either a part time or full time basis and provide reasonable compensation therefor. The director of the department shall select subordinate personnel subject to the approval of the county board.

~~(C)~~ (3) [EMPLOYEES.] ~~(i)~~ (A) Each person transferred to the health department by this ~~paragraph~~ *clause* and each employee under a merit system governing public employees is considered to have qualified for a permanent position of similar class and grade in the classified civil service of Ramsey county, without reduction in pay or seniority, and without examination. Each other person so transferred who is a full time officer or employee shall take, within six months after the organization of the health department, and subject to civil service rules of Ramsey county, a noncompetitive, practical, qualifying examination. The qualifying examination may involve only the duties of the position occupied immediately prior to the organization of the health department or the position occupied on the date the examination is given, whichever examination the officer or employee elects to take. If a person taking the qualifying examination possesses the ability and capacity that enables him to perform the duties of the position for which he is examined, in a reasonably efficient manner, he shall be given a permanent civil service status in the Ramsey county civil service. A person who willfully refuses to take the examination when offered without reasonable excuse shall be removed from his position immediately. A person taking the examination who fails to pass shall be removed from his position at the end of 60 days after receipt of notice of failure to pass. A person required to take a qualifying examination shall not be laid off, suspended, discharged, or reduced in pay or position except in accordance with the provisions of laws applicable to members of the classified Ramsey county civil service having civil service status until he has completed the qualifying examination and has been notified of the result thereof.

~~(ii)~~ (B) A part time officer or employee of a department, board, agency, governmental subdivision or bureau whose powers

and duties are placed in the health department may be transferred upon the organization of the health department and may become officers or employees thereof.

(7) (g) [RESOLUTION, APPROVAL.] No resolution adopted by the board of county commissioners of Ramsey county establishing a county health department is effective inside each of the following governmental units unless approved by the governing body of the particular unit, namely: city of Saint Paul; city of White Bear Lake; ~~villages~~ *cities* of Arden Hills, Blaine, Falcon Heights, Gem Lake, Little Canada, Lauderdale, Maplewood, Mounds View, New Brighton, North Oaks, North Saint Paul, Roseville, Saint Anthony, Shoreview, Spring Lake Park, Vadnais Heights; town of White Bear. The resolution is effective in a unit upon the approval of that unit's governing body.

(8) (h) [COUNTY NURSING SERVICE.] The Ramsey county nursing service presently existing shall not be discontinued unless the discontinuance is approved by two-thirds of the governing bodies of the governmental units listed in paragraph (7) of this subsection *clause (g)*.

(9) (i) [PAYMENT FOR SERVICES.] No governmental unit listed in paragraph (7) *clause (g)* shall pay for any services provided by this subsection *subdivision* until its governing body has approved the resolution as provided in paragraph (7) *clause (g)*.

(10) (j) [CITY HEALTH DEPARTMENTS; FUNCTIONS.] None of the functions of the presently-existing city health departments in the county of Ramsey may be abandoned by the county health department without proper provision for the exercise of the function by some agency of government.

(d) (1) If the county of Ramsey, or an agency or department thereof, establishes an emergency ambulance service, the cost of operating and maintaining the service shall be a charge only against the real and personal property located inside those villages, cities or towns inside the county which by resolution of its governing body request the service.

(2) If an emergency ambulance service as provided under the above paragraph is provided in a village, city or town in which the real and personal property is not charged for the cost thereof, then a reasonable charge for the service shall be made of the benefited person.

(e) Subd. 4. [PARAMEDICS.] (1) (a) [DEFINITIONS.] As used in this article *subdivision*, "physician's trained mobile intensive care paramedic" means a person who:

(A) (1) Is an employee of the county of Ramsey or the city of St. Paul;

(B) (2) Has been specially trained in emergency cardiac and noncardiac care by a licensed physician in a training program certified by the state board commissioner of the state department of health or the state board of medical examiners and is certified as

qualified to render the emergency lifesaving services enumerated herein in this subdivision .

~~(2)~~ ~~(b)~~ The city of St. Paul and the county of Ramsey are hereby authorized to ~~may~~ maintain a staff of physician's trained mobile intensive care paramedics.

~~(3)~~ ~~(c)~~ ~~(A)~~ (1) Notwithstanding any other provision of law, physician's trained mobile intensive care Paramedics may do any of the following:

~~(i)~~ (A) Perform regular rescue, first aid and resuscitation services;

~~(ii)~~ (B) During training may administer parenteral medications under the direct supervision of a licensed physician or a registered nurse;

~~(iii)~~ (C) Perform cardiopulmonary resuscitation and defibrillation in a pulseless, nonbreathing patient;

~~(iv)~~ (D) Administer intravenous saline or glucose solutions;

~~(v)~~ (E) Administer parenteral injections in any of the following classes of drugs:

~~(a)~~ (i) antiarrhythmic agents;

~~(b)~~ (ii) vagolytic agents;

~~(c)~~ (iii) chronotropic agents;

~~(d)~~ (iv) analgesic agents;

~~(e)~~ (v) alkalizing agents;

~~(f)~~ (vi) vasopressor agents;

~~(g)~~ (vii) diuretics;

~~(vi)~~ (F) Administer, perform and apply all other procedures, drugs and skills in which they have been trained and are certified to give, apply and dispense.

~~(B)~~ (2) But at all times before undertaking the actions authorized by clauses ~~(iii)~~, ~~(iv)~~, ~~(v)~~ (C), (D), (E) and ~~(vi)~~ (F) , paramedics shall ~~make try and continue to make~~ , during the course of an emergency, ~~attempts continue to try~~ to establish voice communications with and receive instructions from a licensed physician who has been associated with the dispensing of emergency cardiac and noncardiac medical care. Additionally, ~~during the course of what the paramedics believe to be a cardiac emergency, they shall make and continue to make, during the course of what they believe to be a cardiac emergency, attempts try to telemeter an electrocardiogram of the person being treated to a licensed physician, who has been associated with the dispensing of cardiac medical care , and electrocardiogram of the person being treated .~~

~~(C)~~ (3) Nothing contained in this subsection shall be construed to change subdivision changes existing law as it relates to delegation by a licensed physician of acts, tasks or functions to

persons other than physician's trained mobile intensive care paramedics.

~~(4)~~ (d) No licensed physician or registered nurse, who in good faith and in the exercise of reasonable care gives emergency instructions to a certified physician's trained mobile intensive care paramedic at the scene of an emergency, or while in transit to and from the scene of such emergency, shall be liable for any civil damages as a result of issuing such instructions.

~~(5)~~ (e) No certified physician's trained mobile intensive care paramedic, who in good faith and in the exercise of reasonable care renders emergency lifesaving care and treatment as set forth in this subsection subdivision, shall be is liable for any civil damages because of rendering such care and treatment.

~~(f)~~ Subd. 5. [AIR QUALITY.] ~~(1)~~ (a) [APPROPRIATION.] Ramsey county may appropriate and spend money in each year for the improvement and preservation of the purity and quality of the air.

~~(2)~~ (b) [JOINT POWERS.] Ramsey county may enter into contractual agreements with another governmental unit, body or group of bodies inside or outside the county without regard to whether the other governmental unit, body or group of bodies be a unit of state, county or municipal government or a school district, authority, or special district to perform on behalf of that unit, body or group of bodies the improvement and preservation of the purity and quality of the air.

~~(3)~~ (c) [ORDINANCE.] Ramsey county may, by ordinance, enact and enforce rules and regulations controlling the purity and quality of the air. No regulation rule adopted by the county pursuant hereto to this clause is effective within a governmental unit until ratified by the governing body of the governmental unit affected.

Sec. 3. [PARAMEDIC PROGRAM; CITIES, MUNICIPALITIES AND TOWNS IN RAMSEY COUNTY.] Subdivision 1. [DEFINITIONS.] As used in this section, "paramedic" means a person who:

(a) Is an employee of the city of Saint Paul or of the city of Maplewood, or of another municipality or a town within Ramsey county; and

(b) Has been specially trained in emergency cardiac and non-cardiac care by a licensed physician in a training program certified by the commissioner of the state department of health or the state board of medical examiners and is certified as qualified to render the emergency lifesaving services enumerated in this subdivision.

Subd. 2. [AUTHORIZATION TO MAINTAIN STAFF.] The city of Saint Paul, the city of Maplewood and each other municipality or town within Ramsey county may maintain a staff of paramedics.

Subd. 3. [AUTHORIZED SERVICES.] (a) *Notwithstanding any other provision of law, paramedics may do any of the following:*

- (1) *Perform regular rescue, first aid and resuscitation services;*
- (2) *Administer, during training, parenteral medications under the direct supervision of a licensed physician or a registered nurse;*
- (3) *Perform cardiopulmonary resuscitation and defibrillation in a pulseless, nonbreathing patient;*
- (4) *Administer intravenous saline or glucose solutions;*
- (5) *Administer parenteral injections in any of the following classes of drugs;*
 - (A) *antiarrhythmic agents;*
 - (B) *vagolytic agents;*
 - (C) *chronotropic agents;*
 - (D) *analgesic agents;*
 - (E) *alkalinizing agents;*
 - (F) *vasopressor agents; and*
 - (G) *diuretics;*
- (6) *Administer, perform and apply all other procedures, drugs and skills in which they have been trained and are certified to give, apply and dispense.*

(b) *At all times before undertaking the actions authorized by clauses (3), (4), (5) and (6), paramedics shall try and, during the course of an emergency, continue to try to establish voice communications with and receive instructions from a licensed physician who has been associated with the dispensing of emergency cardiac and noncardiac medical care. Additionally, during the course of what the paramedics believe to be a cardiac emergency, they shall try to telemeter an electrocardiogram of the person being treated to a licensed physician, who has been associated with the dispensing of cardiac medical care.*

(c) *Nothing contained in this section shall be construed to change existing law as it relates to delegation by a licensed physician of acts, tasks or functions to persons other than paramedics.*

Subd. 4. [PHYSICIANS AND NURSES; LIMITATION OF LIABILITY.] *No licensed physician or registered nurse, who in good faith and in the exercise of reasonable care gives emergency instructions to a certified paramedic at the scene of an emergency or while in transit to and from the scene of the emergency, shall be liable for any civil damages as a result of issuing the instructions.*

Subd. 5. [PARAMEDICS; LIMITATION OF LIABILITY.] *No certified paramedic, who in good faith and in the exercise of reasonable care renders emergency lifesaving care and treatment*

as set forth in this section, shall be liable for any civil damages because of rendering the care and treatment.

Subd. 6. [PAYMENT FOR PARAMEDIC SERVICE.] (a) The governing body of the city of Saint Paul, the governing body of the city of Maplewood and the governing body of each municipality or town within Ramsey county, in conjunction with the operation of their emergency or paramedic ambulance program, may impose reasonable charges for the emergency or paramedic ambulance services in order to finance their costs.

(b) The following persons are not subject to charges:

(1) A person who is eligible for or receiving public assistance under the aid to families with dependent children program, but is not eligible for any federally, state or locally funded public assistance program which would pay for the charges nor has medical, health or accident insurance policies which would pay for the charges;

(2) A person who, except for the amount of income or resources, would qualify for aid to families with dependent children, and is in need of medical assistance but is not eligible for any federally, state or locally funded public assistance program which would pay the charges nor has medical, health or accident insurance policies which would pay for the charges; or

(3) A person over 18 years of age, in need of medical care that neither he nor his relatives responsible under Minnesota Statutes, Sections 256B.01 to 256B.26 are financially able to provide, who is not eligible for any federally, state or locally funded public assistance program which would pay for the charges and has no medical, health or accident insurance policies which would pay the charges.

Sec. 4. Laws 1974, Chapter 435, Section 3.05, is amended to read:

Sec. 3.05 [PURCHASING.] ~~(a)~~ Subdivision 1. [JOINT CITY-COUNTY PURCHASING.] ~~(1)~~ (a) [JOINT PROGRAM.] Notwithstanding a charter provision, city ordinance, or prior law to the contrary pertaining to buying by the city of Saint Paul or the county of Ramsey, and to promote competitive bidding, effect economies in volume buying, and provide better service, the city of Saint Paul and the county of Ramsey shall establish a joint buying program.

~~(2)~~ (b) [SAINT PAUL PURCHASING DEPARTMENT TO BE USED.] The board of county commissioners of the county of Ramsey and the welfare board of the county of Ramsey shall buy, or contract for, the supplies, materials, equipment and contractual services required by each department or agency of the county government through the facilities of the city of Saint Paul purchasing department and, for this service, shall pay to the city the cost incurred in providing the service. The cost is determined through an analysis and evaluation of all purchases processed through December 31, 1959, and thereafter through each

succeeding year. The manner and method of computing this cost is the joint responsibility of the county auditor and the city comptroller. They shall certify the amounts of the exact cost to the board of county commissioners and the city council of Saint Paul.

(3) (c) [SAINT PAUL CITY CHARTER PROVISIONS RESERVED.] All of the charter provisions of the city of Saint Paul pertaining to the procedures, rules, and regulations in the field of buying goods, wares, and merchandise are in there *their* entirety reserved in full.

(4) (d) [STANDARDIZATION COMMITTEE.] A permanent committee on standardization of purchases for the city of Saint Paul and the county of Ramsey is established, to be composed, on an equal basis, of representatives of the city of Saint Paul, the county of Ramsey, the welfare board of the county of Ramsey, and other governmental units permitted to buy through the city purchasing department. The city council shall choose the members of the committee on standardization for the city, and the board of county commissioners, for the county; and the welfare board, for that board. The committee shall agree on single specifications for each item commonly used in each of the governmental units to combine their purchasing power.

(5) (e) [CENTRAL STOCK ROOM.] As soon as practical after the establishment of the central purchasing program, the city of Saint Paul; and the county of Ramsey; and the welfare board of the county of Ramsey shall establish a central office supply stock room. The permanent committee on standardization of purchases shall provide for inventory control procedures and the method and manner of distribution of supplies and materials from the central stock room. Each of the governmental units participating in the central buying program shall contribute the amount that is jointly agreed upon into a revolving fund established for the operation of the central stock room, and shall pay, from time to time, into the revolving fund the money required to cover overhead, in addition to the cost of materials and supplies obtained therefrom. The city of Saint Paul and its purchasing department shall administer and account for the revolving fund.

(6) (f) [WAREHOUSE.] The city of Saint Paul and the county of Ramsey shall provide adequate warehouse and storage space for each item that is practical to store and the buying of which, in quantities greater than current needs, will secure a distinct financial advantage to these governmental subdivisions.

(b) Subd. 2. [PATENTED ARTICLE.] (1) (a) Ramsey county and its welfare board may buy articles or supplies that are sold at a uniform price, by reason of a patent, copyright, or exclusive franchise, without advertisement and competitive bids, where no advantage can be secured by advertisement and competitive bidding.

(2) (b) Before making such a purchase, the county board or the

welfare board shall adopt a finding to the effect that the particular purchase is made pursuant to this subsection subdivision .

(e) *Subd. 3. [WAIVER OF PERFORMANCE BONDS.]* Notwithstanding the charter of the city of Saint Paul or prior statutory enactments relating to buying by the city of Saint Paul and the county of Ramsey to the contrary, the council of the city of Saint Paul, the Ramsey county board of commissioners, and the governing body of any municipal subdivision governed hereunder by this section may waive the requirements for a performance bond on each purchase of materials and supplies. Performance bonds are required to be furnished in all bids requiring labor and material, or labor alone, where the contract exceeds \$2,000.

Sec. 5. Laws 1974, Chapter 435, Section 1.0213, is amended to read:

Sec. 1.0213. [CODIFICATION OF SPECIAL LAWS.] (a) Ramsey county may collect and publish the special laws pertaining to Ramsey county and prepare a report for submission to the 1971 legislative session recommending the amendments, repeals and other codification acts that it feels necessary to clarify and codify these special laws .

(b) Pending action by the legislature on this report, each special law affecting Ramsey county because of reference to a population level at the close of the 1969 legislative session applies in full force and effect despite a change in population; no statute not applying to Ramsey county by reason of reference to a population level at the close of the 1969 legislative session may become applicable thereto through a change in population.

Sec. 6. Laws 1974, Chapter 435, Section 1.0214, is amended to read:

Sec. 1.0214. [GOVERNMENT ADMINISTRATION.] (a) *Subdivision 1. [REORGANIZATION.]* (1) (a) [BOARDS AND COMMISSIONS.] (A) (1) Ramsey county may abolish or consolidate or otherwise restructure agencies, boards and commissions of the county when their existence is provided by law before June 27, 1971, the effective date of Laws 1971, Chapter 611, and the agencies, boards and commissions are funded wholly by county-wide tax levies; the abolition or consolidation or restructuring does not alter the obligation of the county to continue to provide the services previously provided by the abolished or consolidated or restructured agency, board or commission.

(b) (2) Ramsey county may place supervision of the services provided by the abolished, consolidated or otherwise restructured agency, board or commission directly under the county board, a new agency or another department of county government.

(c) (3) Nothing in this section may be construed as giving the county authority to abolish, consolidate or otherwise restructure an agency, board or commission which by statute is jointly funded and organized as between any city, village or town in Ramsey county and the county of Ramsey.

~~(D)~~ (4) Any Ramsey county employee who is holding a position which is in the classified service is subject to and protected under the civil service laws relating to Ramsey county.

~~(2)~~ (b) [THE OFFICES OF AUDITOR, TREASURER, COURT COMMISSIONER AND COUNTY RECORDER.] ~~(A)~~

(1) In the county of Ramsey, the offices of county auditor, county treasurer, court commissioner, and ~~register of deeds county recorder~~ are not elective but filled by appointment by the Ramsey county board of commissioners as ~~hereinafter~~ *provided in this subdivision*, unless the office is abolished pursuant to a reorganization or consolidation under the following subparagraph clause (2).

~~(B)~~ (2) The duties, functions and responsibilities which are required by statute to be performed by the various elected officials whose offices are by this ~~subsection~~ *subdivision* made appointive are vested in and performed by Ramsey county. Ramsey county may initiate and direct a reorganization, consolidation, reallocation or delegation of these duties, functions, or responsibilities to promote efficiency in county government, and may make the other administrative changes, including the abolishing of the offices of auditor, treasurer and ~~register of deeds county recorder~~ or the transfer of personnel that the county considers necessary for this purpose. The reorganization, reallocation, or delegation or other administrative change or transfer does not diminish, prohibit or avoid those specific duties required by statute to be performed by those officials whose office is now made appointive.

~~(C)~~ (3) The elected county auditor, county treasurer, court commissioner, and ~~register of deeds county recorder~~ shall serve as the head of a department created by Ramsey county to perform the functions performed by his office and shall serve until his term of office expires; or upon the expiration of his term until his successor is appointed and duly qualifies; and shall not prior to age 70 be disqualified from reappointment by reason of age.

~~(b)~~ Subd. 2. [GROUP INSURANCE FOR RETIRED EMPLOYEES.] ~~(A)~~ (a) [MEDICAL AND HOSPITALIZATION INSURANCE.] Ramsey county shall provide to each employee, including an elected official, who retires, during retirement or to the surviving spouse of the employee, insurance protection in the amount that the county considers proper, providing medical, surgical and hospitalization benefits for the employee and dependent spouse. These benefits may not exceed benefits of similar nature existent and authorized for employees of the county. For these benefits for each retired employee, the average monthly premium cost is limited to \$14 and for the spouse of the employee the monthly premium cost is limited to \$10. If the revised consumers' price index, as published by the United States department of labor, bureau of labor statistics, for the city of Minneapolis, Minnesota (or if no index is published for the city of Minneapolis, for the nearest city to Minneapolis for which an index is published), as of January 15th of each year (or for the date nearest to January 15th if no index is published as of January 15th), shall be above 119 (using the average for the year 1967 as a base), the total maximum amounts for average monthly premium cost shall be

increased by one percent for each point increase in the index above 119. For purposes of this computation, a fractional point increase shall be disregarded if less than one-half point and treated as one full point if one-half point, or more.

~~(B)~~ (b) [ELIGIBILITY.] The benefits provided in subparagraph ~~(A)~~ clause (a) are available at normal retirement to the employees and officials elected by the people each employee or elected official who retires at normal retirement and ; at age 65 to employees and each employee or elected officials official who retire retires after the age of 58 55 years of age or older and have has at least 30 20 years of county service ; and at age 62 to each employee or elected official who retires after 62 years of age or older and has at least 30 years of county service.

(2) Subd. 3. [WORKERS' COMPENSATION FOR SHERIFF'S PERSONNEL.] Ramsey county may insure with an insurance carrier its liability to pay ~~workmen's~~ workers' compensation with respect to personnel subject to the authority of its sheriff who are engaged in the furnishing of police service to a city , village, or town , or borough pursuant to the provisions of Minnesota Statutes, Section 436.05. This insurance shall be governed by the provisions of Minnesota Statutes, Chapter 176. The failure of the county of Ramsey to insure with an insurance carrier its liability to pay ~~workmen's~~ workers' compensation to any other employee or group of employees shall not preclude exercise of the authority conferred by this paragraph subdivision .

~~(3)~~ Subd. 4. [FIDELITY BONDS.] ~~(A)~~ (a) [BLANKET BOND.] ~~(i)~~ (1) [AUTHORITY.] In Ramsey county, the county, or an agency supported in whole or in part by county funds, may secure, and pay for a corporate surety bond covering all county employees or employees of the agency, who are not required by law to furnish an individual bond to qualify for office, for an aggregate sum to be determined by the county or the body governing the agency in lieu of individual or other bonds.

~~(ii)~~ (2) [CONDITIONS.] This bond shall be conditioned that each employee shall in all things during his continuance in office, faithfully and impartially perform the duties thereof without fraud, deceit or oppression, and pay over without delay to the officer entitled by law thereto, all money which comes into his hands by virtue thereof.

~~(iii)~~ (3) [FORM.] The attorney general shall prescribe the form of the bond; it shall be approved by the county or the governing body of the agency, recorded with the register of deeds county recorder and filed with the secretary of state.

~~(B)~~ (b) [PREMIUMS.] ~~(i)~~ (1) [DUTY TO PAY.] In Ramsey county when a corporate surety bond is furnished by a county officer or employee pursuant to statute or resolution of the county board, the county shall pay the premium if the county may designate the surety.

~~(ii)~~ (2) [ADVERTISING FOR BIDS.] The county shall have a notice for bids for the furnishing of these bonds published in its

official publication, and shall award a contract to the lowest responsible bidder.

~~(iii)~~ (3) [BLANKET BOND.] In lieu of the individual bonds required to be furnished by employees, a schedule or position bond or undertaking may be given by the employees of each county office or department, or a single corporate surety fidelity, schedule or position bond or undertaking covering all the employees of the county may be furnished, in the respective amounts fixed by law, or by the person or board authorized by law to fix the same, conditioned substantially as provided in Minnesota Statutes, Section 574.13, and upon a form to be prescribed by the commissioner of administration.

~~(C)~~ (c) [COUNTY COMMISSIONERS' BOND.] In Ramsey county, each county commissioner, before he enters upon his duties, shall give bond to the state in the sum of \$10,000 with a legally-authorized surety company as surety conditioned upon the faithful performance of his official duties. A judge of the district court shall approve the bond. The bond and the commissioner's oath of office and certificate of election shall be filed with the secretary of state. The county shall pay the bond premium which may not exceed that prescribed by law for county treasurers.

~~(D)~~ (d) [TREASURER'S BOND.] ~~(i)~~ (1) [AMOUNT AND CONDITIONS.] In Ramsey county, before the county treasurer enters upon the duties of his office, he, every deputy county treasurer and every employee of the office of the county treasurer, shall give bond, to be approved by the county board, and in the sum that the board directs. The bond of the county treasurer shall not be less than \$500,000, unless the surety is a corporation duly authorized by law to be surety, in which case it shall be not less than \$250,000. The bond shall be payable to the state, conditioned that he shall faithfully execute the duties of his office, and for the safekeeping and paying over according to law of all moneys which come into his hands for state, county, town, school, road, bridge, poor and all other purposes.

~~(ii)~~ (2) [BLANKET BOND.] In lieu of the individual bonds required for deputies and employees in the office of the county treasurer, a schedule or position bond or undertaking may be given in the respective amounts so required, conditioned as above and upon a form to be prescribed by the commissioner of taxation.

~~(iii)~~ (3) [PREMIUMS.] The county board shall pay the premiums upon these bonds or undertakings out of the treasury of the county in cases where the surety is a corporation duly authorized by law to be surety.

~~(4)~~ Subd. 5. [AUTOMOBILE MILEAGE.] ~~(A)~~(a) [GENERALLY.] ~~(i)~~ (1) [AUTHORIZATION.] Ramsey county may provide for the payment of an automobile allowance to a county officer or employee who officially uses his own automobile in the performance of his public duties. The authorization shall include any limitations as to amount and persons qualified for the automobile allowance, the formula to be used for the allowance, and

other limitations or safeguards that the county considers to be expedient in the public interest.

~~(ii)~~ (2) [DEFINITION.] Automobile allowance is defined as the payment of compensation or reimbursement made by the county, through the use of a formula decided upon by the county, to an officer or employee for the use of his own automobile in the performance of his public duty.

~~(iii)~~ (3) [LIMITATIONS.] Ramsey county shall have full authority and control, free from other limitations except as provided in this ~~subparagraph subdivision~~, to provide the method of payment, the formula for payment and the amount of the automobile allowance to be paid. This ~~subparagraph subdivision~~, insofar as the county of Ramsey is concerned, is paramount to any other statute of the state of Minnesota now existing.

~~(e)~~ Subd. 6. [OFFICE SPACE.] ~~(1)~~ (a) [ABSTRACT CLERK.] Ramsey county shall provide the necessary office and vault space for the county abstract clerk in the court house of the county, with suitable furniture therefor, and shall provide heating, lighting and maintenance of these offices. The county shall furnish the abstract clerk with the books, stationery, letterheads, envelopes, telephone service, office equipment and supplies necessary for the discharge of his duties.

~~(2) Ramsey county shall provide office accommodations for the county civil service commission.~~

(b) Ramsey county shall supply the court commissioner with a suitable office and the clerical help that the county considers necessary.

~~(3)~~ (c) [LEGISLATIVE RESEARCH COMMITTEE.] Ramsey county shall provide suitable quarters in Ramsey county for the use of the Ramsey county legislative research committee.

Subd. 7. [CASH OVER AND SHORT ACCOUNT OF IMPREST CASH FUND.] (1) *The county may establish a cash over and short account within each of its imprest cash funds and cash receipt accounts. This account shall be used to record on a daily basis overages and shortages of cash receipts.*

(2) At the end of each fiscal year, the county shall credit or debit the overage or shortage from each imprest cash fund and cash receipt account to the county revenue fund.

(3) In the instance of a debit balance remaining in the cash over or short account, the county may transfer money sufficient to offset the debit balance from any available fund.

(4) The county budget director shall make the appropriate adjustments and entries on the general books of the county.

Sec. 7. Laws 1974, Chapter 435, is amended by adding a section to read:

Sec. 1.111 [FEES OF THE CLERK OF DISTRICT COURT, CORONER AND COUNTY RECORDER.] *The board of county*

commissioners shall set the fees to be charged and collected for the services of the clerk of district court, coroner and county recorder. Each of these officers shall file a schedule of the fees in his office.

Sec. 8. Laws 1974, Chapter 435, is amended by adding a section to read:

Sec. 1.112 [FEE SYSTEM.] Subdivision 1. The board of county commissioners, after a public hearing, may establish a system of fees or charges for recording, filing, certification or providing copies of an instrument, document or other paper, or for the services of a county office, official, department, or employee thereof, or a court system located entirely inside the county.

Subd. 2. Subdivision 1 does not apply to a fee or charge concerning a service, license, permit or document established by law as uniformly applicable to all counties of the state. Subdivision 1 does not amend any law that provides that a charge or fee is returnable in whole or part to the state, or any of its subdivisions or any other agency.

Subd. 3. When a service is requested of a county office or agent, beyond that which would normally be provided in the ordinary course of business of the office or agent, the board of county commissioners, after a public hearing, may establish a fee or charge for it based upon the cost of providing the service."

Page 3, line 6, delete "2" and insert "9"

Page 4, delete lines 4 to 6 and insert:

"Sec. 10. Minnesota Statutes 1976, Section 43.328, Subdivision 2, is amended to read:

Subd. 2. Except as provided in subdivision 3, in counties having more than 300,000 and less than 450,000 inhabitants, and in any city of the first class situated in such county, the county board or the welfare board supported jointly by such county and a city of the first class therein, or the governing body of such city of the first class, the city of Saint Paul may determine to pay, and in counties having more than 550,000 inhabitants, the county board may determine that the county shall pay a base allowance of \$1.50 per day for each day the employee or officer's automobile is officially used. This base allowance shall not be paid for more than 20 days in each month. The minimum base allowance shall be \$20 per month for each employee or officer required to have his own automobile available for official public business and using that automobile for such business periodically throughout the month. If a base allowance is paid it shall be in addition to a mileage allowance which shall not exceed seven and one half cents a mile for the first 500 miles in any one month and five cents a mile thereafter.

Sec. 11. Minnesota Statutes 1976, Section 274.16, is amended to read:

274.16 [CORRECTED LISTS, ABSTRACTS.] *In any county*

having more than 300,000 and less than 450,000 inhabitants, The county auditor assessor or, in Ramsey county, the official designated by the board of county commissioners shall calculate the changes of the assessment lists determined by the county board of equalization, and make corrections accordingly, in the real or personal lists, or both, and shall make duplicate abstracts of the same; one shall be filed in his office, and one shall be forwarded to the commissioner of revenue on or before August 1. In other counties such changes and abstracts shall be made by the county assessors.

Sec. 12. Minnesota Statutes 1976, Section 357.09, Subdivision 5, is amended to read:

Subd. 5. This section shall not relate to or affect the fees of the sheriff of any Hennepin county having a population of over 275,000.

Sec. 13. Minnesota Statutes 1976, Section 373.25, Subdivision 1, is amended to read:

373.25 [TAX LEVY, COUNTY BUILDING FUND.] Subdivision 1. The county board of any county ~~not containing a city of the first class except Hennepin and St. Louis counties~~ may provide for and establish a fund to be known as the county building fund. In addition to all other taxes and the amount thereof permitted by law to be levied for county purposes, the county board of any county may include in its annual tax levy an amount for the county building fund. The proceeds from any tax so levied shall be credited to the county building fund. Any county building fund established pursuant ~~hereto to this section~~ and to which any such tax shall have been credited shall be used by the county solely for the acquisition of or for the construction, reconstruction, maintenance and repair of buildings used or to be used in the administration of its county affairs and the acquisition of lands necessary for said purposes and the county is hereby authorized to use said fund for said purposes.

Sec. 14. Minnesota Statutes 1976, Section 375.12, is amended to read:

375.12 [PUBLICATION OF PROCEEDINGS.] The county board shall cause the official proceedings of its sessions to be published in some qualified newspaper produced and published in its county, which publication shall be let annually by contract to the lowest bidder, at the first regular session of the board in January each year. In each county whose population exceeds 600,000, the proceedings shall be published in a daily newspaper; and in counties having a population exceeding 250,000 but less than 600,000, the proceedings may be published in any legal newspaper, produced and published at the county seat, which newspaper shall be the official newspaper of the county, and in each such county the proceedings shall be published also in one other qualified newspaper produced and published in the county outside the county seat. The board may reject any offer if, in its judgment, the public interests so require, and may thereupon designate a newspaper without regard to any rejected

offer. In any county whose population exceeds 50,000, and is less than 250,000, the proceedings may be published in one daily and one weekly newspaper at their respective county seats. If the official newspaper of the county shall cease to exist for any reason, except by consolidation with another newspaper, the county board shall have authority to designate another newspaper for the remainder of the year. For the purpose of this section, a newspaper is produced and published in the county if it has in the county its known office of issue, as such term is defined in section 331.02, and if it does its typographic composition or presswork or both in the county.

Sec. 15. Minnesota Statutes 1976, Section 375.13, is amended to read:

375.13 [CHAIRMAN.] The county board, at its first session in each year shall elect from its members a chairman and a vice-chairman. The chairman shall preside at its meetings and sign all documents requiring signature on its behalf and his signature as chairman, attested by the county auditor, shall be binding as the signature of such board. In case of the absence or incapacity of the chairman, the vice-chairman shall perform his duties. In counties having more than five commissioners, and in which counties the mayor of a city of the first class located in such county is by law ex-officio chairman of such board, a second vice chairman shall be elected, who shall perform the duties of the chairman and vice chairman in their absence. If the chairman and or vice-chairman or vice chairmen, as the case may be, are absent from any meeting, all documents requiring the signature of the board shall be signed by a majority thereof and likewise attested.

Sec. 16. Minnesota Statutes 1976, Section 471.476, Subdivision 1, is amended to read:

471.476 [AMBULANCE SERVICES.] Subdivision 1. Any county, except Hennepin and Ramsey counties county, city, however organized, town or hospital district, either singly or jointly in accordance with an agreement made pursuant to section 471.59, may provide general ambulance services. In providing such service the political subdivision may purchase, rent or lease ambulances and related equipment and supplies; may contract for such service with any person, firm, corporation or other political subdivision upon such terms and conditions as may be agreed upon and may employ and train personnel for such service. Ambulance service authorized by this section may be provided both inside and outside the boundaries of the political subdivision and may be furnished to non-residents as well as residents.

Sec. 17. Minnesota Statutes 1976, Section 475.52, Subdivision 3, is amended to read:

Subd. 3. [COUNTIES.] Any county may issue bonds for the acquisition or betterment of courthouses, jails, poor farms, morgues, libraries, and hospitals, for roads and bridges within the

county or bordering thereon and for road equipment and machinery and for ambulances and related equipment, except that the power of counties to issue bonds in connection with a library shall not exist in a *Hennepin* county containing a city of the first class of over 300,000 according to the 1960 United States census.

Sec. 18. [SESSION LAWS REPEALED.] *Laws 1974, Chapters 67; 222; and 435, Sections 1.0211 and 3.18; and Laws 1975, Chapter 426, Sections 3 and 4 are repealed.*

Sec. 19. [STATUTES REPEALED.] *Minnesota Statutes 1976, Sections 380.25 and 380.26, as the text of those sections appear in the 1965 edition of Minnesota Statutes, are repealed.*

Sec. 20. [EFFECTIVE DATES.] *Subdivision 1. Sections 1, 2, 4, 5, 6, 7, 8, 9 and 18 are effective upon approval by the board of commissioners of Ramsey county and upon compliance with Minnesota Statutes, Section 645.021.*

Subd. 2. Section 3 is effective within a municipality within Ramsey county upon approval by the governing body of the municipality and upon compliance with Minnesota Statutes, Section 645.021.

Subd. 3. Sections 10, 11, 12, 13, 14, 15, 16, 17 and 19 are effective the day following final enactment."

Further, strike the title and insert:

"A bill for an act relating to Ramsey county; reorganizing portions of the Ramsey county code to facilitate the drafting of future amendments; making necessary technical changes and simplifying language; removing obsolete provisions relating to welfare; prescribing powers relating to health care; authorizing separate provision of paramedic services by the county and the various municipalities and towns situated in the county; removing obsolete provisions relating to the joint purchase of supplies by the county; repealing inconsistent or redundant provisions relating to drainage and paramedic services; removing obsolete provisions relating to the drafting of the code; providing office and clerical help for the court commissioner; providing for an imprest cash fund; removing redundant provisions relating to tort liability and insurance for retired employees; allowing the county board to set the fees of the clerk of district court, coroner and county recorder; providing for establishment of a system of fees for certain services; clarifying the application of certain laws to the county; removing certain restrictions affecting the county; amending Laws 1974, Chapter 435, Sections 1.0204; 1.0207; 1.0213; 1.0214; 3.05; 3.13; and by adding sections; Minnesota Statutes 1976, Sections 43.328, Subdivision 2; 274.16; 357.09, Subdivision 5; 373.25, Subdivision 1; 375.12; 375.13; 471.476, Subdivision 1; 475.52, Subdivision 3; repealing Laws 1974, Chapters 67; 222; and 435, Sections 1.0211 and 3.18; Laws 1975, Chapter 426, Sections 3 and 4; and Minnesota Statutes 1976, Sections 380.25 and 380.26."

The motion prevailed. So the amendment was adopted. H. F. No. 933 was then progressed.

SPECIAL ORDER

H. F. No. 1663: A bill for an act relating to retirement; authorizing a combined service annuity and the purchase of prior service credit for certain university employees.

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 40 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|--------------|---------|-------------|------------|
| Ashbach | Davies | Lessard | Pillsbury | Solon |
| Benedict | Engler | Lewis | Renneke | Spear |
| Bernhagen | Frederick | Luther | Schaaf | Staples |
| Borden | Johnson | Menning | Schmitz | Stokowski |
| Brataas | Kirchner | Nichols | Schrom | Strand |
| Chenoweth | Kleinbaum | Ogdahl | Setzepfandt | Stumpf |
| Chmielewski | Knoll | Olhoft | Sieloff | Ueland, A. |
| Coleman | Laufenburger | Perpich | Sillers | Ulland, J. |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2332: A bill for an act relating to retirement; local police, salaried firefighters and volunteer firefighters relief association; specifying allowable administrative expenses; amending Minnesota Statutes 1976, Sections 69.40; 423.32; 423.38; 423.51; 423.808; 424.16; and 424.31; and Laws 1974, Chapter 382, Section 4, Subdivision 3.

Mr. Strand moved to amend H. F. No. 2332 as follows:

Amend the title as follows:

Page 1, line 5, after "expenses;" insert "purchase of prior service for certain firefighter in the city of St. Cloud;"

The motion prevailed. So the amendment was adopted.

H. F. No. 2332 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 39 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|--------------|---------|-----------|
| Ashbach | Coleman | Hanson | Lessard | Penny |
| Bernhagen | Davies | Johnson | Luther | Perpich |
| Brataas | Engler | Kirchner | Menning | Pillsbury |
| Chenoweth | Frederick | Knaak | Ogdahl | Renneke |
| Chmielewski | Gearty | Laufenburger | Olhoft | Schaaf |

| | | | | |
|-------------|----------|-----------|------------|---------|
| Schmitz | Sikorski | Staples | Stumpf | Vega |
| Schrom | Sillers | Stokowski | Ueland, A. | Wegener |
| Setzepfandt | Spear | Strand | Ulland, J. | |

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

SPECIAL ORDER

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

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 37 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|----------|-----------|-------------|------------|
| Ashbach | Hanson | Ogdahl | Schrom | Strand |
| Bernhagen | Johnson | Olhoft | Setzepfandt | Ueland, A. |
| Brataas | Kirchner | Penny | Sieloff | Ulland, J. |
| Chmielewski | Knaak | Perpich | Sikorski | Vega |
| Coleman | Lessard | Pillsbury | Sillers | Wegener |
| Davies | Lewis | Renneke | Spear | |
| Frederick | Luther | Schaaf | Staples | |
| Gearty | Menning | Schmitz | Stokowski | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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 37 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|---------|-------------|------------|
| Ashbach | Gearty | Luther | Schrom | Stumpf |
| Bernhagen | Hanson | Ogdahl | Setzepfandt | Ueland, A. |
| Brataas | Johnson | Olhoft | Sieloff | Ulland, J. |
| Chmielewski | Kirchner | Penny | Sikorski | Vega |
| Coleman | Kleinbaum | Perpich | Sillers | Wegener |
| Davies | Knaak | Renneke | Staples | |
| Engler | Lessard | Schaaf | Stokowski | |
| Frederick | Lewis | Schmitz | Strand | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2330: A bill for an act relating to retirement; con-

solidation of the police relief association of the city of Thief River Falls into the public employees police and fire fund.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 39 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|-----------|-------------|------------|
| Ashbach | Gunderson | Lewis | Schaaf | Strand |
| Bernhagen | Hanson | Luther | Schmitz | Stumpf |
| Chmielewski | Humphrey | Ogdahl | Setzepfandt | Tennessen |
| Coleman | Johnson | Olhoft | Sieloff | Ueland, A. |
| Davies | Kirchner | Penny | Sikorski | Ulland, J. |
| Engler | Kleinbaum | Perpich | Sillers | Vega |
| Frederick | Knaak | Pillsbury | Spear | Wegener |
| Gearty | Lessard | Renneke | Stokowski | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1910: A bill for an act relating to Itasca county; authorizing the exchange of certain riparian tax forfeited land for certain privately owned non-riparian land.

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 40 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|-----------|-------------|------------|
| Ashbach | Gearty | Lessard | Schaaf | Stokowski |
| Benedict | Gunderson | Lewis | Schmitz | Strand |
| Bernhagen | Hanson | Luther | Schrom | Stumpf |
| Brataas | Humphrey | Ogdahl | Setzepfandt | Tennessen |
| Chmielewski | Johnson | Olhoft | Sieloff | Ueland, A. |
| Davies | Kirchner | Penny | Sikorski | Ulland, J. |
| Engler | Kleinbaum | Perpich | Sillers | Vega |
| Frederick | Knaak | Pillsbury | Spear | Wegener |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2224: A bill for an act relating to the city of Nashwauk; police relief pensions and widows benefits; officers of association; amending Laws 1943, Chapter 196, Sections 4, as amended; 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 40 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|-----------|-------------|------------|
| Ashbach | Gunderson | Lewis | Schaaf | Stokowski |
| Benedict | Hanson | Luther | Schmitz | Strand |
| Bernhagen | Humphrey | Ogdahl | Schrom | Stumpf |
| Brataas | Johnson | Olhoft | Setzepfandt | Tennessen |
| Chmielewski | Kirchner | Penny | Sieloff | Ueland, A. |
| Davies | Kleinbaum | Perpich | Sikorski | Ulland, J. |
| Engler | Knaak | Pillsbury | Sillers | Vega |
| Gearty | Lessard | Renneke | Spear | Wegener |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2087: A bill for an act relating to the adoption of rules concerning the process and procedures for designating power plant sites and transmission line routes; amending Minnesota Statutes, 1977 Supplement, Sections 116C.645 and 116C.66; and Laws 1977, Chapter 439, Section 26.

Mr. Olhoft moved to amend H. F. No. 2087 as follows:

Page 3, after line 28, insert

"Sec. 4. Minnesota Statutes 1976, Section 273.42, is amended to read:

273.42 [RATE OF TAX; ENTRY AND CERTIFICATION; CREDIT ON PAYMENT.] The property set forth in section 273.37, subdivision 2, consisting of transmission lines, and distribution lines not taxed as provided in sections 273.38, 273.40 and 273.41 shall be taxed at the average rate of taxes levied for all purposes throughout the county and shall be entered on the tax lists by the county auditor against the owner thereof and certified to the county treasurer at the same time and in the same manner that other taxes are certified, and, when paid, shall be credited, ~~one-half~~ 35 percent to the general revenue fund of the county, and ~~one-half~~ 50 percent to the general school fund of the county, and 15 percent to the townships within the county in which the lines are located. The amount available for distribution to the townships shall be divided among the townships in the same proportion that the length of transmission line in each township bears to the total length of transmission line in the county, except that if a payment to a town exceeds ten percent of the town's levy for the preceding year, the excess amount shall be paid to the county."

Renumber the remaining section in sequence

Page 3, line 29, strike "*This act is*" and insert "*Sections 1 to 3 are*" and delete "*its*"

Page 3, line 30, after the period insert "*Section 4 is effective for taxes levied in 1978, payable in 1979 and thereafter.*"

Further, amend the title as follows:

Line 4, after "routes;" insert "altering the distribution of proceeds of tax on certain transmission and distribution lines;"

Line 5, after "Statutes" insert "1976, Section 273.42; and Minnesota Statutes"

The motion prevailed. So the amendment was adopted.

H. F. No. 2087 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 35 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-----------|---------|-----------|------------|
| Ashbach | Frederick | Knaak | Olson | Stokowski |
| Benedict | Gearty | Knoll | Penny | Strand |
| Bernhagen | Hanson | Lessard | Pillsbury | Stumpf |
| Chenoweth | Humphrey | Luther | Renneke | Tennessee |
| Coleman | Johnson | Nelson | Schmitz | Ueland, A. |
| Davies | Kirchner | Ogdahl | Sieloff | Ulland, J. |
| Engler | Kleinbaum | Olhoff | Sillers | Vega |

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

SPECIAL ORDER

H. F. No. 2027: A bill for an act relating to marriage and divorce; revising provisions allowing minors to marry; modifying prohibitions of marriage between certain parties; modifying requirements to receive a marriage license; modifying penalties for certain offenses; providing that children born of a prohibited marriage are legitimate; revising procedures and grounds for annulment actions; declaring the legal rights of putative spouses; providing new procedures for actions of dissolution and legal separations; limiting grounds for a dissolution to a finding that the marriage is irretrievably broken; modifying procedures for custody proceedings; declaring the right of a custodial parent to determine a child's upbringing; defining marital property; defining provisions for an award of maintenance to a spouse; amending Minnesota Statutes 1976, Sections 517.02; 517.03; 517.04; 517.05; 517.06; 517.07; 517.09; 517.13; 517.14; 517.15; 517.16; 517.19 518.01; 518.02; 518.03; 518.05; 518.06, Subdivision 1, and by adding a subdivision; 518.07; 518.09; 518.10; 518.11; 518.13; 518.14; 518.16; 518.165; 518.17; 518.175, Subdivisions 1 and 3, and by adding a subdivision; 518.18; 518.24; 518.27; 518.54; 518.55; 518.57; 518.58; 518.61; 518.62; 518.63; 518.64; 518.65; Chapter 517, by adding a section; and Chapter 518, by adding sections; and Minnesota Statutes, 1977 Supplement, Sections 517.01; 517.08, Subdivisions 1 and 3; 518.155; and 518.551; repealing Minnesota Statutes 1976, Sections 517.17; 518.06, Subdivision 2; 518.15; 518.29; 518.59; and 518.67.

Mr. Davies moved to amend H. F. No. 2027, as amended pursuant to Rule 49, adopted by the Senate March 16, 1978, as follows:

(The text of the amended House File is identical to S. F. No. 1826.)

Page 2, line 9, after "whom" insert "one or both of"

Page 2, strike lines 13 through 32

Page 3, strike lines 1 through 14

Page 5, line 6, restore the stricken comma

Page 7, line 7, strike the remaining comma

Page 7, line 8, strike the comma

Page 9, line 10, strike both commas

Page 10, line 1, restore the stricken comma

Page 11, line 17, delete "a" and insert "the"

Page 12, line 13, delete everything after "age"

Page 12, delete line 14

Page 12, line 15, delete everything before the period and insert
"for marriage established by section 517.02"

Page 12, line 22, delete "A proceeding for" and insert "An"

Page 13, lines 11, 16, 19, delete "19" and insert "18"

Page 14, line 14, delete ": (a)"

Page 14, line 16, delete the new language

Page 14, strike lines 17 to 20

Page 14, line 21, delete "property"

Page 14, line 22, delete "Previously existing"

Page 15, line 2, after "dissolution" insert "or legal separation"

Page 15, line 19, after the period insert *"If neither party resides in the state and jurisdiction is based on the domicile of one or both of the parties, the proceeding may be brought in the county where either party is domiciled."*

Page 16, line 5, reinstate the stricken language

Page 16, strike lines 13 to 15

Page 16, line 17, delete "and" and insert "or"

Page 16, line 16, strike "(7)" and insert "(6)"

Page 16, line 18, strike the semicolon and insert "and"

Page 16, line 19, strike "(8)"

Page 16, line 19, after "parties" insert "last"

Page 16, strike lines 20 to 22

Page 16, line 23, delete "(10)" and insert "(7)"

Page 16, line 25, delete "11" and insert "(8)"

Page 16, line 28, strike "thereof"

Page 16, line 31, after "petitioner" insert "or petitioners"

Page 17, line 3, delete *"If"* and insert *"Unless"*

Page 17, line 4, delete *"one of the"* and insert *"both"*

Page 18, line 11, after *"(b)"* insert *"unless either party objects,"*

Page 18, line 11, delete *"not less"*

Page 18, strike line 12

Page 18, line 13, delete *"the matter may be reached on the court's calendar"*

Page 19, line 11, after *"spouse"* insert *"but has since acquired personal jurisdiction over the spouse"*

Page 20, line 20, delete *"52"* and insert *"51"* and delete *"40"* and insert *"39"*

Page 21, line 15, strike the comma

Page 22, strike lines 13 to 16

Page 22, line 24, delete *"39 or 45"* and insert *"38 or 44"*

Page 23, line 22, strike the commas

Page 24, lines 14, and 16, delete *"shall"* and insert *"may"*

Page 24, line 23, delete *"wishes"* and insert *"reasonable preference"*

Page 24, line 24, after *"custodian"* insert *", if the court deems the child to be of sufficient age to express preference"*

Page 26, line 1, before the period insert *"at the hearing"*

Page 26, line 15, delete *"or a"* and insert a period

Page 26, strike lines 16 to 17

Page 26, line 27, strike *"interest"* and insert *"interests"*

Page 28, line 19, strike *"interest"* and insert *"interests"*

Page 28, line 28, after the stricken *"any"* insert *"Subd. 3."*

Page 29, line 21, delete *"would"* and insert *"is likely to"*

Page 30, lines 13 and 32, delete *"would"* and insert *"is likely to"*

Page 30, line 16, delete *"endangers the custodial parent's physical health"* and insert *"places the custodial parent in danger of harm"*

Page 31, line 4, delete *"would"* and insert *"is likely to"*

Page 31, lines 17 and 25, delete *"decree"* and insert *"order"*

Page 31, line 17, after *"(a)"* insert *"Unless agreed to in writing by the parties,"*

Page 31, line 19, delete *"initial decree"* and insert *"order of dissolution or legal separation containing a provision dealing with custody,"*

Page 31, line 21, after the comma insert "*unless agreed to in writing by the parties*"

Page 31, line 22, after "*motion*" insert "*on its merits,*"

Page 31, line 26, delete "*decides on the basis of affidavits submitted*" and insert "*finds*"

Page 31, line 27, delete "*pursuant to section 46,*"

Page 31, line 28, after the second "*or*" insert "*has*"

Page 31, line 28, after "*visitation*" insert a comma

Page 32, lines 2, 3, 4 and 9, delete "*decree*" and insert "*order*"

Page 32, line 26, delete "*The court shall deny the motion*"

Page 32, strike lines 27 to 30

Page 33, line 3, strike "*or decreed*"

Page 33, line 5, delete "*it*" and insert "*them*"

Page 33, line 5, strike "*or*"

Page 33, line 6, strike "*decree*"

Page 33, line 12, strike the remaining comma

Page 33, line 13, strike "*or decree*"

Page 33, line 18, delete "*the maintenance or support*" and insert "*it*"

Page 35, line 18, after "*(f)*" insert "*is excluded by valid agreement of the parties, including a*"

Page 37, line 14, after "*or*" insert "*in*"

Page 37, line 16, after "*spouse*" insert "*and which has since acquired jurisdiction*"

Page 37, line 17, delete "*only*"

Page 38, line 23, restore the stricken "*as defined in*"

Page 38, line 23, after the stricken "*act*" insert "*section 518.54*"

Page 39, line 1, after "*or*" insert "*in*"

Page 39, line 4, after "*property*" insert "*and which has since acquired jurisdiction*"

Page 39, line 22, after "*assets*" insert "*, the amount of support, maintenance*"

Page 39, line 31, after the period insert "*The court may also award to either spouse the household goods and furniture of the parties, whether or not acquired during the marriage.*"

Page 40, lines 2 and 5, delete "*49*" and insert "*48*"

Page 40, line 6, delete "*(f)*" and insert "*(e)*"

Page 41, line 16, delete "*made to*" and insert "*received by*"

Page 41, lines 21, 25, and 31, delete "*shall*" and insert "*may*"

Page 41, line 22, delete "*promptly*"

Page 41, line 22, after "*proceedings*" insert "*against the obligor*"

Page 41, line 23, delete "*against the obligor*"

Page 41, line 26, delete "*and support combined*" and insert "*or both*"

Page 41, line 26, delete "*all*"

Page 41, line 30, after "*support*" insert "*or maintenance*"

Page 42, line 1, delete "*and*" and insert "*or*"

Page 43, line 1, delete the comma and insert a semicolon

Page 43, line 20, delete "*30*" and insert "*29*"

Page 44, line 5, strike the first comma

Page 44, line 10, delete "*54, 55 and 56*" and insert "*53, 54 and 55*"

Page 44, line 15, strike "*or decree*"

Page 44, line 23, strike "*or decree*"

Page 44, strike lines 31 and 32

Page 45, strike lines 1 to 15

Page 45, line 16, delete "*52*" and insert "*51*"

Page 45, line 19, delete "*motion*" and insert "*order*"

Page 45, line 20, after "*of*" insert "*substantially*"

Page 45, line 21, after the first "*or*" insert "*substantially*"

Page 45, line 27, delete "*59*" and insert "*58*"

Page 46, lines 28 and 30, delete "*64*" and insert "*63*"

Page 47, lines 4 and 5, delete "*64*" and insert "*63*"

Renumber the subdivisions in sequence

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "*revising*"

Page 1, line 3, delete "*provisions allowing minors to marry;*"

Page 1, line 19, delete "*517.02;*"

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend H. F. No. 2027, as amended pursuant to Rule 49, adopted by the Senate March 16, 1978, as follows:

(The text of the amended House File is identical to S. F. No. 1826).

Page 28, line 30, strike "*without*"

Page 28, line 31, strike "*regard to marital misconduct,*"

Page 37, line 28, strike "*without regard*"

Page 37, line 29, strike "*to marital misconduct,*"

Page 39, line 8, strike "*without regard to*"

Page 39, line 15, strike "*marital misconduct*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 18 and nays 28, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|---------|-------------|------------|
| Ashbach | Gearty | Menning | Setzepfandt | Ueland, A. |
| Bernhagen | Keefe, J. | Olhoft | Sieloff | Ulland, J. |
| Chmielewski | Kirchner | Olson | Sillers | Willet |
| Engler | Knaak | Renneke | | |

Those who voted in the negative were:

| | | | | |
|-----------|--------------|----------|-----------|-----------|
| Benedict | Johnson | Lewis | Pillsbury | Stokowski |
| Brataas | Keefe, S. | Luther | Purfeerst | Stumpf |
| Chenoweth | Kleinbaum | Moe | Schaaf | Tennessee |
| Davies | Knoll | Ogdahl | Schmitz | Vega |
| Gunderson | Laufenburger | Penny | Spear | |
| Humphrey | Lessard | Peterson | Staples | |

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

H. F. No. 2027 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 37 and nays 8, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|--------------|------------|-------------|------------|
| Ashbach | Humphrey | Lewis | Purfeerst | Stumpf |
| Benedict | Johnson | Luther | Schaaf | Tennessee |
| Brataas | Keefe, S. | McCutcheon | Schmitz | Ueland, A. |
| Chenoweth | Kleinbaum | Moe | Setzepfandt | Ulland, J. |
| Coleman | Knaak | Ogdahl | Sieloff | Vega |
| Davies | Knoll | Penny | Sillers | |
| Gearty | Laufenburger | Peterson | Spear | |
| Gunderson | Lessard | Pillsbury | Stokowski | |

Those who voted in the negative were:

| | | | | |
|-------------|---------|--------|---------|--------|
| Bernhagen | Engler | Olhoft | Renneke | Willet |
| Chmielewski | Menning | Olson | | |

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

MOTIONS AND RESOLUTIONS—CONTINUED

RECONSIDERATION

Mr. Keefe, S. moved that the vote whereby H. F. No. 1773 was passed by the Senate on Friday, March 17, 1978, be now reconsidered. The motion prevailed.

Mr. Keefe, S. moved that H. F. No. 1773 be returned to the top of General Orders. The motion prevailed.

Mr. Olson moved that S. F. No. 1106 be taken from the table. The motion prevailed.

Mr. Olson moved that the Senate do not concur in the amendments by the House to S. F. No. 1106 and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

RECESS

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

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

MOTIONS AND RESOLUTIONS—CONTINUED**RECONSIDERATION**

Mr. Merriam moved that the vote whereby S. F. No. 1468 failed to pass the Senate on Friday, March 17, 1978, be now reconsidered. The motion prevailed.

Mr. Merriam moved that S. F. No. 1468 be laid on the table. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Reports of Committees.

REPORTS OF COMMITTEES

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

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 2237, 1924, 939, 2219, 1645 and H. F. No. 2348 makes the following report:

That S. F. Nos. 2237, 1924, 939, 2219, 1645 and H. F. No. 2348 be placed on the General Orders Calendar in the order indicated.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Wegener moved that H. F. No. 2292 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 2265 now on General Orders. The motion prevailed.

Mr. Sillers moved that the name of Mr. Chmielewski be added as co-author to S. F. No. 2148. The motion prevailed.

MEMBERS EXCUSED

Mr. Solon was excused from the Session of today at 3:00 o'clock p.m.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Monday, March 20, 1978. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate