

NINETY-FIFTH DAY

St. Paul, Minnesota, Monday, March 20, 1978

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

CALL OF THE SENATE

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

Ashbach	Dunn	Kirchner	Olson	Spear
Bang	Engler	Kleinbaum	Penny	Staples
Benedict	Gearty	Knaak	Pillsbury	Stokowski
Borden	Hanson	Laufenburger	Schmitz	Strand
Brataas	Hughes	Lewis	Schrom	Stumpf
Chmielewski	Humphrey	Luther	Setzepfandt	Ulland, J.
Coleman	Johnson	Moe	Sieloff	Vega
Dieterich	Keefe, S.	Ogdahl	Sikorski	Willet

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

Prayer was offered by the Chaplain, Rev. Richard Nelson.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Menning, Sillers and Tennessen were excused from the Session of today. Mr. Humphrey was excused from the Session

of today from 11:15 a.m. to 1:45 o'clock p.m. Mr. Perpich was excused from the Session of today from 12:30 p.m. until 2:30 o'clock p.m.

Pursuant to Rule 21, Mr. Bernhagen moved that the following members be excused for a Conference Committee on H. F. No. 669:

Messrs. Bernhagen, Peterson and Purfeerst. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Ulland, J. introduced—

S. F. No. 2408: A bill for an act relating to waters and harbors; establishing a program of grants to local government units for the establishment of harbors of refuge; providing that the commissioner of natural resources shall administer the harbors of refuge grant program; appropriating money; amending Minnesota Statutes 1976, Sections 296.16, Subdivision 1; and 296.421, Subdivisions 4 and 5.

Referred to the Committee on Agriculture and Natural Resources.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 2236 and 1364.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 17, 1978

Mr. President:

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

S. F. No. 2361: A bill for an act relating to peace officers; setting forth criteria for the use of deadly force by peace officers; amending Minnesota Statutes 1976, Sections 609.065; 629.33; and Chapter 609, by adding a section.

Senate File No. 2361 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 17, 1978

Mr. McCutcheon moved that S. F. No. 2361 be laid on the table. 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. 1227.

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

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

Adams, George and Suss have been appointed as such committee on the part of the House.

House File No. 1227 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 17, 1978

Mr. Borden moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1227, 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. 1819.

H. F. No. 1819: A bill for an act relating to workers' compensation; providing for the coverage of certain farm and business owners and employees; amending Minnesota Statutes, 1977 Supplement, Section 176.012.

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

Adams; Sieben, M. and Anderson, B. have been appointed as such committee on the part of the House.

House File No. 1819 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 17, 1978

Mr. Strand moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1819, 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. 2223.

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

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

Jude, Enebo and Searles have been appointed as such committee on the part of the House.

House File No. 2223 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 17, 1978

Mr. Luther moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2223, 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. 2225.

H. F. No. 2225: A bill for an act relating to prepaid legal service plans; authorizing creation of nonprofit, legal service plan corporations; providing for their formation and regulation; prescribing penalties.

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

Faricy, Sieben, M. and Rose have been appointed as such committee on the part of the House.

House File No. 2225 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 17, 1978

Mr. Tennesen, for Mr. Davies, moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2225, 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. 2466.

H. F. No. 2466: A bill for an act relating to privacy of data on individuals; definitions, determination and emergency classification; amending Minnesota Statutes, 1977 Supplement, Sections 15.162, Subdivision 2a; and 15.1642, Subdivisions 3 and 5; repealing Minnesota Statutes, 1977 Supplement, Section 15.1642, Subdivision 4.

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

Beauchamp, George and McDonald have been appointed as such committee on the part of the House.

House File No. 2466 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 17, 1978

Mr. Tennesen moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2466, 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 has adopted the recommendation and report of the Conference Committee on House File No. 1857 and repassed said bill in accordance with the report of the Committee, so adopted.

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

House File No. 1857 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 17, 1978

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1857

A bill for an act relating to veterans; requiring counties to appoint a veterans service officer; amending Minnesota Statutes 1976, Section 197.60, Subdivision 1.

March 13, 1978

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

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1857, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments.

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

House Conferees: (Signed) Ted Suss, David J. Beauchamp, John S. Biersdorf.

Senate Conferees: (Signed) Robert J. Schmitz, Douglas H. Sillers, A. O. H. Setzepfandt.

Mr. Schmitz moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1857 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.

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

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 47 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knoll	Olhoft	Staples
Ashbach	Gunderson	Laufenburger	Olson	Strand
Bang	Hanson	Lessard	Penny	Stumpf
Borden	Hughes	Luther	Pillsbury	Ueland, A.
Brataas	Johnson	McCutcheon	Renneke	Ulland, J.
Chmielewski	Keefe, J.	Merriam	Schmitz	Vega
Dieterich	Keefe, S.	Moe	Schrom	Willet
Dunn	Kirchner	Nelson	Setzepfandt	
Engler	Kleinbaum	Nichols	Sieloff	
Frederick	Knaak	Ogdahl	Spear	

Mr. Lewis voted in the negative.

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

MESSAGES FROM THE HOUSE—CONTINUED

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. 12: A house concurrent resolution opposing the closing of the Duluth Air Force Base by the United States Department of Defense.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 17, 1978

Referred to the Committee on Rules and Administration.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1131 and 1831.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 17, 1978

FIRST READING OF HOUSE BILLS

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

H. F. No. 1131: A bill for an act relating to public utilities; providing for representation of consumer interests in public utility matters by the consumer services section; appropriating money; amending Minnesota Statutes 1976, Section 45.16, Subdivision 1; and Chapter 45, by adding a section.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 939 now on General Orders.

H. F. No. 1831: A bill for an act relating to public welfare; extending the pilot dental health program; appropriating money; amending Laws 1976, Chapter 305, Sections 3; 4, Subdivision 3; repealing Laws 1976, Chapter 305, Section 10.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1730 now on General Orders.

REPORTS OF COMMITTEES

Mr. Coleman 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 were referred

H. F. Nos. 2137, 2044 and 2089 for comparison with companion

Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
2137	2156			2089	1721
2044	1755				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2137 be amended as follows:

Page 2, line 8, delete "(a)"

Page 2, lines 29 to 32, delete the underscored language

Page 3, line 13, delete the underscored language

Delete page 3, line 15 to page 4, line 29 and insert

"All of the money paid as inspection fees pursuant to this section and all funds received by the state from the federal government as part of federally funded assistance for dam safety, shall be deposited in the state treasury and credited to the general fund."

Sec. 3. Minnesota Statutes 1976, Section 105.482, Subdivision 1, is amended to read:

105.482 [DAMS; RECONSTRUCTION; GRANTS.] Subdivision 1. [PURPOSE.] The public health, safety, and welfare is promoted by the orderly repair and restoration of dams serving the public interest. In furtherance of this objective, it is the purpose of this section to facilitate the repair and restoration of dams owned by the state and local governmental units. *The commissioner shall make the maximum possible effort to obtain and utilize all funds available to the state from the federal government for purposes of dam safety."*

Page 5, line 2, strike "or city", delete "or other local government entity" and insert "municipality, watershed district, soil and water conservation district"

Delete page 5, line 4 to page 6, line 5

Page 7, delete lines 3 to 17

Page 7, delete lines 23 to 28 and insert

"Nothing in Sections 105.37 to 105.55 shall apply to dams, reservoirs or control works in existence on and prior to July 1, 1937, except as may be necessary to protect the health and safety of the people of the state for the requirement of a permit for the original construction."

Page 7, line 31, delete "\$150,000" and insert "\$200,000"

Page 7, line 32, delete ", reservoirs, control structures," and insert a period

Page 8, delete lines 1 to 8 and insert "*The commissioner*"

Page 8, line 11, delete "*five*" and insert "*four*"

Page 8, delete lines 12 to 24

Renumber sections in sequence

Further, amend the title

Delete lines 9 to 13 and insert "Subdivisions 1 and 2; 105.52; 105.53; and Minnesota Statutes, 1977 Supplement, Section 105.44, Subdivision 10."

And when so amended H. F. No. 2137 will be identical to S. F. No. 2156, and further recommends that H. F. No. 2137 be given its second reading and substituted for S. F. No. 2156, and that the Senate File be indefinitely postponed.

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

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2044 be amended as follows:

Page 1, after line 9, insert

"Section 1. Minnesota Statutes, 1977 Supplement, Section 18.023, Subdivision 3a, is amended to read:

Subd. 3a. [GRANTS TO MUNICIPALITIES.] (a) The commissioner may, in the name of the state and within the limit of appropriations provided, make grants-in-aid to a municipality with an approved disease control program for the partial funding of municipal sanitation and reforestation programs. The commissioner may make grants-in-aid to any home rule charter or statutory city of more than 40,000 population in the metropolitan area as defined in subdivision 1 or a combination of such cities of 40,000 combined population under a joint powers agreement pursuant to section 471.59, or a home rule charter or statutory city of more than 20,000 population outside the metropolitan area or a combination of such cities of 20,000 combined population under a joint powers agreement pursuant to section 471.59 any special purpose park and recreation board organized under a charter of a city of the first class or any non-profit corporation serving a city of the first class or any county having an approved disease control program for the acquisition or implementation of a wood utilization or disposal system.

(b) The commissioner shall promulgate rules for the administration of grants authorized by this subdivision. The rules shall establish and contain as a minimum:

- (1) Procedures for grant applications;
- (2) Conditions and procedures for the administration of grants;
- (3) Criteria of eligibility for grants including, but not limited to, those specified in this subdivision; and

(4) Such other matters as the commissioner may find necessary to the proper administration of the grant program.

(c) Grants-in-aid payments for wood utilization and disposal systems made by the commissioner pursuant to this subdivision shall not exceed 50 percent of the total cost of the system. Grants to any municipality for sanitation shall not exceed 45 percent of sanitation costs approved by the commissioner including any amount of sanitation costs paid by special assessments, ad valorem taxes, federal grants or other funds. A municipality shall not specially assess a property owner any amount greater than the amount of the tree's sanitation cost minus the amount of the tree's sanitation cost reimbursed by the commissioner. Grants to municipalities for reforestation shall not exceed the lesser of 50 percent of the cost or \$40 multiplied by the number of trees planted pursuant to the reforestation program and shall be limited for any municipality in any year to grants for not more than the number of trees removed on public property in the sanitation program in the previous year, except during the first year of any approved disease control program; provided that a reforestation grant to any county may include up to 90 percent of the cost of the first 50 trees planted on public property in a town not described in subdivision 1 and of less than 1,000 population upon the town's application to the county ; *provided further, that reforestation grants to towns as described in subdivision 1 a municipality of less than 1,000 population with an approved disease control program may include up to 90 percent of the first 50 trees planted on public property. For the purpose of this subdivision, "cost" shall not include the value of a gift or dedication of trees required by a municipal ordinance or any revenue from a special assessment but shall include documented "in kind" services or voluntary work for municipalities with a population of less than 1,000 according to the 1970 census.*

(d) Based upon estimates submitted by the municipality to the commissioner, which shall state the estimated costs of sanitation and reforestation in the succeeding quarter under an approved program, the commissioner shall direct quarterly advance payments to be made by the state to the municipality commencing April 1, 1977. The commissioner shall direct adjustment of any overestimate in a succeeding quarter. A municipality may elect to receive the proceeds of its sanitation and reforestation grants on a periodic cost reimbursement basis.

(e) A home rule charter or statutory city, or county outside the metropolitan area or any municipality, as defined in subdivision 1, may submit an application for a grant authorized by this subdivision concurrently with its request for approval of a disease control program.

Sec. 2. Minnesota Statutes, 1977 Supplement, Section 18.023, Subdivision 4, is amended to read:

Subd. 4. [SUBSIDIES TO CERTAIN OWNERS.] A municipality may provide subsidies to nonprofit organizations, to owners of private residential property of five acres or less , to

owners of property used for a homestead of more than five acres but less than 20 acres and to nonprofit cemeteries, however organized, for the approved treatment or removal of diseased shade trees.

Notwithstanding any law to the contrary, an owner of property on which shade trees are located may contract with a municipality to provide protection against the cost of approved treatment or removal of diseased shade trees or shade trees that will contribute to the spread of shade tree diseases. Under such contracts, the municipality shall pay for the removal or approved treatment under such terms and conditions as may be determined by the governing body of the municipality.

Sec. 3. Minnesota Statutes, 1977 Supplement, Section 18.023, Subdivision 11, is amended to read:

Subd. 11. [REPORT TO THE LEGISLATURE.] On or before January 31 of each year, the commissioner shall report to the legislature on the preceding year's approved disease control programs and any experimental programs conducted pursuant to subdivision 10a. *The commissioner, with the assistance of the Minnesota energy agency, shall investigate and evaluate the potential uses of wood infected with shade tree disease, including the uses as an alternative energy source and as a component in the construction or manufacture of new products. The commissioner shall include the results of the investigation and any recommendations for proposed relevant legislation in the report to the legislature due on or before January 31, 1979.*

Sec. 4. Minnesota Statutes 1976, Section 89.38, is amended to read:

89.38 [PROHIBITION; PENALTIES.] It shall be unlawful *for a period of ten years from the date of purchase* for any person who purchases trees from the commissioner to use or permit the use of planting stock furnished hereunder for any purpose not authorized hereunder, or to sell, give, remove, or permit the removal with roots attached of any tree previously planted from stock furnished hereunder for replanting on any ground other than his own or for any purpose not authorized hereunder. Any violation of this section shall be a misdemeanor.

Sec. 5. Minnesota Statutes 1976, Section 89.391, is amended to read:

89.391 [NURSERY INSPECTION CERTIFICATES; LIMITATIONS ON ISSUANCE.] No certificate of inspection shall be issued pursuant to section 18.51 by the commissioner of agriculture to a person who is determined by the commissioner of natural resources to have purchased trees from him pursuant to sections 89.35 to 89.39 and who is selling, giving, removing, or permitting the removal of the trees with roots attached, *in violation of section 89.38.*

Page 1, line 20, delete "1978" and insert "1979" and delete "1979" and insert "1980"

Page 2, delete lines 14 to 16

Page 2, line 21, delete "Minnesota Statutes,"

Page 2, line 23, after "12" delete the comma

Renumber sections in sequence

Further, delete the title and insert

"A bill for an act relating to trees; clarifying municipal costs eligible for reimbursement by the state; authorizing municipal subsidies to certain persons; requiring an investigation of uses of diseased wood; authorizing the transfer of certain trees purchased from the state; extending the special levy authority for sanitation and reforestation; clarifying utilization of appropriations for shade tree disease control; authorizing extension of temporary rules; amending Minnesota Statutes 1976, Sections 89.38 and 89.391; and Minnesota Statutes, 1977 Supplement, Sections 18.023, Subdivisions 3a, 4 and 11; and 275.50, Subdivision 6."

And when so amended H. F. No. 2044 will be identical to S. F. No. 1755, and further recommends that H. F. No. 2044 be given its second reading and substituted for S. F. No. 1755, and that the Senate File be indefinitely postponed.

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

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2089 be amended as follows:

Page 1, line 21, after "given" insert "annually"

Page 1, line 21, delete "when necessary"

Delete page 1, line 22 to page 2, line 5 and insert "*property subject to taxation and, from time to time, to pay over the proceeds of this tax, when collected, to a county agricultural society of its county which is a member of the state agricultural society, to assist the society in paying financial obligations hereafter incurred for premium costs of liability insurance procured pursuant to section 466.06 or for payment of judgments as provided in section 466.09. A tax levied under this subdivision for payment of judgments may be in excess of any per capita or millage tax limitation imposed by statute or charter. A tax levied under this subdivision for payment of premium costs of liability insurance shall not be a special levy as defined in section 275.50, subdivision 5, and shall be subject to the levy limitation provided in sections 275.51 and 275.52.*"

And when so amended H. F. No. 2089 will be identical to S. F. No. 1721, and further recommends that H. F. No. 2089 be given its second reading and substituted for S. F. No. 1721, 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. 2292 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.
2292	2265				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2292 be amended as follows:

Page 2, line 24, after "may" insert a comma

Page 3, line 10, after "treasurer" insert ", to whom;"

Page 3, line 19, after "Publish" insert "a summary of"

Page 3, lines 19 and 20 delete "or a summary thereof in such form as the state auditor may prescribe"

Page 3, lines 25 and 26 delete "or a summary thereof in such form as the state auditor may prescribe"

Page 5, line 3, delete the comma after "412.291"

Page 5, line 5, delete everything after "1979"

Page 5, line 6, delete "1978"

And when so amended H. F. No. 2292 will be identical to S. F. No. 2265, and further recommends that H. F. No. 2292 be given its second reading and substituted for S. F. No. 2265, 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. 2236 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.
2236	2219				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2236 be amended as follows:

Page 2, lines 3 to 5, delete the underscored language

Delete page 3, line 11 to page 6, line 27

Further, amend the title as follows:

Line 6, delete "Minnesota Statutes 1976,"

Delete line 8

Line 9, delete "Subdivision 2;"

And when so amended H. F. No. 2236 will be identical to S. F. No. 2219, and further recommends that H. F. No. 2236 be given its second reading and substituted for S. F. No. 2219, 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. 1575 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		SPECIAL ORDERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		1575	1642		

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1575 be amended as follows:

Page 2, line 28, delete "*and as personnel to perform*"

Page 2, delete lines 29 to 31

Page 2, line 32, delete "*functions for the Duluth board of trade*"

Page 2, after line 32, insert

"Sec. 4. [FORMER WEIGHERS; TEMPORARY PROVISIONS.] *The commissioner may hire as personnel to perform supervisory weighing or official weighing functions any individual who, on the date of enactment of the United States grain standards act of 1976, was performing similar functions for the Duluth board of trade.*"

Page 3, line 13, delete "*period*" and insert "*purposes of this act for the fiscal year*"

Page 3, line 15, delete "*classified positions*" and insert "*persons*"

Renumber sections in sequence

Further, amend the title as follows:

Line 2, after the first semicolon insert "*clarifying jurisdiction concerning*"

Line 2, delete the second semicolon and insert a comma

And when so amended H. F. No. 1575 will be identical to S. F. No. 1642, and further recommends that H. F. No. 1575 be given its second reading and substituted for S. F. No. 1642, and that the Senate File be indefinitely postponed.

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

APPOINTMENTS

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

- H. F. No. 1918: Messrs. McCutcheon, Peterson, and Nelson.
- S. F. No. 1106: Messrs. Olson, Jensen, and Penny.
- S. F. No. 620: Messrs. Chmielewski, Schmitz, and Knutson.
- S. F. No. 793: Messrs. Stumpf, Anderson, and Dunn.
- S. F. No. 1548: Messrs. Merriam, Dieterich, and Sieloff.
- S. F. No. 438: Messrs. Tennessen, Laufenburger, and Frederick.
- S. F. No. 1943: Messrs. Luther, Dunn, and Willet.
- S. F. No. 1120: Messrs. Olson, Jensen, and Wegener.
- H. F. No. 2261: Messrs. Humphrey, Anderson, and Ogdahl.
- H. F. No. 1914: Messrs. Lessard, Hanson, and Tennessen.
- H. F. No. 1915: Messrs. Setzepfandt, Hanson, and Bernhagen.
- H. F. No. 1736: Messrs. Benedict, Chenoweth, and Bernhagen.
- H. F. No. 1744: Messrs. Gunderson and Nichols, and Mrs. Knaak.
- H. F. No. 1838: Messrs. Kleinbaum, Schrom, and Dunn.
- H. F. No. 2341: Messrs. Stumpf, McCutcheon, and Chenoweth.
- H. F. No. 1823: Messrs. Lewis and Kirchner, and Mrs. Staples.
- H. F. No. 1091: Messrs. Nichols, Hanson, and Strand.
- H. F. No. 2124: Messrs. Lewis, Vega, and Kirchner.
- H. F. No. 2159: Messrs. Hanson; Keefe, J., and Solon.
- H. F. No. 1786: Mrs. Staples, Messrs. Humphrey and Sillers.
- H. F. No. 669: Messrs. Purfeerst, Stokowski, and Bernhagen.
- H. F. No. 1520: Messrs. Tennessen, Laufenburger, and Bang.
- H. F. No. 1119: Messrs. Dieterich and Stumpf, and Mrs. Knaak.

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

SECOND READING OF HOUSE BILLS

H. F. Nos. 2137, 2044, 2089, 2292, 2236 and 1575 were read the second time.

MOTIONS AND RESOLUTIONS

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

RECONSIDERATION

Mr. Johnson moved that the vote whereby H. F. No. 1661 failed to pass the Senate on March 16, 1978, be now reconsidered. The motion prevailed.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the proceedings on H. F. No. 1661. The following Senators answered to their names:

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

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

Pursuant to Rule 21, Mr. Chenoweth moved that the following members be excused for a Conference Committee on S. F. No. 1864.

Messrs. Chenoweth, Schaaf and Ulland, J. The motion prevailed.

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

Mr. Jensen moved that H. F. No. 1661 be laid on the table.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 14 and nays 42, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Jensen	Ogdahl	Sieloff
Bang	Dunn	Kirchner	Pillsbury	Ueland, A.
Bernhagen	Frederick	Knaak	Renneke	

Those who voted in the negative were:

Anderson	Coleman	Hughes	Knoll	Menning
Benedict	Dieterich	Humphrey	Laufenburger	Merriam
Borden	Gearty	Johnson	Lessard	Moe
Chenoweth	Gunderson	Keefe, S.	Lewis	Nelson
Chmielewski	Hanson	Kleinbaum	Luther	Olhoff

Olson	Schaaf	Sikorski	Strand	Willet
Penny	Schmitz	Solon	Stumpf	
Peterson	Schrom	Spear	Vega	
Purfeerst	Setzepfandt	Stokowski	Wegener	

The motion did not prevail.

Mr. Johnson moved to amend the amendment placed on H. F. No. 1661 by the Committee on Agriculture and Natural Resources, adopted by the Senate March 10, 1978, as follows:

At the end of the first paragraph, strike "15.024" and insert "15.0424"

The motion prevailed. So the amendment to the amendment was adopted.

H. F. No. 1661 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 17, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Luther	Olson	Stokowski
Benedict	Hughes	McCutcheon	Penny	Strand
Borden	Johnson	Menning	Peterson	Stumpf
Chmielewski	Keefe, S.	Merriam	Schmitz	Vega
Coleman	Knoll	Moe	Sikorski	Willet
Dieterich	Laufenburger	Nelson	Solon	
Gearty	Lessard	Nichols	Spear	
Gunderson	Lewis	Olhoff	Staples	

Those who voted in the negative were:

Ashbach	Engler	Knaak	Renneke	Wegener
Bang	Frederick	Knutson	Schrom	
Bernhagen	Jensen	Ogdahl	Sieloff	
Brataas	Keefe, J.	Pillsbury	Ueland, A.	

So the bill, as amended, 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. 1998: A bill for an act relating to commerce; credit unions; modifying reserve fund requirements; amending Minnesota Statutes 1976, Section 52.17.

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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 2518: A bill for an act relating to courts; authorizing and sealing of records of judicial commitment proceedings.

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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 2093: A bill for an act relating to retirement; transfer of pension coverage for university of Minnesota peace officers to the public employees police and fire fund; terminating the university of Minnesota police department retirement plan and fund; transfer of assets and records.

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 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Dunn	Hanson	Keefe, S.
Ashbach	Brataas	Engler	Hughes	Kirchner
Bang	Chmielewski	Frederick	Jensen	Kleinbaum
Benedict	Coleman	Gearty	Johnson	Knaak
Bernhagen	Dieterich	Gunderson	Keefe, J.	Knoll

Knutson	Merriam	Penny	Sieloff	Stumpf
Laufenburger	Moe	Peterson	Sikorski	Ueland, A.
Lessard	Nelson	Pillsbury	Solon	Vega
Lewis	Nichols	Purfeerst	Spear	Willet
Luther	Ogdahl	Renneke	Staples	
McCutcheon	Olhoff	Schmitz	Stokowski	
Menning	Olson	Setzepfandt	Strand	

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Chmielewski moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 2089 and that the rules of the Senate be so far suspended as to give H. F. No. 2089, now on the Calendar, its third reading and place it on its final passage. The motion prevailed.

H. F. No. 2089: A bill for an act relating to county agricultural societies; providing for tort liability of county agricultural societies; authorizing county boards to levy a tax to pay certain judgments or liability insurance premiums; amending Minnesota Statutes 1976, Sections 38.27, by adding a subdivision; 466.01, Subdivision 1; and Chapter 38, by adding a section.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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. Penny moved to amend the Penny amendment to H. F. No. 1773, adopted by the Senate March 17, 1978, as follows:

In the Penny amendment before the title amendment insert:

"Sec. 4. Section 3 is effective the day following final enactment."

The motion prevailed. So the amendment to the Penny 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 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

Pursuant to Rule 21, Mr. Setzepfandt moved that the following members be excused for a Conference Committee on H. F. No. 1930:

Messrs. Setzepfandt, Bernhagen and Hanson. The motion prevailed.

SPECIAL ORDER

H. F. No. 600: A bill for an act relating to elections; providing for uniform reporting dates for and disclosure of campaign contributions and expenditures of political committees and candidates; providing for statements of economic interest for candidates and persons elected to public office; defining certain terms; providing exemption from disclosure requirements for certain persons and political committees; providing restrictions on the use of government publications; prohibiting sample ballots which appear to be official ballots; giving the secretary of state and filing officers certain duties with respect to elections; permitting codes of ethics for counties, cities, and school districts; providing penalties; amending Minnesota Statutes 1976, Sections 210A.01, Subdivisions 1, 3, 5, 6, and 8, by adding subdivisions; 210A.05, Subdivision 1; 210A.16; 210A.21; 210A.24; 210A.27, Subdivision 1; 210A.29; 210A.32; and 290.09, Subdivision 2; and Chapters 123, by adding a section; 210A, by adding sections; 375, by adding a section; and 471, by adding a section; repealing Minnesota Statutes 1976; Sections 123.015; 210.22; 210A.01, Subdivisions 4, 7, and 9; 210A.22;

210A.23; 210A.25; 210A.26; 210A.28; 210A.30; 210A.31; and 210A.33.

Mr. Keefe, S. moved to amend H. F. No. 600, the unofficial engrossment, as follows:

Page 6, line 2, strike "*An advance of credit*"

Page 6, strike lines 3 and 4

Page 6, line 18, after "*county*" insert "*office*"

Page 6, line 18, before "*city*" insert "*any*" and after "*city*" insert "*office in a city with a population of 20,000 or more*"

Page 6, line 18, before "*school*" insert "*any*" and line 19, before the period insert "*in a school district with a population of 20,000 or more as estimated by the chief administrative officer of the district from the last federal census*"

Page 10, line 9, after "*COMMITTEES*" insert "*AND FUNDS*"

Page 10, line 11, after "*fund*" insert "*other than a principal campaign committee*" and strike "*with the*"

Page 10, line 12, strike "*appropriate filing officer*"

Page 10, lines 14 to 16, strike "*. A political committee or political fund other than a principal campaign committee shall register*"

Page 10, after line 18, insert "*A principal campaign committee shall register with the appropriate filing officer within 14 days after the date on which the committee is required to be formed pursuant to section 14.*"

Page 16, line 28, strike "*state*" and insert "*jurisdiction*"

Page 17, line 3, strike "*state*" and insert "*jurisdiction*"

Page 17, after line 16, insert "*For the purpose of this subdivision 'jurisdiction' means the county, city or school district of which the individual is an elected official or a candidate for office, and each county into which any such city or school district extends.*"

Amend the title as follows:

Page 1, line 3, strike the comma and insert "*and certain*"

The motion prevailed. So the amendment was adopted.

Mr. Frederick moved to amend H. F. No. 600, the unofficial engrossment, as follows:

Page 16, lines 3 and 4, strike "*Every candidate for county office, every elected county official, and*"

Page 16, line 5, after "*for*" insert "*county,*" and after "*elected*" insert "*county,*"

Page 16, line 6, after "*any*" insert "*county,*"

Page 16, line 7, strike "*20,000*" and insert "*100,000*"

The motion prevailed. So the amendment was adopted.

Mr. Pillsbury moved to amend H. F. No. 600, the unofficial engrossment, as follows:

Page 7, line 32, strike "*dues or*"

Page 9, strike subdivision 3

Renumber the subdivisions in sequence

Page 22, after line 32, insert:

"Sec. 28. Minnesota Statutes 1976, Section 10A.01, Subdivision 16, as amended by Laws 1978, Chapter 463, Section 14, is amended to read:

Subd. 16. "Political fund" means any accumulation of ~~dues or~~ voluntary contributions by an association other than a political committee, which accumulation is collected or expended for the purpose of influencing the nomination or election of a candidate."

Page 23, line 1, after "*Sections*" insert "*10A.12, Subdivision 5, as amended by Laws 1978, Chapter 473, Section 42;*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 15, after "*Sections*" insert "*10A.01, Subdivision 16, as amended;*"

Page 1, line 21, after "*Sections*" insert "*10A.12, Subdivision 5, as amended;*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 14 and nays 38, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Jensen	Knutson	Sieloff
Bernhagen	Engler	Keefe, J.	Pillsbury	Ueland, A.
Brataas	Frederick	Knaak	Renneke	

Those who voted in the negative were:

Benedict	Hughes	McCutcheon	Peterson	Stokowski
Borden	Johnson	Menning	Purfeerst	Strand
Chmielewski	Keefe, S.	Moe	Schmitz	Stumpf
Coleman	Knoll	Nelson	Schrom	Vega
Dieterich	Laufenburger	Ogdahl	Setzepfandt	Wegener
Gearty	Lessard	Olhoff	Solon	Willet
Gunderson	Lewis	Penny	Spear	
Hanson	Luther	Perpich	Staples	

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

H. F. No. 600 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 26 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	McCutcheon	Purfeerst	Stumpf
Benedict	Hughes	Merriam	Sikorski	Vega
Borden	Johnson	Moe	Spear	
Coleman	Knoll	Olhoft	Solon	
Dieterich	Lewis	Perpich	Stokowski	
Gearty	Luther	Peterson	Staples	

Those who voted in the negative were:

Ashbach	Frederick	Knaak	Pillsbury	Ueland, A.
Bang	Gunderson	Knutson	Renneke	Wegener
Bernhagen	Jensen	Laufenburger	Schmitz	Willet
Brataas	Keefe, J.	Lessard	Schrom	
Chmielewski	Keefe, S.	Menning	Setzepfandt	
Dunn	Kirchner	Nelson	Sieloff	
Engler	Kleinbaum	Penny	Strand	

So the bill, as amended, failed to pass.

SPECIAL ORDER

H. F. No. 774: A bill for an act relating to landlords and tenants; providing remedies for tenants whose landlords have breached provisions of agreements; defining terms; providing for adjustment of rent.

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 7, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knoll	Perpich	Staples
Bang	Gearty	Knutson	Peterson	Stokowski
Benedict	Hanson	Lessard	Pillsbury	Strand
Brataas	Hughes	Lewis	Purfeerst	Stumpf
Chenoweth	Johnson	Luther	Schaaf	Ueland, A.
Coleman	Keefe, J.	Menning	Schmitz	Ulland, J.
Dieterich	Keefe, S.	Moe	Sieloff	Vega
Dunn	Kirchner	Nelson	Solon	Wegener
Engler	Knaak	Olhoft	Spear	Willet

Those who voted in the negative were:

Bernhagen	Jensen	Penny	Schrom	Setzepfandt
Gunderson	Laufenburger			

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2429: A bill for an act relating to the cities of Mankato and North Mankato; prohibiting regulation of the rates of the public transit system by the public service commission.

Mr. Ueland, A. moved to amend H. F. No. 2429 as follows:

Page 1, line 10, strike "cities" and insert "city"

Page 1, line 11, strike "and North Mankato"

Further, amend the amendment placed on H. F. No. 2429 by the Committee on Transportation adopted by the Senate March 13, 1978, as follows:

In the amendment to Page 1, line 11, after the period insert "The city council of the city of Mankato may set or alter rates and may establish or alter routes for the transit service described in this section. The city council shall not set or alter any rate or establish or substantially alter any route pursuant to this section without prior public notice and hearing. A decision of the city council pursuant to this section may be appealed by an aggrieved party in the same manner that an order of the public service commission in a like case may be appealed."

The motion prevailed. So the amendment was adopted.

H. F. No. 2429 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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Lessard	Perpich	Strand
Bang	Gunderson	Lewis	Pillsbury	Stumpf
Bernhagen	Hanson	Luther	Purfeerst	Ueland, A.
Brataas	Hughes	Menning	Schaaf	Ulland, J.
Chenoweth	Jensen	Moe	Schmitz	Vega
Chmielewski	Johnson	Nelson	Setzepfandt	Wegener
Dieterich	Keefe, S.	Ogdahl	Sieloff	Willet
Dunn	Knaak	Olhoft	Solon	
Engler	Knutson	Olson	Staples	
Frederick	Laufenburger	Penny	Stokowski	

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

SPECIAL ORDER

H. F. No. 2279: A bill for an act relating to the city of Brooklyn Center; police membership in public employees police and fire fund; repealing Laws 1967, Chapter 736.

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	Frederick	Lessard	Perpich	Strand
Bang	Gearty	Lewis	Pillsbury	Stumpf
Bernhagen	Gunderson	Luther	Purfeerst	Ueland, A.
Brataas	Hughes	Menning	Schaaf	Ulland, J.
Chenoweth	Jensen	Moe	Schmitz	Vega
Chmielewski	Johnson	Nelson	Setzepfandt	Wegener
Coleman	Keefe, S.	Ogdahl	Sieloff	Willet
Dieterich	Knaak	Olhoft	Solon	
Dunn	Knutson	Olson	Staples	
Engler	Laufenburger	Penny	Stokowski	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2278: A bill for an act relating to the city of Brooklyn Center; firefighter's relief association; amending Laws 1967, Chapter 815, Sections 1; 2; 3; 4; 5; 7; and 8, Subdivision 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 45 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knoll	Olson	Solon
Ashbach	Gearty	Knutson	Penny	Spear
Bang	Gunderson	Laufenburger	Peterson	Staples
Bernhagen	Hughes	Lessard	Pillsbury	Stokowski
Borden	Jensen	Lewis	Purfeerst	Strand
Chenoweth	Johnson	Luther	Renneke	Ulland, J.
Chmielewski	Kirchner	Menning	Schmitz	Vega
Dunn	Kleinbaum	Nelson	Setzepfandt	Wegener
Engler	Knaak	Ogdahl	Sikorski	Willet

Mr. Dieterich voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1009: A bill for an act relating to economic development; changing certain requirements for loan eligibility through the Minnesota area redevelopment administration; amending Minnesota Statutes 1976, Section 472.11, by adding subdivisions.

Mr. Johnson moved to amend H. F. No. 1009 as follows:

Page 1, line 22, after the period, insert "*Where a city or township as well as a county has jurisdiction, the support or opposition of the city or township government shall prevail over the support or opposition of the county government in determining whether or not to accept the application.*"

Page 2, line 3, strike "*Such*" and insert "*The*"

Page 2, line 8, strike "*suitable*" and insert "*nonprofit*"

Page 2, line 8, after the period, insert "*Funds awarded pursuant to clauses (b) and (c) shall be in the form of loans and shall be repaid unless the project is deemed unfeasible by the state agency.*"

Page 2, line 14, strike "*Such*" and insert "*The*"

Page 2, line 20, strike "*and regulations*"

The motion prevailed. So the amendment was adopted.

Mr. Chmielewski moved to amend H. F. No. 1009 as follows:

Page 2, after line 21, insert:

"Sec. 2. The city of Pine City may convey for a nominal fee a portion of lands acquired by the city for park purposes to a non-profit corporation to be used for the construction of an ice skating arena for recreational use and enjoyment by residents of the city and other persons. The conveyance of this land shall be deemed for a public purpose and shall not be construed to violate any law."

Page 2, line 22, after "2." insert "Section 2 shall be effective upon approval by the governing body of the city of Pine City pursuant to section 645.021. The remainder of"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon insert "permitting the city of Pine City to convey certain property;"

The motion prevailed. So the amendment was adopted.

H. F. No. 1009 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:

Bang	Jensen	Laufenburger	Peterson	Staples
Benedict	Johnson	Lessard	Pillsbury	Stokowski
Bernhagen	Keefe, J.	Lewis	Purfeerst	Strand
Chmielewski	Keefe, S.	Luther	Renneke	Stumpf
Dunn	Kirchner	Menning	Schmitz	Ueland, A.
Engler	Kleinbaum	Nelson	Setzepfandt	Ulland, J.
Gearty	Knaak	Ogdahl	Sieloff	Vega
Gunderson	Knoll	Olson	Solon	Wegener
Hughes	Knutson	Penny	Spear	Willet

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

SPECIAL ORDER

H. F. No. 649: A bill for an act relating to intoxicating liquor; authorizing certain counties to issue off-sale liquor licenses in unorganized areas of the county; amending Minnesota Statutes 1976, Section 340.11 by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 35 and nays 18, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Knaak	Olson	Spear
Ashbach	Hughes	Knoll	Pillsbury	Staples
Bang	Johnson	Laufenburger	Purfeerst	Stokowski
Brataas	Keefe, J.	Lewis	Schmitz	Strand
Chenoweth	Keefe, S.	Nelson	Schrom	Stumpf
Dieterich	Kirchner	Nichols	Setzepfandt	Vega
Gearty	Kleinbaum	Ogdahl	Solon	Wegener

Those who voted in the negative were:

Benedict	Frederick	Luther	Peterson	
Bernhagen	Gunderson	Menning	Renneke	
Chmielewski	Jensen	Olhoft	Sieloff	
Dunn	Knutson	Penny	Ueland, A.	Willet, J.

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

Mr. Johnson moved to amend H. F. No. 523 as follows:

Page 3, line 15, after "*reclamation*" insert "*or exempted from its application by the county mine inspector pursuant to subdivision 4*"

Page 4, line 7, after "4." insert "*Upon written application,*"

Page 4, lines 9 and 10, strike "*, on the date of enactment of this law,*"

Page 4, line 11, after "2" insert "*, or which in his judgment does not constitute a safety hazard*"

The motion prevailed. So the amendment was adopted.

H. F. No. 523 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 5, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Laufenburger	Olson	Solon
Bang	Hughes	Lessard	Penny	Spear
Benedict	Johnson	Lewis	Peterson	Stokowski
Bernhagen	Keefe, J.	Luther	Pillsbury	Strand
Chmielewski	Keefe, S.	Menning	Purfeerst	Stumpf
Dieterich	Kirchner	Nelson	Schaaf	Ueland, A.
Dunn	Kleinbaum	Nichols	Schrom	Ulland, J.
Engler	Knaak	Ogdahl	Setzepfandt	Vega
Gearty	Knoll	Olhoft	Sieloff	Willet

Those who voted in the negative were:

Ashbach	Frederick	Jensen	Renneke	Schmitz
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So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2049: A bill for an act relating to local units of government; removing certain restrictions on contracts affecting the financial interests of public officers; amending Minnesota Statutes 1976, Section 471.89, Subdivisions 2 and 3; and Minnesota Statutes, 1977 Supplement, Section 471.88, Subdivision 5.

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 34 and nays 16, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Laufenburger	Peterson	Solon
Bang	Hanson	Lessard	Pillsbury	Stokowski
Bernhagen	Jensen	Menning	Renneke	Ueland, A.
Brataas	Keefe, J.	Nelson	Schmitz	Ulland, J.
Chmielewski	Kirchner	Ogdahl	Schrom	Wegener
Engler	Kleinbaum	Olson	Setzepfandt	Willet
Frederick	Knaak	Penny	Sieloff	

Those who voted in the negative were:

Anderson	Johnson	Lewis	Olhoft	Strand
Chenoweth	Keefe, S.	Luther	Purfeerst	Stumpf
Gunderson	Knoll	Nichols	Spear	Vega
Hughes				

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 908: A bill for an act relating to the city of White Bear Lake; firemen's service pensions and disability benefits; amending Laws 1971, Chapter 214, Section 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 41 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Luther	Renneke	Ueland, A.
Bang	Hughes	Menning	Schmitz	Ulland, J.
Bernhagen	Jensen	Nelson	Schrom	Vega
Brataas	Johnson	Ogdahl	Setzepfandt	Wegener
Chmielewski	Keefe, S.	Olhoft	Sieloff	Willet
Dieterich	Kirchner	Olson	Solon	
Engler	Knaak	Penny	Spear	
Gearty	Laufenburger	Peterson	Stokowski	
Gunderson	Lessard	Pillsbury	Strand	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2067: A bill for an act relating to transportation; authorizing permits for the construction of agricultural fences on a highway right-of-way.

Mr. Engler moved to amend the amendment placed on H. F. No. 2067 by the Committee on Transportation, adopted by the Senate March 8, 1978, as follows:

After "Section 1." strike "Minnesota Statutes 1976, Chapter 161, is amended by adding a section to read:

[161.436]"

After subdivision 5, insert

"Subd. 6. This act applies only to Trunk Routes located in the town of Zumbrota, Goodhue county."

Strike all underlining in the bill

Amend the title amendment as follows:

Strike the amendment to page 1, line 4

The motion prevailed. So the amendment to the amendment was adopted.

H. F. No. 2067 was then progressed.

SPECIAL ORDER

H. F. No. 2023: A bill for an act relating to retirement; the highway patrolmen's retirement fund; payment of survivor benefits; amending Minnesota Statutes 1976, Sections 352B.02, Subdivision 1; and 352B.11, Subdivision 2.

Mr. Peterson moved to amend H. F. No. 2023, 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. 1947.)

Page 1, line 15, strike "eight" and insert "seven"

Page 2, line 1, strike "eight" and insert "nine"

The motion prevailed. So the amendment was adopted.

H. F. No. 2023 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 41 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Laufenburger	Pillsbury	Ueland, A.
Ashbach	Gearty	Lessard	Renneke	Ulland, J.
Bang	Gunderson	Luther	Schmitz	Vega
Benedict	Hanson	Menning	Setzepfandt	Wegener
Bernhagen	Hughes	Nelson	Sieloff	Willet
Brataas	Johnson	Ogdahl	Spear	
Chmielewski	Kirchner	Olhoft	Stokowski	
Dieterich	Knaak	Penny	Strand	
Dunn	Knoll	Peterson	Stumpf	

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

SPECIAL ORDER

H. F. No. 1900: A bill for an act relating to the city of Mound; firefighters' service pensions; amending Laws 1973, Chapter 175, Section 1, as amended.

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 38 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knoll	Olhoft	Strand
Bang	Gearty	Knutson	Olson	Stumpf
Benedict	Gunderson	Laufenburger	Penny	Ueland, A.
Borden	Hanson	Lessard	Pillsbury	Ulland, J.
Brataas	Hughes	Luther	Schaaf	Vega
Chmielewski	Jensen	Menning	Setzepfandt	Wegener
Dieterich	Johnson	Nelson	Sieloff	
Engler	Kirchner	Ogdahl	Stokowski	

So the bill passed and its title was agreed to.

The question recurred on H. F. No. 2067.

H. F. No. 2067 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 0, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Laufenburger	Peterson	Strand
Ashbach	Hanson	Luther	Pillsbury	Stumpf
Bang	Hughes	Menning	Renneke	Ulland, J.
Benedict	Johnson	Moe	Schaaf	Vega
Brataas	Keefe, J.	Nelson	Setzepfandt	Wegener
Dieterich	Kirchner	Ogdahl	Sieloff	Willet
Dunn	Knaak	Olhoft	Solon	
Engler	Knoll	Olson	Spear	
Gearty	Knutson	Penny	Staples	

So the bill, as amended, 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; Purfeerst; Keefe, S.; Keefe, J. and Willet. The motion prevailed.

SPECIAL ORDER

H. F. No. 316: A bill for an act relating to wrongful death; authorizing the commencement of an action within three years from the date of death; amending Minnesota Statutes 1976, Section 573.02, Subdivision 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 43 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Knoll	Olson	Staples
Ashbach	Frederick	Knutson	Penny	Stokowski
Bang	Garty	Laufenburger	Peterson	Stumpf
Benedict	Gunderson	Lessard	Schaaf	Ueland, A.
Borden	Hanson	Luther	Schrom	Ulland, J.
Brataas	Hughes	Menning	Setzepfandt	Vega
Chmielewski	Johnson	Nelson	Sieloff	Wegener
Dieterich	Kirchner	Ogdahl	Solon	
Dunn	Knaak	Olhoft	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2282: A bill for an act relating to the city of Plymouth; firefighter's relief association benefits.

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 43 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Knutson	Penny	Stokowski
Ashbach	Frederick	Laufenburger	Peterson	Strand
Bang	Gunderson	Lessard	Schaaf	Stumpf
Benedict	Hughes	Luther	Schmitz	Ueland, A.
Borden	Johnson	Menning	Schrom	Ulland, J.
Brataas	Kirchner	Nelson	Sieloff	Vega
Chmielewski	Kleinbaum	Ogdahl	Solon	Wegener
Dieterich	Knaak	Olhoft	Spear	
Dunn	Knoll	Olson	Staples	

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

Mr. Solon moved to amend H. F. No. 1781 as follows:

Page 1, after line 6, insert:

"Section 1. [299F.53] [ADVISORY COUNCIL ON FIRE SERVICE PREVENTION AND CONTROL.] Subdivision 1. [MEMBERSHIP.] The fire service prevention and control advisory council is created and shall consist of 15 members to be appointed by the commissioner of public safety. Members shall be representative of persons employed in fire prevention and control occupations, persons engaged in teaching fire prevention and control, political subdivisions and other groups which have an ongoing interest in fire service prevention and control. Up to six employees of state agencies interested in this subject area may be appointed by the commissioner to serve as ex-officio, non-voting members. Compensation, membership terms, removal from office, filling vacancies and expiration of the council shall be as provided in section 15.059.

Subd. 2. [DUTIES.] The council shall advise the commissioner of public safety and other state agencies and political subdivisions on the development, conduct and scope of fire protection research, fire prevention and control, on the needs of the fire service, and on the development and provision of coordinated programs of education and training for the fire service and the general public. In performing its duties the council shall receive assistance from the fire marshal, state institutions of vocational and higher education, and other relevant state agencies. The council shall serve as liaison between the state and the national fire prevention and control administration.

Subd. 3. [OFFICERS; SERVICES.] The council shall annually elect a chairman and other officers as it deems necessary. The commissioner of public safety shall provide the council with meeting space, staff, and administrative services.

Sec. 2. The council created pursuant to this act shall replace and supersede the advisory committee on fire service education in the department of public safety created by executive order filed May 7, 1976 which is hereby abolished. Members of the advisory committee shall not be prohibited from serving as members of the council.

Sec. 3. There is appropriated from the general fund to the commissioner of public safety for purposes of sections 1 and 2 the sum of \$25,000 for the year beginning July 1, 1978."

Page 1, line 19, before "This" insert "Section 4 of"

Renumber the sections in sequence

Amend the title as follows:

Line 2, strike "the city of Maplewood" and insert "the organization of state government; creating a fire service prevention and control advisory council in the department of public safety; superseding an executive order agency;"

Line 4, before the period, insert "; appropriating money"

The motion prevailed. So the amendment was adopted.

H. F. No. 1781 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 48 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Penny	Spear
Ashbach	Gunderson	Lessard	Peterson	Stokowski
Bang	Hanson	Luther	Pillsbury	Strand
Benedict	Hughes	Menning	Renneke	Stumpf
Borden	Johnson	Merriam	Schaaf	Ueland, A.
Chmielewski	Kirchner	Nelson	Schmitz	Ulland, J.
Dieterich	Kleinbaum	Nichols	Schrom	Vega
Dunn	Knaak	Ogdahl	Setzepfandt	Wegener
Engler	Knoll	Olhoft	Sieloff	
Frederick	Knutson	Olson	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1805: A bill for an act relating to taxation; providing for apportionment in valuing certain class 3c and 3cc property; clarifying tax status of certain leased United States property; clarifying status of certain taconite taxes; amending Minnesota Statutes 1976, Section 273.19, Subdivision 1; and Minnesota Statutes, 1977 Supplement, Section 273.13, Subdivision 7.

Mr. Kirchner moved to amend H. F. No. 1805, 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. 2217.)

Page 3, line 29, after "1." insert "Except as provided in subdivision 3,"

Page 4, after line 8, insert

"Sec. 3. Minnesota Statutes 1976, Section 273.19, is amended by adding a subdivision to read:

Subd. 3. The assessed value of property held under a lease for a term of three or more years which (i) is located within a federal reservation; (ii) has been conveyed to the state of Minnesota by the federal government; and (iii) had been occupied and used by a branch of the armed services of the United States, shall be no

greater than the value added to the property by improvements to the property made by the lessee.

Sec. 4. Minnesota Statutes 1976, Chapter 275, is amended by adding a section to read:

275.035 [LIMITED LEVY ON CERTAIN LEASED PROPERTY.] *Property assessed according to the provisions of section 273.19, subdivision 3, shall be subject to the levy for county taxes, but shall be exempt from all other property tax levies."*

Page 4, line 17, after the period insert "*Sections 3 and 4 are effective for property taxes levied in 1978, payable in 1979 and thereafter.*"

Page 4, line 17, strike "3" and insert "5"

Renumber the sections in sequence

Further, amend the title as follows:

Line 5, after the semicolon, insert "limiting the assessment and taxation of certain leased property;"

Line 7, after "1" insert ", and by adding a subdivision; and Chapter 275, by adding a section"

The motion prevailed. So the amendment was adopted.

H. F. No. 1805 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 36 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Ogdahl	Strand
Ashbach	Gunderson	Lessard	Olhoft	Stumpf
Benedict	Hughes	Luther	Olson	Ulland, J.
Borden	Johnson	McCutcheon	Penny	Vega
Chenoweth	Kirchner	Menning	Peterson	
Chmielewski	Kleinbaum	Merriam	Rennieke	
Coleman	Knaak	Nelson	Solon	
Dunn	Knutson	Nichols	Stokowski	

Those who voted in the negative were:

Bang	Engler	Pillsbury	Sieloff	Ueland, A.
Dieterich	Frederick			

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Solon moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 1575 and that the rules of the Senate be so far suspended as to give H. F. No. 1575, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

SPECIAL ORDER

H. F. No. 1575: A bill for an act relating to agriculture; clarifying jurisdiction concerning grain inspection, weighing, sampling and analysis; appropriating money; amending Minnesota Statutes 1976, Sections 17B.03, Subdivision 1; 17B.04, Subdivision 1; and 17B.13.

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	Frederick	Knutson	Olhoft	Stokowski
Bang	Gearty	Laufenburger	Olson	Strand
Benedict	Gunderson	Lessard	Penny	Stumpf
Chmielewski	Hughes	Luther	Peterson	Ueland, A.
Coleman	Humphrey	McCutcheon	Pillsbury	Ulland, J.
Dieterich	Johnson	Menning	Schmitz	Vega
Dunn	Kirchner	Merriam	Sieloff	Wegener
Engler	Kleinbaum	Nelson	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

Mr. McCutcheon moved to amend S. F. No. 2099 as follows:

Page 2, strike line 13 and insert "*refund claims based on rent paid in 1978 and thereafter and property taxes payable in 1979 and thereafter.*"

The motion prevailed. So the amendment was adopted.

S. F. No. 2099 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 0, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Knutson	Penny	Strand
Bang	Frederick	Laufenburger	Peterson	Stumpf
Benedict	Gearty	Lessard	Pillsbury	Ueland, A.
Brataas	Gunderson	Luther	Schmitz	Ulland, J.
Chenoweth	Hughes	McCutcheon	Schrom	Vega
Chmielewski	Humphrey	Merriam	Sieloff	Wegener
Coleman	Johnson	Nelson	Sikorski	
Dieterich	Knaak	Olhoft	Spear	
Dunn	Knoll	Olson	Stokowski	

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

SPECIAL ORDER

H. F. No. 1884: A bill for an act relating to highway traffic regulations; prohibiting passing a school bus when it is stopped and is displaying stop signals; providing penalties; amending Minnesota Statutes 1976, Section 169.44, Subdivision 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 40 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knoll	Nelson	Sikorski
Bang	Gearty	Knutson	Olhoff	Spear
Benedict	Gunderson	Laufenburger	Olson	Strand
Brataas	Hughes	Lessard	Penny	Stumpf
Chenoweth	Johnson	Luther	Peterson	Ueland, A.
Chmielewski	Kirchner	McCutcheon	Pillsbury	Ulland, J.
Dieterich	Kleinbaum	Menning	Schmitz	Vega
Dunn	Knaak	Merriam	Sieloff	Wegener

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2102: A bill for an act relating to labor; clarifying the definition of public employer in the public employees labor relations act; amending Minnesota Statutes 1976, Section 179.63, Subdivision 4.

Mr. Nelson moved to amend H. F. No. 2102 as amended by the Committee on Governmental Operations, adopted by the Senate on March 13, 1978, as follows:

In the amendment to subdivision 4, lines 1 and 2, strike "*commissioner of personnel of the*"

In the amendment to subdivision 4, line 5, strike "*herein*" and insert "*in this subdivision or section 179.74 for executive branch employees*"

In the amendment to subdivision 4, line 12, after the period insert "*When two or more units of government subject to the provisions of sections 179.61 to 179.77 undertake a project or form a new agency of government under Minnesota Statutes, Chapter 402, or Section 471.59, or other law authorizing common or joint action, the employer for purposes of sections 179.61 to 179.77 shall be the governing person or board of the created agency and the governing official or body of the cooperating governmental units shall be bound by an agreement entered into by the created agency pursuant to the procedures of Minnesota Statutes, Sections 179.61 to 179.77.*"

The motion prevailed. So the amendment was adopted.

H. F. No. 2102 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 0, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Laufenburger	Olhoff	Stokowski
Benedict	Hughes	Lessard	Penny	Strand
Brataas	Johnson	Lewis	Peterson	Stumpf
Chenoweth	Kirchner	Luther	Pillsbury	Ulland, J.
Chmielewski	Kleinbaum	McCutcheon	Schmitz	Vega
Coleman	Knaak	Menning	Sieloff	
Dieterich	Knoll	Merriam	Sikorski	
Gearly	Knutson	Nelson	Spear	

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

SPECIAL ORDER

H. F. No. 2432: A bill for an act relating to Washington county; providing for the appointment and compensation of probation officers.

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 36 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hughes	Lessard	Peterson	Stumpf
Bang	Johnson	Lewis	Pillsbury	Ueland, A.
Benedict	Kirchner	Luther	Schmitz	Ulland, J.
Chmielewski	Kleinbaum	McCutcheon	Sieloff	Vega
Dieterich	Knaak	Menning	Sikorski	
Dunn	Knoll	Merriam	Spear	
Gearly	Knutson	Olhoff	Stokowski	
Gunderson	Laufenburger	Penny	Strand	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2216: A bill for an act relating to insurance companies; providing for the reporting of certain claims and other information to the commissioner of insurance; amending Minnesota Statutes 1976, Chapter 72A, 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 38 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Lessard	Penny	Stokowski
Bang	Hughes	Lewis	Peterson	Strand
Benedict	Johnson	Luther	Pillsbury	Stumpf
Chmielewski	Kirchner	McCutcheon	Renneke	Ueland, A.
Dieterich	Kleinbaum	Menning	Schmitz	Ulland, J.
Dunn	Knoll	Merriam	Sieloff	Vega
Frederick	Knutson	Olhoft	Sikorski	
Gearty	Laufenburger	Olson	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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:

Bang	Hughes	Lessard	Olson	Solon
Benedict	Johnson	Lewis	Penny	Spear
Chmielewski	Kirchner	Luther	Peterson	Stokowski
Dieterich	Kleinbaum	McCutcheon	Pillsbury	Strand
Dunn	Knaak	Menning	Renneke	Stumpf
Frederick	Knoll	Merriam	Schmitz	Ueland, A.
Gearty	Knutson	Ogdahl	Sieloff	Ulland, J.
Gunderson	Laufenburger	Olhoft	Sikorski	Vega

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2219: A bill for an act relating to the city of Eagan; volunteer firefighter's service pensions; amending Laws 1975, Chapter 43, Section 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 41 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hughes	Lewis	Peterson	Strand
Bang	Johnson	Luther	Pillsbury	Stumpf
Benedict	Kirchner	McCutcheon	Renneke	Ueland, A.
Chmielewski	Kleinbaum	Menning	Schmitz	Ulland, J.
Dieterich	Knaak	Merriam	Sieloff	Vega
Dunn	Knoll	Ogdahl	Sikorski	
Frederick	Knutson	Olhoft	Solon	
Gearty	Laufenburger	Olson	Spear	
Gunderson	Lessard	Penny	Stokowski	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2043: A bill for an act relating to the legislature; continuation in or return of members to their employment after legislative sessions; prescribing a period during which a member may not be discharged except for good cause; political discrimination; amending Minnesota Statutes 1976, Section 3.083.

Mr. Ashbach moved to amend the amendment placed on H. F. No. 2043 by the Committee on Governmental Operations, adopted by the Senate March 13, 1978, as follows:

Strike subdivision 2 and insert:

"Subd. 2. No employer or employee organization may at any time discharge or otherwise discriminate against an employee or member who is or was a member of the legislature in retribution for statements made or beliefs held by the employee or member in his capacity as a member of the legislature. For purposes of this subdivision "employee organization" means any union or organization of employees which exists for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances or term or conditions of employment."

Further, amend the title amendment as follows:

In the title amendment to line 6, after "employer" insert: "or employee organization"

The motion prevailed. So the amendment was adopted.

H. F. No. 2043 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 36 and nays 6, as follows:

Those who voted in the affirmative were:

Ashbach	Johnson	Luther	Renneke	Stumpf
Benedict	Kirchner	McCutcheon	Schmitz	Ueland, A.
Chmielewski	Kleinbaum	Menning	Sieloff	Ulland, J.
Coleman	Knaak	Merriam	Sikorski	Vega
Frederick	Knoll	Olhoft	Solon	
Gearty	Laufenburger	Olson	Spear	
Gunderson	Lessard	Penny	Stokowski	
Hughes	Lewis	Peterson	Strand	

Those who voted in the negative were:

Bang	Dunn	Knutson	Ogdahl	Pillsbury
Dieterich				

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

SPECIAL ORDER

H. F. No. 1329: A bill for an act relating to licensed employ-

ments; licensing and regulation of master plumbers; regulation and licensing of contracting steamfitters; amending Minnesota Statutes 1976, Sections 326.40 and 326.48.

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 38 and nays 2, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Lessard	Olson	Spear
Benedict	Hughes	Lewis	Penny	Stokowski
Chmielewski	Johnson	Luther	Peterson	Strand
Coleman	Kirchner	McCutcheon	Pillsbury	Stumpf
Dieterich	Kleinbaum	Menning	Schmitz	Ulland, J.
Dunn	Knoll	Merriam	Sieloff	Vega
Frederick	Knutson	Ogdahl	Sikorski	
Gearty	Laufenburger	Olhoft	Solon	

Messrs. Ashbach and Renneke voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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 42 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Lessard	Olson	Stokowski
Bang	Hughes	Lewis	Penny	Strand
Benedict	Jensen	Luther	Peterson	Stumpf
Chmielewski	Johnson	McCutcheon	Pillsbury	Ueland, A.
Coleman	Kirchner	Menning	Renneke	Ulland, J.
Dieterich	Kleinbaum	Merriam	Schmitz	Vega
Dunn	Knaak	Nelson	Sieloff	
Frederick	Knoll	Ogdahl	Sikorski	
Gearty	Laufenburger	Olhoft	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 551: A bill for an act relating to taxation; providing for transfer of jointly held property to heirs of decedent joint tenant; clarifying marital exemption provisions; providing for deduction for certain taxes on estates of nonresidents; clarifying time for filing and extension; providing for abatement of pen-

alties in cases of reasonable cause for delay; correcting references to probate code provisions; requiring filing of affidavits and copies of documents; amending Minnesota Statutes 1976, Sections 291.01, Subdivision 4; 291.051, Subdivision 1; 291.08; 291.09, by adding a subdivision; 291.11, Subdivision 1; 291.131, Subdivision 2; 291.20, Subdivision 3; 291.40; 524.3-1003; 524.3-1201; and 524.3-1202.

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 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hughes	Luther	Penny	Stokowski
Bang	Jensen	McCutcheon	Peterson	Strand
Benedict	Johnson	Menning	Pillsbury	Ueland, A.
Chmielewski	Kirchner	Merriam	Renneke	Ulland, J.
Dieterich	Knaak	Nelson	Schmitz	Vega
Dunn	Knoll	Nichols	Sieloff	
Frederick	Knutson	Ogdahl	Sikorski	
Gearty	Lessard	Olhoft	Solon	
Gunderson	Lewis	Olson	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2139: A bill for an act relating to emergency services; authorizing the division of emergency services to enter into an agreement with the federal disaster assistance administration for the maintenance of the Minnesota natural disaster assistance plan; appropriating money.

Mr. Johnson moved that the amendment made to H. F. No. 2139 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.

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:

Bang	Gearty	Knutson	Nichols	Schmitz
Benedict	Gunderson	Laufenburger	Ogdahl	Sieloff
Borden	Hughes	Lewis	Olhoft	Stokowski
Brataas	Johnson	Luther	Olson	Strand
Chmielewski	Keefe, S.	McCutcheon	Penny	Stumpf
Dieterich	Kirchner	Menning	Peterson	Ueland, A.
Dunn	Kleinbaum	Merriam	Pillsbury	Ulland, J.
Engler	Knoll	Nelson	Renneke	Vega

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2024: A bill for an act relating to courts; disqualification of a presiding judge without a showing of prejudice; amending Minnesota Statutes 1976, Sections 487.40, Subdivision 2; and 542.16.

Mr. Strand moved that the amendment made to H. F. No. 2024 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. 2024 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 38 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Laufenburger	Ogdahl	Sieloff
Benedict	Jensen	Lewis	Olhoft	Spear
Brataas	Johnson	Luther	Olson	Strand
Chmielewski	Keefe, S.	McCutcheon	Penny	Stumpf
Dieterich	Kirchner	Menning	Pillsbury	Ueland, A.
Dunn	Kleinbaum	Merriam	Renneke	Ulland, J.
Gearty	Knoll	Nelson	Schmitz	Vega
Gunderson	Knutson	Nichols	Schrom	

Mr. Lessard voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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:

Anderson	Gearty	Knutson	Ogdahl	Sieloff
Bang	Gunderson	Laufenburger	Olhoft	Solon
Benedict	Hughes	Lessard	Olson	Spear
Chenoweth	Jensen	Lewis	Penny	Stokowski
Chmielewski	Johnson	Luther	Peterson	Strand
Dieterich	Keefe, S.	Menning	Pillsbury	Stumpf
Dunn	Kirchner	Merriam	Renneke	Ueland, A.
Engler	Kleinbaum	Nelson	Schmitz	Ulland, J.
Frederick	Knoll	Nichols	Schrom	Vega

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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:

Anderson	Gunderson	Laufenburger	Olhoff	Strand
Bang	Hughes	Lessard	Olson	Stumpf
Benedict	Jensen	Lewis	Penny	Ueland, A.
Borden	Johnson	Luther	Peterson	Ulland, J.
Chenoweth	Keefe, S.	McCutcheon	Pillsbury	Vega
Chmielewski	Kirchner	Menning	Renneke	Wegener
Dieterich	Kleinbaum	Merriam	Schmitz	
Dunn	Knaak	Nelson	Solon	
Engler	Knoll	Nichols	Spear	
Gearty	Knutson	Ogdahl	Stokowski	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2267: A bill for an act relating to emergency telephone systems; providing for the payment of certain costs of operating emergency telephone systems; amending Minnesota Statutes, 1977 Supplement, Section 403.11.

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:

Anderson	Engler	Knaak	Merriam	Solon
Ashbach	Gearty	Knoll	Nelson	Spear
Bang	Gunderson	Knutson	Nichols	Stokowski
Benedict	Hughes	Laufenburger	Ogdahl	Strand
Borden	Jensen	Lessard	Olhoff	Stumpf
Brataas	Johnson	Lewis	Penny	Ueland, A.
Chenoweth	Keefe, S.	Luther	Pillsbury	Ulland, J.
Dieterich	Kirchner	McCutcheon	Renneke	Vega
Dunn	Kleinbaum	Menning	Schmitz	Wegener

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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:

Anderson	Engler	Knutson	Ogdahl	Strand
Ashbach	Gearty	Laufenburger	Olhoff	Stumpf
Bang	Gunderson	Lessard	Olson	Ueland, A.
Benedict	Hughes	Lewis	Penny	Ulland, J.
Borden	Jensen	Luther	Pillsbury	Vega
Brataas	Johnson	McCutcheon	Renneke	Wegener
Chenoweth	Kirchner	Menning	Schmitz	
Chmielewski	Kleinbaum	Merriam	Solon	
Dieterich	Knaak	Nelson	Spear	
Dunn	Knoll	Nichols	Stokowski	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2201: A bill for an act relating to housing; providing funds for housing programs for native Americans; appropriating money; amending Minnesota Statutes 1976, Sections 462A.07, by adding a subdivision; 462A.21, by adding a subdivision.

Mr. Knoll moved that the amendment made to H. F. No. 2201 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. 2201 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:

Anderson	Engler	Knoll	Ogdahl	Stokowski
Ashbach	Frederick	Knutson	Olhoff	Strand
Bang	Gearty	Laufenburger	Olson	Stumpf
Benedict	Gunderson	Lessard	Penny	Ueland, A.
Borden	Hughes	Lewis	Pillsbury	Ulland, J.
Brataas	Jensen	Luther	Renneke	Vega
Chenoweth	Johnson	Menning	Schmitz	Wegener
Chmielewski	Kirchner	Merriam	Sieloff	
Dieterich	Kleinbaum	Nelson	Solon	
Dunn	Knaak	Nichols	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2292: A bill for an act relating to cities; establishing requirements for financial statements, reports and audits; providing a time limit for submissions of certain reports to the state auditor; providing for enforcement of reporting requirements; appropriating money; amending Minnesota Statutes 1976, Chapter

471, by adding sections; repealing Minnesota Statutes 1976, Sections 412.281 and 412.291.

Mr. Wegener moved that the amendment made to H. F. No. 2292 by the Committee on Rules and Administration in the report adopted March 20, 1978, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

SUSPENSION OF RULES

Mr. Wegener moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 2292 and that the rules of the Senate be so far suspended as to give H. F. No. 2292, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

H. F. No. 2292 was then progressed.

Pursuant to Rule 21, Mrs. Brataas moved that the following member be excused for a Conference Committee on H. F. No. 2098:

Mrs. Brataas. The motion prevailed.

Pursuant to Rule 21, Mr. Humphrey moved that the following members be excused for a Conference Committee on H. F. No. 2261:

Messrs. Humphrey, Anderson and Ogdahl. The motion prevailed.

Pursuant to Rule 21, Mr. Lessard moved that the following members be excused for a Conference Committee on H. F. No. 1914:

Messrs. Lessard and Hanson. The motion prevailed.

SPECIAL ORDER

S. F. No. 2022: A bill for an act relating to taxation; property tax; altering rate and distribution of proceeds of tax on certain transmission and distribution lines; amending Minnesota Statutes 1976, Section 273.42.

Mr. Olhoft moved that S. F. No. 2022 be stricken from Special Orders and re-referred to the Bill Scheduling Subcommittee of the Committee on Rules and Administration. The motion prevailed.

SPECIAL ORDER

H. F. No. 1863: A bill for an act relating to the operation of state government; allowing the state to make advance payments or deposits for certain items; providing for centralized rental payments to be made from the general services revolving fund; extending the time in which to repay loans from the general fund to revolving funds; allowing the commissioner of administration to publish agency descriptions in the state register biennially instead of

annually; amending Minnesota Statutes 1976, Section 16.096; Minnesota Statutes, 1977 Supplement, Sections 15.0412, Subdivision 2; 16.80, Subdivision 1; and 16A.126.

Mr. Chenoweth moved to amend the amendment placed on H. F. No. 1863 by the Committee on Governmental Operations, adopted by the Senate March 13, 1978, as follows:

Subdivision 2, line 1, strike "*In addition,*"

Subdivision 2, line 5, after the period insert "*In addition,*"

Strike section 35

Section 37, line 5, strike "*Sections 35 and 36 are*" and insert "*Section 35 is*"

Renumber the sections in sequence

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Schaaf moved to amend the amendment placed on H. F. No. 1863 by the Committee on Governmental Operations, adopted by the Senate March 13, 1978, as follows:

After the new Section 36 insert

"Sec. 37. Minnesota Statutes 1976, Section 125.05, Subdivision 1, is amended to read:

125.05 [BOARD TO ISSUE LICENSES.] Subdivision 1. [QUALIFICATIONS.] The authority to license teachers as defined herein is vested in the board of teaching but based solely on criteria and qualifications approved by the state board of education. The authority to license superintendents and principals is vested in the state board of education. Licenses shall be issued to such persons as the board finds to be physically competent and morally fit to teach. Qualifications of teachers and other professional employees shall be determined by the board under the rules which it promulgates. Licenses shall be issued by the commissioner and the commissioner shall issue licenses to any qualified blind graduates of a school of education.

Sec. 38. Minnesota Statutes 1976, Section 147.02, Subdivision 1, is amended to read:

147.02 [EXAMINATION; LICENSING.] Subdivision 1. [EXAMINATION.] A person not authorized to practice medicine in the state and desiring so to do shall apply to the secretary of the state board of medical examiners and pay a fee set by the board, which in no case shall be refunded. At a time appointed, or at the next regular examination, he shall prove (a) that he is of good moral character; (b) that he is either a graduate of a medical or osteopathic school approved by the board after a study of its curriculum, faculty, facilities, accreditation, and

other relevant data, or is currently enrolled in the final year of study at such school; and ~~(e)~~ (b) that he has satisfactorily passed, within three years before, or five years after being granted the degree of M.D. or D.O., an examination prepared and graded by either the federation of state medical boards or the national board of medical examiners. Certification of passage by either the federation of state medical boards, the national board of medical examiners or the medical school from which the applicant graduated shall be accepted as evidence that the applicant has passed such examination. If the board determines that the applicant has not satisfactorily passed an examination within three years before, or five years after being granted the degree of M.D. or D.O., the board may require the applicant to take either of the examinations. The board may by rule establish fees for the renewal of licenses and permits authorized by this chapter. The board may assess a charge, to be set by rule, for the delinquent payment of a fee.

The board may issue a temporary permit to practice medicine to a physician eligible for licensure under section 147.03 upon payment of a fee set by the board. The permit shall be valid only until the next meeting of the board.

Sec. 39. Minnesota Statutes 1976, Section 147.021, Subdivision 1, is amended to read:

147.021 [REFUSAL TO GRANT LICENSE, SUSPENSION OR REVOCATION OF LICENSE.] Subdivision 1. The board shall censure, shall refuse to grant a license to, shall order re-examination, or shall suspend, revoke, condition, limit, qualify or restrict the license, whether granted under this chapter or under Minnesota Statutes 1961, Sections 148.11 to 148.16, prior to May 1, 1963, of any person whom such board, after a hearing, adjudges unqualified or who the board determines after such a hearing is any one or more of the following:

(a) a person who fails to demonstrate the qualifications or satisfy the standards for a license contained in this chapter or rules of the board. The burden of proof shall be upon the applicant to demonstrate such qualifications or satisfaction of such standards.

(b) a person who makes misleading, deceptive, untrue or fraudulent representations in the practice of medicine or who employs a trick or scheme in the practice of medicine or fraud or deceit in obtaining a license to practice medicine.

(c) a person who at any time during the previous five years was convicted of a felony reasonably related to his practice of medicine or osteopathy. Conviction as used in this subdivision shall include a conviction of an offense which if committed in this state would be deemed a felony without regard to its designation elsewhere, or a criminal proceeding where a finding or verdict of guilt is made or returned but the adjudication of guilt is either withheld or not entered thereon.

(d) a person whose license to practice medicine has been revoked, suspended, annulled or with regard to whom disciplinary action has been taken or whose application for a license has been denied by the proper licensing authority of another state, territory or country.

In clauses (c) and (d) a copy of the judgment or proceeding under the seal of the clerk of the court or of the administrative agency which entered the same shall be admissible into evidence without further authentication and shall constitute prima facie evidence of the contents thereof.

(e) a person who advertises in any manner, either in his own name or under the name of another person or concern, actual or pretended, in any newspaper, pamphlet, circular, or other written or printed paper or document, professional superiority to or greater skill than that possessed by another doctor of medicine or another doctor of osteopathy licensed to practice medicine under this chapter, or the positive cure of any disease.

(f) (e) a person who violates a lawful rule promulgated by the board or violates a lawful order of the board, previously entered by the board in a disciplinary hearing.

(g) (f) a person who engages in any unethical, deceptive or deleterious conduct or practice harmful to the public, or who demonstrates a willful or careless disregard for the health, welfare or safety of his patients, in any of which cases, proof of actual injury need not be established.

(h) (g) a person who procures, aids, or abets in the procuring of a criminal abortion.

(i) (h) a person who violates a statute or rule of this state or of any other state or of the United States which relates to the practice of medicine or in part regulates the practice of medicine.

(j) (i) a person who has been adjudged mentally incompetent, mentally ill or mentally deficient, or adjudged to be a drug dependent person, an inebriate person, a person dangerous to the public, or a person who has a psychopathic personality by a court of competent jurisdiction, within or without this state. Such adjudication shall automatically suspend a license for the duration thereof unless the board orders otherwise.

(k) (j) a person who is guilty of unprofessional conduct. Unprofessional conduct shall include any departure from or the failure to conform to the minimal standards of acceptable and prevailing medical practice in which proceeding actual injury to a patient need not be established.

(l) (k) a person who is unable to practice medicine with reasonable skill and safety to patients by reason of illness, professional incompetence, senility, drunkenness, use of drugs, narcotics, chemicals or any other type of material or as a result of any mental or physical condition. If the board has probable cause to believe that a physician comes within this clause, it shall direct the physician to submit to a mental or physical examination. For the pur-

pose of this clause, every physician licensed under this chapter shall be deemed to have given his consent to submit to a mental or physical examination when directed in writing by the board and further to have waived all objections to the admissibility of the examining physicians' testimony or examination reports on the ground that the same constitute a privileged communication. Failure of a physician to submit to such examination when directed shall constitute an admission of the allegations against him, unless the failure was due to circumstances beyond his control, in which case a default and final order may be entered without the taking of testimony or presentation of evidence. A physician affected under this clause shall at reasonable intervals be afforded an opportunity to demonstrate that he can resume the competent practice of medicine with reasonable skill and safety to patients.

In any proceeding under this clause, neither the record of proceedings nor the orders entered by the board shall be used against a physician in any other proceeding.

~~(m)~~ (l) a person who willfully betrays a professional secret.

~~(n)~~ (m) a doctor of osteopathy who fails to identify his school of healing in the professional use of his name by one of the following terms: osteopathic physician and surgeon, doctor of osteopathy, or D.O.

Sec. 40. Minnesota Statutes 1976, Section 148.211, Subdivision 1, is amended to read:

148.211 [LICENSING.] Subdivision 1. An applicant for a license to practice as a registered nurse shall apply to the board for license by examination on forms prescribed by the board and pay a fee in an amount determined by rule. An applicant applying for re-examination shall pay a fee in an amount determined by rule. In no case shall fees be refunded.

Before being scheduled for examination the applicant shall provide written evidence verified by oath that he ~~(a)~~ is of good moral character. ~~(b)~~ (a) is in good mental health, ~~(c)~~ (b) meets secondary education requirements as determined by the board and other preliminary qualification requirements the board may prescribe by rule, and ~~(d)~~ (c) either has completed a course of study in a professional nursing program approved by the board or is enrolled in the final term of study in such program.

The applicant shall be required to pass a written examination in the subjects the board may determine. Each written examination may be supplemented by an oral or practical examination. An applicant failing to pass any portion of the examination shall be deemed to have failed the examination and may apply for re-examination in the subjects or sections failed.

Refusal to supply information necessary to determine the qualifications of an applicant may result in denial of the application.

Upon submission by the applicant of an affidavit of graduation from an approved nursing program as well as proof that the appli-

cant has passed the examination, paid the required fees and met all other requirements stated in this subdivision, the board shall issue a license to the applicant.

Sec. 41. Minnesota Statutes, 1977 Supplement, Section 148.10, Subdivision 1, is amended to read:

148.10 [LICENSES REVOKED; NEW LICENSES.] Subdivision 1. [GROUNDS.] The state board of chiropractic examiners may refuse to grant, or may revoke, suspend, condition, limit, restrict or qualify a license to practice chiropractic, or may cause the name of a person licensed to be removed from the records in the office of the clerk of the district court for:

~~(1) the publishing or distributing, or causing to be published or distributed, in newspapers, magazines, directories, pamphlets, posters, cards, or in any other manner by advertisement, wherein the term "cure" or "guarantee to cure" or similar terms are used; which is hereby declared to be fraudulent and misleading to the general public;~~

~~(2) (1) the employment of fraud or deception in applying for a license or in passing the examination provided for in section 148.06;~~

~~(3) (2) the practice of chiropractic under a false or assumed name or the impersonation of another practitioner of like or different name;~~

~~(4) (3) the conviction of a crime involving moral turpitude;~~

~~(5) (4) habitual intemperance in the use of alcohol or drugs;~~

~~(6) (5) failure to pay the annual renewal license fee;~~

~~(7) (6) advanced physical or mental disability;~~

~~(8) (7) the revocation or suspension of a license to practice chiropractic; or other disciplinary action against the licensee; or the denial of an application for a license by the proper licensing authority of another state, territory or country;~~

~~(9) (8) the violation of, or failure to comply with, the provisions of sections 148.01 to 148.101, the rules of the state board of chiropractic examiners, or a lawful order of the board; or~~

~~(10) (9) unprofessional conduct.~~

For the purposes of clause ~~(4) (3)~~, conviction shall be deemed to include a criminal proceeding in which a finding or verdict of guilt is made or returned but the adjudication of guilt is either withheld or not entered.

For the purposes of clauses ~~(4) (3)~~ and ~~(5) (4)~~, a copy of the judgment or proceeding under seal of the clerk of the court or of the administrative agency which entered the same shall be admissible into evidence without further authentication and shall constitute prima facie evidence of its contents.

For the purposes of clause ~~(10) (9)~~, unprofessional conduct

means any unethical, deceptive or deleterious conduct or practice harmful to the public, any departure from or the failure to conform to the minimal standards of acceptable chiropractic practice, or a willful or careless disregard for the health, welfare or safety of patients, in any of which cases proof of actual injury need not be established. Unprofessional conduct shall include, but not be limited to, the following acts of a chiropractor:

(a) Gross ignorance of, or incompetence in, the practice of chiropractic;

(b) Making suggestive, lewd, lascivious or improper advances to a patient;

(c) Performing unnecessary services;

(d) Charging a patient an unconscionable fee or charging for services not rendered;

(e) Directly or indirectly engaging in threatening, dishonest, or misleading fee collection techniques;

(f) Perpetrating fraud upon patients, third party payers, or others, relating to the practice of chiropractic; and

(g) Any other act that the board by rule may define.

Sec. 42. Minnesota Statutes 1976, Section 148.291, Subdivision 1, is amended to read:

148.291 [EXAMINATION; LICENSING.] Subdivision 1. [QUALIFICATIONS.] An applicant for a license to practice nursing as a licensed practical nurse shall apply to the board for examination on forms provided by the board and pay a fee in an amount determined by rule. An applicant applying for re-examination shall pay a fee in an amount determined by rule. In no case shall fees be refunded.

Before being scheduled for examination the applicant shall provide written evidence, verified by oath that he (a) is of good moral character, (b) is in good mental health, (c) (b) meets secondary education requirements as determined by the board and any other preliminary qualification requirements the board may prescribe by rule, and (d) (c) either has completed an approved course for the training of licensed practical nurses or is enrolled in the final term of study in such program.

Refusal to supply information necessary to determine the qualifications of an applicant may result in denial of the application.

Upon submission by the applicant of an affidavit of graduation from an approved nursing program as well as proof that the applicant has passed the examination, paid the required fees and met all other requirements stated in this subdivision, the board shall issue a license to such applicant.

Sec. 43. Minnesota Statutes 1976, Section 148.57, Subdivision 1, is amended to read:

148.57 [LICENSE.] Subdivision 1. [EXAMINATION.] A per-

son not authorized to practice optometry in the state and desiring to do so shall apply to the secretary of the state board of optometry for examination and pay to the board a fee in an amount set by the board. The candidate desiring to apply for examination by the board shall complete a form furnished by the board and shall file the same with the secretary of the board at least two weeks prior to the date of the examination. With the submission of the application form, the candidate shall prove ~~(a)~~ that he is of good moral character, and ~~(b)~~ that he is a graduate of an optometry school requiring at least two academic years of pre-professional training for admittance to such school and which has been approved by the board, or that he is currently enrolled in the final year of study at such a school. The examination shall include both a written test and a practical demonstration and shall thoroughly test the fitness of the candidate to practice in this state. In regard to the written examination, the board (a) may prepare, administer, and grade the examination itself or (b) may recognize and approve in whole or in part a similar examination prepared, administered and graded by the national board of examiners in optometry or (c) may administer a recognized and approved examination prepared and graded by or under the direction of the national board of examiners in optometry. The board shall issue a license to each applicant who satisfactorily passes the examination and fulfills the other requirements stated in this section. The applicant shall pay to the board a fee as set by the board upon issuance of the license. In the event the candidate fails to pass a part of the examination, upon the payment of an additional fee as set by the board, he may retake the examination at the time the board next schedules such examinations. The fees mentioned in this section are for the use of the board and in no case shall be refunded.

Sec. 44. Minnesota Statutes 1976, Section 148.57, Subdivision 3, is amended to read:

Subd. 3. [REVOCAION, SUSPENSION.] The board may revoke the license or suspend the right to practice of any person who has been convicted of any violation of sections 148.52 to 148.62 or of any other criminal offense, or who is found by the board to be grossly incompetent, afflicted with contagious disease, an habitual drunkard, or guilty of unprofessional conduct. "Unprofessional conduct" means any conduct of a character likely to deceive or defraud the public, including, among other things, price advertising, and free examination advertising, the loaning of his license by any licensed optometrist to any person; the employment of "cappers" or "steerers" to obtain business; splitting or dividing a fee with any person; the obtaining of any fee or compensation by fraud or misrepresentation; employing directly or indirectly any suspended or unlicensed optometrist to perform any work covered by sections 148.52 to 148.62 ; the advertising by any means of optometric practice or treatment or advice in which untruthful, improbable, misleading, or impossible statements are made . After one year, upon application

and proof that the disqualification has ceased, the board may reinstate such person.

Sec. 45. Minnesota Statutes 1976, Section 148.91, Subdivision 4, is amended to read:

Subd. 4. To become a licensed consulting psychologist a person must fulfill and comply with the requirements of subdivision 2 and satisfy the board that he:

(1) Has attained the age of majority;

(2) Is of good moral character and Is not found to be engaging in unethical practices as defined within the code of ethics adopted pursuant to section 148.98;

(3) Has received a doctorate degree with a major in psychology, which may include educational and child psychology, from an educational institution meeting standards which may be prescribed by regulation of the board; and

(4) Has had at least two full years or their equivalent of post doctoral employment as a psychologist.

Sec. 46. Minnesota Statutes 1976, Section 148.93, is amended to read:

148.93 [LIMITATION.] A licensed psychologist may engage in private practice only in collaboration with at least one licensed consulting psychologist in his field of practice. In addition, a licensed psychologist so collaborating may form any other working relationships with members of his own or other professions insofar as these do not violate other sections of this or other Minnesota Statutes. It shall be unlawful for any licensed psychologist or licensed consulting psychologist to divide fees with, or to pay a commission to, or to pay a referral fee to any other person who calls him in consultation or sends clients to him for psychological services as defined in Laws 1973, Chapter 686, provided that payment of a fee for collaborative services performed is not prohibited by this section.

Sec. 47. Minnesota Statutes 1976, Section 150A.06, Subdivision 1, is amended to read:

150A.06 [LICENSURE.] Subdivision 1. [DENTISTS.] A person not already a licensed dentist of the state, desiring to practice dentistry herein, shall apply to the state board of dentistry for examination and pay the fee established by the board for the first examination, and the same fee for each subsequent examination, which in no case shall be refunded. At the time and place designated by the board the applicant may present himself for examination and shall produce his diploma or equivalent from a dental college of good standing, of which standing the board shall be the sole judge; also satisfactory evidence showing

that the applicant is of good moral character. The board shall give the applicant such an examination as to test thoroughly his fitness for the practice of dentistry. Said examination shall include an examination of the applicant's knowledge of the laws of Minnesota relating to dentistry and the rules of the state board of dentistry. An applicant who successfully passes the examination shall be licensed to practice dentistry and supplied with a license by the board.

Sec. 48. Minnesota Statutes 1976, Section 150A.06, Subdivision 2, is amended to read:

Subd. 2. [DENTAL HYGIENISTS.] A person of good moral character not already a licensed dental hygienist of this state, being a graduate of an accredited high school or its equivalent, who is a graduate of a training school for dental hygienists or equivalent approved by the board, may, upon payment of the fee established by the board, be examined by the board in such manner as to thoroughly test the applicant's fitness to practice dental hygiene. Each applicant shall also be examined on the applicant's knowledge of the laws of Minnesota relating to dentistry and the rules and regulations of the state board of dentistry. An applicant who successfully passes the examination shall be licensed as a dental hygienist and supplied with a license by the board.

Sec. 49. Minnesota Statutes 1976, Section 150A.06, Subdivision 2a, is amended to read:

Subd. 2a. [REGISTERED DENTAL ASSISTANT.] Application for registration as a registered dental assistant shall be made in writing to the board upon a form furnished by the board, accompanied by satisfactory evidence that the applicant is of good moral character and is a graduate of a training program approved by the board by rule. The application shall be accompanied by a fee set by the board by rule. Upon filing the application, the board, if satisfied, shall examine the applicant on his skills, and his knowledge of the laws of Minnesota relating to dentistry and the rules of the board. An applicant who successfully passes the examination shall be registered as a dental assistant.

Sec. 50. Minnesota Statutes 1976, Section 150A.06, Subdivision 4, is amended to read:

Subd. 4. [RECIPROCITY.] Any person who is lawfully practicing dentistry or dental hygiene in another state having and maintaining a standard of examination for licensure and of laws regulating such practice within that state, substantially equivalent to Minnesota, of which fact the board shall be the sole judge, and who is a reputable dentist or dental hygienist of good moral character and desirous of removing to this state, and deposits, in person, with the board of dentistry a certificate from the board of dentistry of the state in which he is licensed, certifying to the fact of his licensure and that he is of good moral character and professional attainments, may, upon payment of the fee

for examination, and at the discretion of the board be granted a license to practice in this state without further examination, provided that he shall be examined in the laws of Minnesota relating to dentistry and the rules and regulations of the board of dentistry.

Sec. 51. Minnesota Statutes 1976, Section 151.10, is amended to read:

151.10 [QUALIFICATIONS OF APPLICANTS.] To be entitled to examination by the board as a pharmacist the applicant shall be of good moral character, at least 18 years of age, and shall be a graduate of the college of pharmacy of the University of Minnesota or of a college or school of pharmacy in good standing of which the board shall be the judge and shall have completed internship requirements as prescribed by the board.

Sec. 52. Minnesota Statutes 1976, Section 153.04, is amended to read:

153.04 [LICENSURE BY EXAMINATION.] Any person entitled to licensure, who shall furnish the board with satisfactory proof that he is 18 years of age or over and of good moral character, provide documentary evidence of preliminary education received prior to entering the study of podiatry equal to that required for completion of four years work in a high school course, and one year in a college of liberal arts, and present a diploma or certificate from a school of podiatry recognized by the board and having a minimum requirement of at least 32 months of course work shall, upon payment of a fee set by the board, be examined. If found qualified, the applicant shall be licensed and receive in testimony thereof a license signed by the chairman and secretary of the board.

An applicant who fails to pass an examination satisfactory to the board and is therefore refused licensure shall be entitled, within one year after the refusal, to a reexamination. Payment of an additional fee set by the board for each reexamination may be required. No more than two reexaminations shall be permitted under an original application.

Any person to whom a license is granted under the provisions of this chapter shall designate himself as a doctor of podiatric medicine.

Upon the payment of a license renewal fee and the satisfaction of requirements as the board may by rule prescribe, a licensed podiatrist shall have his license renewed. The board may, by rule, establish penalties for late renewal.

Sec. 53. Minnesota Statutes 1976, Section 153.15, is amended to read:

153.15 [OFFENSES; PENALTIES.] Any person who shall unlawfully obtain licensure under this chapter, whether by false or untrue statements contained in his application to the board or by presenting to the board a fraudulent diploma, certificate, or license, or one fraudulently obtained, shall be deemed guilty of a mis-

demeanor; and any person not being lawfully authorized to practice podiatry in this state and licensed as aforesaid, who shall advertise as a podiatrist in any form, or hold himself out to the public as a podiatrist, or who shall attempt to mislead any person or the public into assuming that he or she is licensed, or who, not being duly licensed to practice medicine, osteopathy, or chiropractic in this state, shall offer to diagnose or treat the ailments of the human foot, or who shall diagnose or treat the ailments of the human foot by medicinal, mechanical, or surgical means, shall be guilty of a misdemeanor; provided, that the simple sale of shoes, appliances or similar devices including arch supports and the adjustment thereof, or the sale of heel pads, cushions or other devices shall not be considered the practice of podiatry; however the adjusting of, or the addition of corrective wedging of said shoes, appliances or similar devices for correction of feet ailments except as provided above shall be by prescription of a licensed practitioner under the terms of this chapter. Provided, however, that no appliance prescribed by a podiatrist for the prevention, correction or relief of foot ailments or troubles shall be in any manner altered, adjusted or readjusted by any person other than licensed practitioner of podiatry.

It shall be unlawful for any person, firm, or corporation to publish directly or indirectly or circulate any fraudulent, false, or misleading statements as to the skill or method of practice of any person or operator in the practice of podiatry, or in any way to advertise podiatry as to be practiced without pain, or to advertise in any manner with a view to deceiving the public, or to claim superiority over other podiatrists, or to publish reports of cases or certificates of same in any advertising media, or to advertise as using any anaesthetic, drug, formula, material, medicine, method, or system, or to advertise free podiatry services or examinations, or to advertise any amount as a price or fee for the service of any person engaged in the practice of podiatry. Any licensed podiatrist may announce by way of a professional card containing only the name, title, degree, office location, office hours, telephone number, and residence address and telephone number, if desired, and if he limits his practice to a specialty he may announce it, but such card shall not be greater in size than eight column inches, and such information may be inserted in public print when not more than two columns in width and four inches in depth; outdoor or similar signs shall not exceed 12 by 18 inches and the text limited to the above qualifications. It shall not be considered unprofessional or unlawful to conduct an educational campaign to give information as to the practice of podiatry, providing such campaign is first approved by the board. Any person violating any of the provisions of this section as it relates to advertising shall be guilty of a misdemeanor.

Sec. 54. Minnesota Statutes 1976, Section 154.05, is amended to read:

154.05 [WHO MAY RECEIVE CERTIFICATES.] A person is qualified to receive a certificate of registration to practice barbering:

(1) Who is qualified under the provisions of section 154.06;

(2) Who is at least 18 years of age;

(3) Who is of good moral character and temperate habits and free from any contagious or infectious disease;

(4) Who has practiced as a registered apprentice for a period of 15 months under the immediate personal supervision of a registered barber; and

(5) Who has passed a satisfactory examination conducted by the board of barber examiners to determine his fitness to practice barbering.

An applicant for a certificate of registration to practice as a registered barber who fails to pass a satisfactory examination conducted by the board must continue to practice as an apprentice for an additional six months before he is again entitled to take the examination for a registered barber.

Sec. 55. Minnesota Statutes 1976, Section 154.06, is amended to read:

154.06 [WHO MAY RECEIVE CERTIFICATES AS REGISTERED APPRENTICE.] A person is qualified to receive a certificate of registration as a registered apprentice:

(1) Who has completed at least ten grades of an approved school;

(2) Who is of good moral character and temperate habits and free from any contagious or infectious disease;

(3) Who has been graduated from a school of barbering approved by the board of barber examiners; and

(4) Who has passed a satisfactory examination conducted by the board to determine his fitness to practice as a registered apprentice.

An applicant for a certificate of registration to practice as an apprentice who fails to pass a satisfactory examination is required to complete a further course of study of not less than 500 hours, to be completed in six months, of not more than eight hours in any one working day, in a school of barbering approved by the board.

A certificate of registration of an apprentice shall be a temporary certificate and shall be valid for four years from the date of the certificate and shall not be renewed thereafter. During such four year period the certificate shall remain in full force and effect only if the apprentice complies with all the provisions of this chapter, as amended, including the payment of an annual fee, and the rules and regulations of the board of barber examiners.

If any registered apprentice shall, during the term in which his temporary certificate is in effect, enter full time active duty in the armed forces of the United States of America, the expiration date of his temporary certificate shall be extended by a period of time equal to the period or periods of time during which he served on such active duty.

Sec. 56. Minnesota Statutes 1976, Section 154.11, is amended to read:

154.11 [PERMITS TO PRACTICE.] A person who is at least 18 years of age and of good moral character and temperate habits and either has a license or certificate of registration as a practicing barber from another state or country which has substantially the same requirements for licensing or registering barbers as required by this chapter or can prove by sworn affidavits that he has practiced as a barber in another state or country for at least five years immediately prior to making application in this state, shall, upon payment of the required fee, be called by the board of barber examiners for examination to determine his fitness to receive a certificate of registration to practice barbering.

Sec. 57. Minnesota Statutes 1976, Section 154.12, is amended to read:

154.12 [PERSONS FROM OTHER STATES; PERMIT TO PRACTICE.] A person who is of good moral character and temperate habits who has a certificate of registration as an apprentice in a state or country which has substantially the same requirements for registration as an apprentice as is provided by this chapter shall, upon payment of the required fee, be called by the board of barber examiners for examination to determine his fitness to receive a certificate of registration as an apprentice. Being able to pass the required examination, he will be issued a certificate of registration as a registered apprentice. Should he fail to pass the required examination he shall conform to the requirements of section 154.06 before being permitted to take another examination.

Sec. 58. Minnesota Statutes 1976, Section 154.22, is amended to read:

154.22 [BOARD OF BARBER EXAMINERS CREATED; TERMS.] A board of barber examiners is established to consist of ~~four~~ *seven* members appointed by the governor. ~~Three~~ *Five* of such the members shall be ~~practical practicing~~ *practicing* barbers who have followed the occupation of a registered barber ~~practiced barbering~~ in this state for at least five years immediately prior to their appointment; . The barber members shall be graduates from the twelfth grade of a high school, or have an equivalent education; and shall have knowledge of the matters to be taught in approved schools of barbering, as set forth in section 154.07. The remaining member ~~two members~~ of the board shall be a public member ~~members~~ as defined by section 214.02. One of the members shall be a member of, or recommended by, a union of journeymen barbers which shall have existed at least two years, and one shall be a member of, or recommended by, the master barbers association of Minnesota.

Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. The provision of staff administrative services and office space; the review and processing of complaints; the setting of

board fees; and other provisions relating to board operations shall be as provided in chapter 214 and Laws 1976, Chapter 222, Sections 2 to 7.

Members appointed to fill vacancies caused by death, resignation, or removal shall serve during the unexpired term of their predecessors.

Sec. 59. Minnesota Statutes 1976, Section 155.04, is amended to read:

155.04 [BOARD OF EXAMINERS.] For the purposes of this chapter, there is hereby created and established a board, to be known by the name and style of the Minnesota state board of cosmetology, which shall consist of ~~four~~ *seven* members, ~~one~~ *two* of whom shall be a public member ~~members~~ as defined by section 214.02, ~~not more than two of whom shall reside in cities of the first class and all of whom shall reside in the state.~~

Sec. 60. Minnesota Statutes 1976, Section 155.05, is amended to read:

155.05 [MEMBERS OF BOARD.] The governor shall appoint the members of the board of cosmetology. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. The provision of staff, administrative services and office space; the review and processing of complaints; the setting of board fees; and other provisions relating to board operations shall be as provided in chapter 214 and Laws 1976, Chapter 222, Sections 2 to 7. ~~Three~~ *Five* of ~~such~~ *the* members shall have an official seal, shall have had five years of experience within the last seven years and practice in this state in the occupation and practices as named within this chapter, and shall be senior instructors or have the qualifications to take the examination therefor, prior to the first appointment. The board members shall be citizens of this state and not members of, nor affiliated with, any school approved and teaching the practices, as defined herein, while a member of the board, nor shall any two members of the board be graduates of the same school, or system of schools, teaching the practices, as defined herein. Each member of the board shall take the oath provided by law for public officers.

Sec. 61. Minnesota Statutes 1976, Section 155.09, Subdivision 1, is amended to read:

155.09 [APPLICANTS FOR EXAMINATION; LICENSE FEES.] Subdivision 1. The board shall determine the qualifications of each applicant for examination on the following basis:

(1) ~~Such proof as the board, by rule, may require of good moral character;~~

(2) (1) Such proof as the board, by rule, may require that the applicant is free from contagious or infectious disease;

(3) (2) That the applicant is at least 16 years of age and has a tenth grade education or its equivalent;

(4) (3) That the applicant shall provide the board with a certificate from a school of beauty culture, approved by the board, as herein referred to and described, showing that the applicant has satisfactorily completed all the courses of instruction provided by this approved school, which certificate shall be signed and verified by the individual owner or owners of the approved school, if owned by an individual or partnership, or the proper and lawful officer, if a corporation;

In any case, before an applicant shall be eligible to receive such certificate, the applicant shall have received in accordance with the curriculum established by the board 1,500 hours of instruction in theory and practice in classes actually attended by him, except for manicuring only, 250 hours of instruction shall be deemed sufficient; and

(5) (4) Payment of an examination fee set by the board.

Sec. 62. Minnesota Statutes 1976, Section 156.02, Subdivision 1, is amended to read:

156.02 [APPLICANTS FOR LICENSE; QUALIFICATIONS.] Subdivision 1. Application for a license to practice veterinary medicine in this state shall be made in writing to the board of veterinary medicine upon a form furnished by the board, accompanied by satisfactory evidence that the applicant is at least 18 years of age, ~~is of good moral character,~~ and has received a diploma conferring the degree of doctor of veterinary medicine, or an equivalent degree, from a veterinary school approved by the board, or a certificate from the dean of an approved college of veterinary medicine stating that the applicant is a student in good standing expecting to be graduated at the completion of the next academic term of the college in which he is enrolled. The application shall contain the information and material required by subdivision 2 and any other information that the board may, in its sound judgment, require. The application shall be filed with the secretary of the board at least 30 days before the date of the examination. If the board deems it advisable, it may require that such application be verified by the oath of the applicant.

Sec. 63. Minnesota Statutes 1976, Section 156.071, is amended to read:

156.071 [REINSTATEMENT OF EXPIRED LICENSE.] Except as otherwise provided in this chapter, an expired license, which is suspended by the board pursuant to section 156.07, may be reinstated at any time within five years after its suspension on filing an application for reinstatement on a form prescribed by the board and by payment of the renewal fee in effect on the last preceding regular renewal date, plus all back fees and the late filing fee.

A person who fails to renew his license within five years after its suspension may not renew it, and it shall not be restored, re-

issued, or reinstated thereafter, but such person may apply for and obtain a new license if he complies with the following conditions: ~~(1) He is of good moral character;~~ ~~(2)~~ (1) No fact, circumstance, or condition exists which, if the license were issued, would justify its revocation or suspension; ~~(3)~~ (2) He takes and passes the examination, if any, which would be required of him if he were then applying for a license for the first time, or otherwise establishes to the satisfaction of the board that, with due regard for the public interest he is qualified to practice veterinary medicine; and ~~(4)~~ (3) He pays all of the fees that would be required of him if he were then applying for the license for the first time.

Sec. 64. Minnesota Statutes 1976, Section 156.072, Subdivision 2, is amended to read:

Subd. 2. Such doctor of veterinary medicine shall accompany his application by the following:

(1) A certified copy of his license registration and affidavits of two practicing doctors of veterinary medicine of the state, territory or District of Columbia so certifying that they are well acquainted with such applicant; ~~that he is a person of good moral character;~~ and that he has been actively engaged in practicing or teaching as the case may be in such state, territory, or District of Columbia for the period above prescribed;

(2) A certificate from the proper body therein having jurisdiction over the conduct of practice of veterinary medicine that such applicant is in good standing and not under pending charges of misconduct; and

(3) A fee as set by the board in form of check or money order payable to the treasurer of the state of Minnesota, no part of which shall be refunded, should the application be denied.

Sec. 65. Minnesota Statutes 1976, Section 156.081, Subdivision 2, is amended to read:

Subd. 2. The board may revoke or suspend a license for any of the following causes:

(1) The employment of fraud, misrepresentation or deception in obtaining such license.

(2) Conviction of a crime involving moral turpitude or conviction of a felony, in which case the record shall be conclusive evidence of such conviction.

(3) Chronic inebriety or addiction to the use of habit forming drugs.

(4) Existence of professional connection with or the lending of one's name to any illegal practitioner of veterinary medicine and the various branches thereof.

(5) Violation or attempt to violate, directly or indirectly, any of the provisions of this chapter.

(6) Revocation by a sister state or territory of a license or certificate by virtue of which one is licensed to practice veterinary medicine in that state or territory, notwithstanding that such license or certificate did not support the application for license to practice in this state.

(7) Conviction of or cash compromise of a charge or violation of the Harrison Narcotic Act, regulating narcotics, in which case the record of such conviction or compromise, as the case may be, shall be conclusive evidence.

(8) Fraud or dishonesty in applying, treating, or reporting on tuberculin or other biological tests.

(9) Employment of anyone but a veterinarian licensed in the state of Minnesota to demonstrate the use of biologics in the treatment of animals.

~~(10) False or misleading advertising having for its purpose or intent deception or fraud.~~

~~(11) (10) Habitual conduct reflecting unfavorably on the profession of veterinary medicine or conduct in violation of law or rules or regulations of the board.~~

~~(12) (11) Conviction on a charge of cruelty to animals.~~

~~(13) (12) Failure, after written notification by the board, to keep one's premises and all equipment therein in a clean and sanitary condition, according to reasonable standards adopted by the board.~~

~~(14) (13) Fraud, deception, or incompetence in the practice of veterinary medicine.~~

A plea or verdict of guilty to a charge of a felony or of any offense involving moral turpitude is deemed to be a conviction within the meaning of this section. The board may order the license suspended or revoked, or may decline to issue a license, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal.

Sec. 66. Minnesota Statutes, 1977 Supplement, Section 214.01, Subdivision 3, is amended to read:

Subd. 3. "Non-health related licensing board" means the board of teaching established pursuant to section 125.183, the board of barber examiners established pursuant to section 154.22, the board of cosmetology examiners established pursuant to section 155.04, ~~the board of assessors established pursuant to section 270.41, the board of architecture, engineering and , land surveying and landscape architecture established pursuant to section 326.04, the board of accountancy established pursuant to section 326.17, the board of electricity established pursuant to section 326.241, the private detective and protective agent licensing board established pursuant to section 326.541, the board of boxing established pursuant to section 326.33, the board of examiners in watchmaking established pursuant to section 326.541, the board of boxing estab-~~

lished pursuant to section 341.02, the board of abstractors established pursuant to section 386.63, and the peace officer standards and training board established pursuant to section 626.841.

Sec. 67. Minnesota Statutes 1976, Section 214.04, as amended by Laws 1977, Chapter 444, Sections 13 and 14, is amended to read:

214.04 [SERVICES.] Subdivision 1. The commissioner of administration with respect to the board of electricity, the commissioner of education with respect to the board of teaching, the commissioner of public safety with respect to the board of private detective and protective agent services, and the commissioner of revenue with respect to the board of assessors, shall provide suitable offices and other space, joint conference and hearing facilities, examination rooms, and the following administrative support services: purchasing service, accounting service, advisory personnel services, consulting services relating to evaluation procedures and techniques, data processing, duplicating, mailing services, automated printing of license renewals, and such other similar services of a housekeeping nature as are generally available to other agencies of state government. Investigative services shall be provided the boards by employees of the office of attorney general. The commissioner of health with respect to the health related licensing boards and the chairman of the commerce commission with respect to the remaining non-health related licensing boards shall provide the above facilities and services at a central location for the health related and remaining non-health related licensing boards. The legal and investigative services for the boards shall be provided by employees of the attorney general assigned to the departments servicing the boards. Notwithstanding the foregoing, the attorney general shall not be precluded by this section from assigning other attorneys to service a board if necessary in order to insure competent and consistent legal representation. Persons providing legal and investigate services shall to the extent practicable provide the services on a regular basis to the same board or boards.

Subd. 2. The health related licensing boards and the non-health related licensing boards shall be required to provide compensation for the reasonable costs associated with providing the services and staff required by subdivisions 1 and 3 ; *provided, that costs incurred by the attorney general and the office of hearing examiners in investigation and in the conduct of contested case matters shall be paid from general fund appropriations to the attorney general and the chief hearing examiner* . Transfers of funds to the account of the appropriate department as specified in subdivision 1 or the office of attorney general shall be made on the first day of each quarter of the biennium for services furnished during the preceding quarter, and all funds so transferred shall be deposited to the account of the appropriate department or office.

Subd. 3. The executive secretary of each health related and non-health related board shall be the chief administrative officer

for the board but he shall not be a member of the board. He shall maintain the records of the board, account for all fees received by it, supervise and direct employees servicing the board, and perform other services as directed by the board. The executive secretaries and other employees of the following boards shall be hired by the board, and the executive secretaries shall be in the unclassified civil service: dentistry; medical examiners; nursing; pharmacy; accountancy; architecture, engineering, land surveying and landscape architecture; barber examiners; cosmetology; electricity; and teaching. The executive secretaries serving the remaining boards shall be hired by those boards, and shall be in the unclassified civil service except for part-time executive secretaries, who are not required to be in the unclassified service. Boards not requiring a full-time executive secretary may employ such services on a part-time basis. To the extent practicable the sharing of part-time executive secretaries by boards being serviced by the same department is encouraged. Persons providing services to those boards not listed in this subdivision, except executive secretaries of the boards and employees of the attorney general, shall be classified civil service employees of the department servicing the board. To the extent practicable the commissioner shall insure that staff services are shared by the boards being serviced by the department. If necessary, a board may hire part-time, temporary employees to administer and grade examinations. *Staff services shall be provided by the boards and the relevant departments for the performance of all administrative duties so that board members shall be able to limit their activities to board policy and credentialling issues.*

Subd. 4. Two or more health related licensing boards or two or more nonhealth related licensing boards may hold joint rule making proceedings on proposed rules relating to similar subject matters.

Sec. 68. Minnesota Statutes 1976, Section 214.06, as amended by Laws 1977, Chapter 444, Section 15, is amended to read:

214.06 [FEES; LICENSE RENEWALS.] Subdivision 1. Notwithstanding any law to the contrary, the board commissioner of health as authorized by section 214.13, all health related licensing boards and all non-health related licensing boards may by rule, with the approval of the commissioner of finance, adjust any fee which the board or commissioner is empowered to assess a sufficient amount so that the total fees collected by each board entity will as closely as possible equal those anticipated expenditures which the commissioner or board is obligated to pay during the fiscal biennium. Examination fees, if any, shall be set by rule so that the total amount of annual examination fee income approximately meets the anticipated cost of administering the examinations during the fiscal biennium. All fees received shall be deposited with the state treasurer and credited to the general fund.

Subd. 2. Notwithstanding any law to the contrary, each health related and non-health related licensing board shall promulgate rules providing for the renewal of licenses. The rules shall specify the period of time for which a license is valid, procedures and infor-

mation required for renewal, and renewal fees to be set pursuant to subdivision 1. *The rules shall provide for renewal periods of between one and three years and may provide for a system of staggered renewals; provided, that the three-year limitation shall not apply to the board of teaching. Renewal forms issued by a board shall require a renewal applicant to indicate criminal actions initiated against, or civil actions filed against, the applicant during the preceding renewal period which allege a violation of laws and rules which the board is empowered to enforce or which affect the specific eligibility for renewal.*

Sec. 69. Minnesota Statutes 1976, Section 214.09, Subdivision 2, is amended to read:

Subd. 2. [MEMBERSHIP TERMS.] The terms of the members shall be four years with the terms ending on the first Monday in January. *Members may not serve for a total period in excess of twelve years on any one board.* The appointing authority shall appoint as nearly as possible one-fourth of the members to terms expiring each year. If the number of members is not evenly divisible by four, the greater number of members, as necessary, shall be appointed to terms expiring in the year of commencement of the governor's term and the year or years immediately thereafter. If the membership is composed of categories of members from occupations, industries, political subdivisions, the public or other groupings of persons, and if the categories have two or more members each, the appointing authority shall appoint as nearly as possible one-fourth of the members in each category at each appointment date. Members may serve until their successors are appointed and qualify. If the appointing authority fails to appoint a successor by July 1 of the year in which the term expires, the term of the member for whom a successor has not been appointed shall extend until the first Monday in January four years after the scheduled end of the original term.

Sec. 70. Minnesota Statutes 1976, Chapter 214, is amended by adding a section to read:

[214.15] [TRADE REGULATION.] *Notwithstanding any other law to the contrary, members of occupations regulated by the licensing boards may advertise, but advertisements must not be inconsistent with rules relating to advertising format and substance which each board is herewith empowered to adopt if that board had statutory advertising limitations on the effective date of the rules. A board may adopt rules relating to minimum fees, splitting of fees, referral fees, compensation, hours of practice, or other practice limitations, but only if (1) the governor or the board had specific statutory limitations or specific statutory authority to adopt the rules on the effective date of the rules, (2) the rules are not inconsistent with other law and (3) the rules are immediately and directly related to the protection of the safety and well-being of citizens of the state.*

Sec. 71. Minnesota Statutes 1976, Chapter 214, is amended by adding a section to read:

[214.16] [STANDARDS FOR LICENSURE AND RENEWAL.] *A board may adopt rules pursuant to which it may deny licensure or renewal, or may suspend or revoke a license, if a person has been convicted of a crime which the board has determined directly impugns the ability of the person competently to perform the occupation. A board may also adopt rules which are consistent with constitutional due process requirements and which permit the board to deny licensure or renewal, or to suspend or revoke a license, if the applicant or licensee fails to meet job-related standards of moral conduct and integrity.*

Sec. 72. Minnesota Statutes 1976, Chapter 270, is amended by adding a section to read:

[270.40] [REGULATION OF ASSESSORS.] *The powers and duties of the board of assessors, pursuant to Laws 1971, Extra Session, Chapter 31, as amended, are transferred to the commissioner of revenue, and the board is hereby abolished. All rules of the board relating to the licensing and regulation of assessors shall continue in full force and effect as if adopted by the commissioner until amended or appealed in accordance with sections 270.41 to 270.51. The commissioner shall appoint an advisory council of assessors to advise him on the administration of these sections.*

Sec. 73. Minnesota Statutes 1976, Section 326.10, Subdivision 1, is amended to read:

326.10 [LICENSURE.] Subdivision 1. [ISSUANCE.] *The board shall on application therefor on a prescribed form, and upon payment of a fee prescribed by rule of the board, issue a license as an architect, engineer, land surveyor or landscape architect. A separate fee shall be paid for each profession licensed.*

(1) *To any person over 25 years of age, who is of good moral character and reputation, and who has the experience and educational qualifications which the board by rule may prescribe.*

(2) *To any person who holds an unexpired certificate of registration or license issued to him by proper authority in the District of Columbia, any state or territory of the United States, or any foreign country, in which the requirements for registration or licensure of architects, engineers, land surveyors or landscape architects, respectively, at the time of registration or licensure in the other jurisdiction, were equal, in the opinion of the board, to those fixed by the board and by the laws of this state, and in which similar privileges are extended to the holders of certificates of registration or licensure issued by this state. The board may require such person to submit a certificate of his technical qualification from the National Council of Architectural Registration Boards in the case of an architect, from the National Council of Engineering Examiners in the case of an engineer, and from the National Council of Landscape Architects Registration Board in the case of a landscape architect.*

Sec. 74. Minnesota Statutes 1976, Section 326.19, Subdivision 2, is amended to read:

Subd. 2. [QUALIFICATIONS.] The license, certified public accountant, shall be granted to any person:

(a) Who has attained the age of 18 years; and

~~(b)~~ Who is of good moral character; and

~~(c)~~ (b) Who holds:

(i) a master's degree with a major in accounting from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools, or an equivalent accrediting association, or who has in the opinion of the board at least an equivalent education, providing at least one year of experience of the type specified in subdivision 4, has been completed; or

(ii) a baccalaureate degree, with a major in accounting, from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools, or an equivalent accrediting association, or whose credits are acceptable to the University of Minnesota for admission to graduate study, or who has in the opinion of the board at least an equivalent education, providing at least two years experience of the type specified in subdivision 4, has been completed; or

(iii) a baccalaureate degree from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools, or an equivalent accrediting association, or whose credits are acceptable to the University of Minnesota for admission to graduate study, or who has in the opinion of the board at least an equivalent education, providing at least three years experience of the type specified in subdivision 4, has been completed; or

(iv) evidence of having completed two or more years of study with passing grade average or above from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools, or an equivalent accrediting association, or whose credits are acceptable to the University of Minnesota for admission to graduate study, or an area vocational-technical school, a Minnesota licensed private vocational school which fulfills the requirements of sections 141.21 to 141.36, or who has in the opinion of the board at least an equivalent education, providing at least five years experience of the type specified in subdivision 4, has been completed; or

(v) a diploma as a graduate of an accredited high school or who has in the opinion of the board at least an equivalent education, providing at least six years experience of the type specified in subdivision 4, has been completed; and

~~(d)~~ (c) Who has completed successfully an examination in such subjects and at such times, as the board may prescribe in its rules. The examination shall be administered by the board only to a candidate who holds:

(i) a baccalaureate degree with a major in accounting or higher degree, as described in clause ~~(e)~~ (b) (i) or clause ~~(e)~~ (b) (ii) or to persons having at least an equivalent education, or to candidates for such degree providing such candidate is currently registered in his final semester or quarter preceding graduation, or

(ii) a baccalaureate degree, as described in clause ~~(e)~~ (b) (iii), provided at least one year experience of the type specified in subdivision 4, has been completed, or

(iii) evidence of having completed two or more years of study with passing grade average or above from a college, university, area vocational-technical school or a Minnesota licensed private vocational school which fulfills the requirements of sections 141.21 to 141.36, as described in clause ~~(e)~~ (b) (iv), provided at least three years experience of the type specified in subdivision 4, has been completed, or

(iv) a diploma as a graduate of an accredited high school, as described in clause ~~(e)~~ (b) (v), provided at least five years experience of the type specified in subdivision 4, has been completed.

Sec. 75. Minnesota Statutes 1976, Section 326.332, Subdivision 1, is amended to read:

326.332 [APPLICATION FOR LICENSE.] Subdivision 1. The application for such license shall be in duplicate and shall state:

(1) The full name, age, sex, residence for the past five years, present and previous occupations and employers, of all persons signing the application;

(2) That each person signing the application has attained the age of majority;

(3) That the person, firm, or corporation applying for the license is a resident of the state of Minnesota, or that the applicant holds an equivalent license in another state, which state shall be set forth;

(4) The municipality, stating the street and number or such apt description as will reasonably indicate the location in said municipality, where the licensed office of the applicant is to be located;

(5) Such further facts as may be required by the commissioner of public safety to show the good character, competency and integrity of each person signing the application;

(6) If applicant is a corporation, the name of the corporation, the date and place of its incorporation, the location of its principal place of business or registered office, in its state of incorporation;

(7) That the applicant has been a bona fide resident of the state of Minnesota for a period of six months immediately preceding the filing of the application or is presently a license holder in another state;

(8) That the license holder, one member of a partnership or one corporate member of a corporation shall be an active participant in said licensee's business, and that the branch manager or director of a licensee's Minnesota based office shall have the same qualifications as a license holder and shall comply with all provisions of sections 326.331 to 326.339.

Sec. 76. Minnesota Statutes 1976, Section 326.54, is amended to read:

326.54 [WATCHMAKERS; LICENSURE.] No person shall engage in watchmaking for profit or compensation of any kind *and use the title or hold himself out as "registered watchmaker" or similar title using the word "watchmaker"*, without first obtaining a license being registered, as hereinafter provided, ~~which license shall at all times be and without having a certificate of registration conspicuously displayed in his place of business.~~

Sec. 77. Minnesota Statutes 1976, Section 326.546, is amended to read:

326.546 [LICENSE REVOCATION.] (1) The board may revoke a license upon the failure of the holder thereof to pay the annual renewal fee, upon giving said holder 30 days notice in writing of such proposed revocation.

(2) The board may revoke a license obtained through error of the board or fraud on the part of the applicant, or if the holder is grossly incompetent, guilty of unethical conduct, or obtained or sought to obtain anything of value by fraudulent representations in the practice of watchmaking.

(3) One whose license has been revoked, may, upon the expiration of one year after such revocation, apply to the board for reinstatement and, upon satisfactory proof that the cause of revocation no longer exists, the board may, in its discretion, issue to said person a license upon payment of the fees herein provided.

(4) "Unethical conduct" includes and means any conduct of a character likely to mislead, deceive, or defraud the public; advertising of any character in which untruthful or misleading statements are made; ~~advertising of prices on watch repairing or the giving of any watch parts, gratis or at less than cost, performance of any service in pursuance of any such advertising;~~ loaning of certificate or license of registration to any person, performance of any work upon a watch in an unworkmanlike or unskilled manner, representation that certain services or parts are necessary or have been or will be used in the repair of a watch, although such services or parts are not necessary and have not been used in such repairs; employing, directly or indirectly, any unlicensed watchmaker to perform any watchmaking, or repairs on watches, or non-compliance, within 30 days, with the directions given in a written notice from the board to terminate employment with any person who is violating the provisions of Laws 1943, Chapter 474.

Sec. 78. Minnesota Statutes 1976, Chapter 386, is amended by adding a section to read:

[386.60] [REGULATION OF ABSTRACTERS.] *The powers and duties of the board of abstracters pursuant to Laws 1957, Chapter 871, as amended, are transferred to the commissioner of securities in the department of commerce, and the board is hereby abolished. All rules of the board relating to the licensing and regulation of abstracters shall continue in full force and effect as if adopted by the commissioner until amended or repealed in accordance with sections 386.61 to 386.76. The commissioner shall appoint an advisory council of abstracters to advise him on the administration of these sections.*

Sec. 79. *The commissioners of health and commerce shall each review and evaluate the inspection and school accreditation functions performed by the licensing boards under their respective jurisdictions in order to determine whether the performance of those functions is a proper duty for the boards and their staffs. In making this evaluation, the commissioners shall review the cost effectiveness of these functions, shall determine whether these functions are compatible with the licensing of persons, shall consult with persons knowledgeable in these fields, and shall determine whether other governmental or private agencies duplicate these functions and, if so, which agencies should most appropriately perform the functions. The commissioners shall consult with each other in performing this study in order to establish consistent evaluative criteria, and they shall also solicit the comments and opinions of the affected boards. The commissioners shall report the results of their study to the governmental operations committees of the house and senate no later than February 1, 1979. The report shall include written comments submitted by the affected boards.*

Sec. 80. [REVISOR'S INSTRUCTIONS.] *In the next and future editions of Minnesota Statutes the revisor shall change references in sections 326.54 to 326.547 to "license" and "licensure" to read "register" or "registration" as appropriate. In sections 270.41 to 270.51 the revisor shall change references to the "board of assessors" and "board" to read "commissioner of revenue" or "commissioner" as appropriate. In sections 386.61 to 386.76 the revisor shall change references to "board of abstracters" and "board" to read "commissioner of securities" or "commissioner" as appropriate. The revisor shall also make necessary grammatical changes consistent with this section.*

Sec. 81. [REPEALER.] *Minnesota Statutes 1976, Sections 147.11; 150A.11, Subdivision 2; 151.28; 270.41; 270.42; 270.43; 341.09; 386.61, Subdivision 3; and 386.63; and Chapter 186, are repealed."*

Section 37, line 6, after the period insert "Sections 37 to 57, 61 to 67, 72 to 78, 80, and 81 are effective July 1, 1979."

Renumber the sections in sequence

Amend the title amendment as follows:

Line 25, after the semicolon, strike the rest of the title amendment and insert

"abolishing the board of abstracters and the board of assessors and transferring their respective powers and duties; altering the membership, regulatory powers, practices and supervision of certain boards; limiting criteria for issuing licenses; providing for registration rather than licensure of watchmakers; providing for a review of certain functions of the boards; requiring the collection of certain health manpower information; amending Minnesota Statutes 1976, Sections 7.09, Subdivision 1; 10A.01, Subdivision 18; 15.0413, Subdivisions 1 and 2; 16.02, Subdivision 14; 16.026, Subdivision 2; 16.05; 16.096; 16.24; 16.28; 85.021, Subdivision 2; 112.801, Subdivision 8; 125.05, Subdivision 1; 136.63, Subdivision 1a; 147.02, Subdivision 1; 147.021, Subdivision 1; 148.211, Subdivision 1; 148.291, Subdivision 1; 148.57, Subdivisions 1 and 3; 148.91, Subdivision 4; 148.93; 150A.06, Subdivisions 1, 2, 2a, and 4; 151.10; 153.04; 153.15; 154.05; 154.06; 154.11; 154.12; 154.22; 155.04; 155.05; 155.09, Subdivision 1; 156.02, Subdivision 1; 156.071; 156.072, Subdivision 2; 156.081, Subdivision 2; 168.27, Subdivision 13; 214.04, as amended; 214.06, as amended; 214.09, Subdivision 2; 326.10, Subdivision 1; 326.19, Subdivision 2; 326.332, Subdivision 1; 326.54; 326.546; 327.31, Subdivision 4; 360.305, Subdivision 2; and Chapters 21, by adding sections; 270, by adding a section; and 386, by adding a section; amending Minnesota Statutes, 1977 Supplement, Sections 4.035, Subdivision 3; 11.117, Subdivisions 4 and 6; 11.118; 11.145; 15.0411, Subdivision 2; 15.0412, Subdivisions 2, 4 and 5; 15.06, Subdivision 2; 16.125; 16.72, Subdivision 7; 16.80, Subdivision 1; 16A.126; 148.10, Subdivision 1; 214.01, Subdivision 3; and Laws 1977, Chapter 305, Section 44; repealing Minnesota Statutes 1976, Chapter 186; and Sections 147.11; 150A.11, Subdivision 2; 151.28; 270.41; 270.42; 270.43; 341.09; 386.61, Subdivision 3; and 386.63."

Mr. Olhott requested division of the amendment as follows:

First portion:

The stricken language "of good moral character" where it appears.

Second portion:

The remainder of the amendment.

The question was taken on the adoption of the first portion. The motion prevailed. So the first portion of the Schaaf amendment was adopted.

Mr. Lewis requested that Section 79 be divided out.

The question was taken on the adoption of the second portion of the Schaaf amendment, excluding Section 79.

The roll was called, and there were yeas 28 and nays 22, as follows:

Those who voted in the affirmative were:

Benedict	Gearty	Knoll	Pillsbury	Strand
Borden	Hanson	Luther	Schaaf	Stumpf
Chenoweth	Hughes	McCutcheon	Solon	Ulland, J.
Chmielewski	Jensen	Merriam	Spear	Wegener
Dieterich	Keefe, S.	Nichols	Staples	
Dunn	Kirchner	Olhoft	Stokowski	

Those who voted in the negative were:

Ashbach	Frederick	Knutson	Olson	Setzepfandt
Bang	Gunderson	Laufenburger	Penny	Sieloff
Bernhagen	Johnson	Lewis	Renneke	Tennessen
Brataas	Kleinbaum	Menning	Schmitz	Ueland, A.
Engler	Knaak			

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

The question was taken on the adoption of Section 79 of the Schaaf amendment. The motion did not prevail.

H. F. No. 1863 was then progressed.

SUSPENSION OF RULES

Mr. Moe moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 2137 and that the rules of the Senate be so far suspended as to give H. F. No. 2137, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

SPECIAL ORDER

H. F. No. 2137: A bill for an act relating to natural resources; concerning water resources; revising certain provisions concerning dams, reservoirs, control structures, and waterway obstructions; prescribing certain fees to finance safety examinations relating to such projects; appropriating money; amending Minnesota Statutes 1976, Sections 105.42, Subdivision 2; 105.482, Subdivisions 1 and 2; 105.52; 105.53; and Minnesota Statutes, 1977 Supplement, Section 105.44, Subdivision 10.

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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kleinbaum	Nichols	Staples
Benedict	Gearty	Knaak	Penny	Stokowski
Bernhagen	Gunderson	Knutson	Pillsbury	Strand
Brataas	Hanson	Laufenburger	Purfeerst	Stumpf
Chenoweth	Hughes	Lewis	Renneke	Ueland, A.
Chmielewski	Jensen	Luther	Schaaf	Ulland, J.
Coleman	Johnson	McCutcheon	Schmitz	Vega
Dieterich	Keefe, J.	Menning	Setzepfandt	Wegener
Dunn	Keefe, S.	Merriam	Sieloff	Willet
Engler	Kirchner	Moe	Spear	

So the bill passed and its title was agreed to.

The question recurred on H. F. No. 2292.

SPECIAL ORDER

H. F. No. 2292: A bill for an act relating to cities; establishing requirements for financial statements, reports and audits; providing a time limit for submissions of certain reports to the state auditor; providing for enforcement of reporting requirements; appropriating money; amending Minnesota Statutes 1976, Chapter 471, by adding sections; repealing Minnesota Statutes 1976, Sections 412.281 and 412.291.

Mr. Dunn moved to amend H. F. No. 2292 as follows:

Page 2, line 9, after "year" insert "*and publish a summary of the report, in a form as prescribed by the state auditor, in a newspaper in the city or, if there be none, post copies in three of the most public places in the city*"

The motion prevailed. So the amendment was adopted.

Mr. Dunn then moved to amend H. F. No. 2292 as follows:

Page 3, line 19, strike "*or a summary thereof in*"

Page 3, line 20, strike "*such form as the state auditor may prescribe*"

Page 3, line 25, after "statement" strike "*or a summary thereof in such form as the state*"

Page 3, line 26, strike "*auditor may prescribe*"

The motion prevailed. So the amendment was adopted.

H. F. No. 2292 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 24 and nays 27, as follows:

Those who voted in the affirmative were:

Ashbach	Gerty	Knoll	Pillsbury	Stumpf
Brataas	Gunderson	Lewis	Schaaf	Tennessen
Coleman	Hughes	McCutcheon	Spear	Ulland, J.
Dieterich	Keefe, S.	Moe	Staples	Vega
Dunn	Kleinbaum	Nichols	Stokowski	

Those who voted in the negative were:

Bang	Hanson	Laufenburger	Purfeerst	Ueland, A.
Benedict	Jensen	Lessard	Renneke	Wegener
Bernhagen	Johnson	Luther	Schmitz	Willet
Chmielewski	Keefe, J.	Menning	Setzepfandt	
Engler	Kirchner	Merriam	Solon	
Frederick	Knaak	Penny	Strand	

So the bill, as amended, failed to pass.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to revert to the Order of Business of Messages From the House and First Reading of House Bills. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1943.

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

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

Nelson, Anderson, G. and Heinitz have been appointed as such committee on the part of the House.

House File No. 1943 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 20, 1978

Mr. Keefe, S. moved that the Senate accede to the request of the House for a Conference Committee on H. 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 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. 1950.

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

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

Berkelman, Swanson and Wigley have been appointed as such committee on the part of the House.

House File No. 1950 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 20, 1978

Mr. Strand moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1950, 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 Files, herewith returned:

S. F. Nos. 1611 and 1849.

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

Mr. President:

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

H. F. Nos. 205, 1869, 2033, 2160, 2170, 2238, 2265, 2104.

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

FIRST READING OF HOUSE BILLS

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

H. F. No. 205: A bill for an act relating to welfare; providing for personal allowances to disabled persons in care facilities; amending Minnesota Statutes 1976, Section 256B.36.

Referred to the Committee on Finance.

H. F. No. 1869: A bill for an act relating to public health; authorizing the contractual provision of statutorily prescribed public health services by the commissioner of health; modifying the definition of child in the maternal and child nutrition act; increasing the commissioner's rule-making authority regarding children's camps; expanding scope of functions that may be performed by local health agencies; providing injunctive relief for the commissioner of health; amending Minnesota Statutes 1976; Sections 144.73; 144.74; 144.76; 145.031, Subdivision 1; 145.55, Subdivision 1; 145.892; 145.893; 145.918, Subdivision 2; and Chapter 144, by adding a section; repealing Minnesota Statutes 1976, Sections 12.56; 12.57; and 144.146, Subdivision 2.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 2077 now on Special Orders.

H. F. No. 2033: A bill for an act relating to welfare; Title XX funds for social services; establishing a formula for allocating Title XX funds to counties; appropriating money.

Referred to the Committee on Finance.

H. F. No. 2160: A bill for an act relating to retirement; various retirement funds; placing a general limitation on public retirement annuities, requiring a study and report; defining a term for purposes of the correctional employees plan; providing a proportionate annuity in certain instances; repealing a limitation on the average salary used for computing annuities; prospective discontinuation of the variable annuity program; modification in early retirement ages and reduction factors; increase in certain employee contributions; amending Minnesota Statutes 1976, Sections 352.116, Subdivision 1; 352.91, Subdivision 2; 353.30, Subdivisions 1 and 1b; 354.42, Subdivision 2; 354.44, Subdivisions 1, 6 and 7; 354.62, Subdivisions 1 and 2; and 354A.12; Chapters 354, by adding a section; and 356, by adding a section; and Minnesota Statutes, 1977 Supplement, Section 422A.32, Subdivision 2; repealing Minnesota Statutes 1976, Section 356.34, as amended.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1976 now on Special Orders.

H. F. No. 2170: A bill for an act relating to education; higher education coordinating board; providing for a statewide career guidance program; appropriating money.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1933 now on Special Orders.

H. F. No. 2238: A bill for an act relating to public welfare; adjusting eligibility requirements for medical assistance benefits; authorizing the commissioner of public welfare to seek a waiver from federal regulations; amending Minnesota Statutes 1976, Section 256B.07; and Minnesota Statutes, 1977 Supplement, Section 256B.06, Subdivision 1.

Referred to the Committee on Finance.

H. F. No. 2265: A bill for an act relating to Independent School District No. 256 (Red Wing); appropriating money.

Referred to the Committee on Finance.

H. F. No. 2104: A bill for an act relating to the state fire marshal, concerning the uniform fire code; providing for fee, fines and penalties; appropriating money; amending Minnesota Statutes 1976, Sections 299F.011; 299F.04, Subdivision 2, and by adding a subdivision; 299F.05; 299F.06, Subdivision 1; 299F.41, Subdivision 4; 299F.42; 299F.43, Subdivision 1; 299F.44; 299F.46; 299H.23; 299H.25; 299H.26; 299H.27; 299H.28; 299I.22; 299I.24; and Chapters 299F; 299H; and 299I, by adding sections; and Minnesota Statutes, 1977 Supplement, Section 299F.362, Subdivision 6; repealing Minnesota Statutes 1976, Sections 299F.33; 299F.39; 299G.01 to 299G.08; 299H.03 to 299H.21; 299I.01, Subdivisions 6, 7, 8 and 9; 299I.09; and 299I.11 to 299I.19.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 1924 now on General Orders.

RECONSIDERATION

Mr. Keefe, S. moved that the vote whereby H. F. No. 600 failed to pass the Senate on March 20, 1978, be now reconsidered. The motion prevailed.

Mr. Keefe, S. moved that H. F. No. 600 be placed at the top of Special Orders Calendar. The motion prevailed.

RECONSIDERATION

Mr. Olhoft moved that the vote whereby H. F. No. 551 was passed by the Senate on March 20, 1978, be now reconsidered. The motion prevailed.

Mr. Olhoft moved that H. F. No. 551 be placed at the top of the Special Orders Calendar. The motion prevailed.

MEMBERS EXCUSED

Mr. Nelson was excused from the Session of today at 3:30 o'clock p.m.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 11:15 o'clock a.m., Tuesday, March 21, 1978. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate