

EIGHTEENTH DAY

St. Paul, Minnesota, Monday, February 19, 1979

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

CALL OF THE SENATE

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

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

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

Prayer was offered by the Chaplain, Rev. Dr. Carl L. Manfred.

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

Ashbach	Gunderson	Laufenburger	Penny	Sillers
Bang	Hanson	Lessard	Perpich	Solon
Benedict	Hughes	Lewis	Peterson	Spear
Brataas	Humphrey	Luther	Pillsbury	Staples
Chenoweth	Jensen	McCutcheon	Purfeerst	Stokowski
Chmielewski	Johnson	Menning	Renneke	Strand
Coleman	Keefe, J.	Merriam	Rued	Stumpf
Davies	Keefe, S.	Moe	Schaaf	Tennessee
Dieterich	Kirchner	Nelson	Schmitz	Ueland, A.
Dunn	Kleinbaum	Nichols	Schrom	Vega
Engler	Knaak	Ogdahl	Setzepfandt	Wegener
Frederick	Knoll	Olhoff	Sieloff	Willet
Garty	Knutson	Olson	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. Anderson and Bernhagen were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Chmielewski, Dunn, Lessard, Olson and Hughes introduced—

S. F. No. 533: A bill for an act relating to education; granting preference to certain veterans on waiting lists at post-secondary vocational-technical schools; amending Minnesota Statutes 1978, Section 124.565, by adding a subdivision.

Referred to the Committee on Veterans' Affairs.

Messrs. Chmielewski, Dunn, Lessard, Moe and Olson introduced—

S. F. No. 534: A bill for an act relating to veterans; honoring Vietnam veterans by certain flag displays; amending Minnesota Statutes 1978, Chapter 196, by adding a section.

Referred to the Committee on Veterans' Affairs.

Messrs. Chmielewski, Engler, Wegener, Renneke and Setzpfandt introduced—

S. F. No. 535: A bill for an act relating to aeronautics; providing a referendum on certain airport locations; amending Minnesota Statutes 1978, Section 360.032, by adding a subdivision.

Referred to the Committee on Local Government.

Mrs. Staples, Mr. Nelson, Mrs. Brataas, Messrs. Stokowski and Ogdahl introduced—

S. F. No. 536: A bill for an act relating to private and public pensions; requiring notice be given by employer to an employee's spouse of certain pension options; amending Minnesota Statutes 1978, Chapters 181B, by adding a section; and 356, by adding a section.

Referred to the Committee on Governmental Operations.

Mr. Lessard introduced—

S. F. No. 537: A bill for an act relating to retirement; authorizing purchase of allowable service credit by a certain member of the public employees retirement association.

Referred to the Committee on Governmental Operations.

Mr. Lessard introduced—

S. F. No. 538: A bill for an act relating to state lands; authorizing the lease of certain state lands in Itasca County for use by the Itasca Ski and Outing Club, Inc.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Vega, Olhoft, Solon and Hanson introduced—

S. F. No. 539: A bill for an act relating to taxation; providing for annual adjustments of individual income tax brackets according to rate of change in the cost of living index; amending Minnesota Statutes 1978, Section 290.06, Subdivision 2c, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mr. Nichols introduced—

S. F. No. 540: A bill for an act relating to taxation; income tax; reducing tax rate for certain corporations moving to Minnesota; amending Minnesota Statutes 1978, Section 290.06, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Staples, Messrs. Knoll, Moe, Gunderson and Keefe, J. introduced—

S. F. No. 541: A bill for an act relating to the aging; appropriating funds to the department of public welfare for a certain volunteer program.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Anderson introduced—

S. F. No. 542: A bill for an act relating to taxation; property tax; reducing the assessment ratio of certain residential real estate; amending Minnesota Statutes 1978, Section 273.13, Subdivision 19.

Referred to the Committee on Taxes and Tax Laws.

Mr. Anderson introduced—

S. F. No. 543: A bill for an act relating to taxation; property tax; increasing the percentage of valuation used in the assessment of certain structures financed by the farmers home administration; amending Minnesota Statutes 1978, Section 273.13, Subdivision 17b.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Anderson and Sillers introduced—

S. F. No. 544: A bill for an act relating to tax delinquent real estate; requiring notice to the commissioner of natural resources of forfeiture and sale of tax delinquent real estate; clarifying ownership of certain tax forfeited real estate; amending Minnesota Statutes 1978, Sections 281.23, Subdivision 8; 281.25; and 282.01, Subdivisions 1 and 3.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Schaaf introduced—

S. F. No. 545: A bill for an act relating to intoxicating liquor; authorizing the city of Spring Lake Park to issue an on-sale intoxicating liquor license to a club in existence for less than 15 years.

Referred to the Committee on Commerce.

Mr. Schaaf introduced—

S. F. No. 546: A bill for an act relating to intoxicating liquor; allowing clubs affiliated with national organizations in existence for at least 15 years to obtain on-sale intoxicating liquor licenses; amending Minnesota Statutes 1978, Section 340.11, Subdivision 11.

Referred to the Committee on Commerce.

Messrs. Olson, Hanson, Moe, Setzepfandt and Nichols introduced—

S. F. No. 547: A bill for an act relating to taxation; sales tax; exempting farm machinery; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Moe introduced—

S. F. No. 548: A bill for an act relating to appropriations; converting certain open appropriations for retirement to direct appropriations; abolishing other open appropriations for retirement; appropriating money; amending Minnesota Statutes 1978, Sections 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 136.81, Subdivision 1; 352.04, Subdivision 5; 352.73, Subdivision 3; 352B.25; 352C.04, Subdivision 3; 352C.09, Subdivision 2; 353.83; 354.55, Subdivision 5; 354A.12; 355.46, Subdivision 3; 355.50; 490.123, Subdivision 1; Chapter 16A, by adding a section; repealing Minnesota Statutes 1978, Sections 3A.11, Subdivision 3; 352.73, Subdivision 4; 354.43, Subdivision 2; and 490.025, Subdivision 8.

Referred to the Committee on Finance.

Messrs. Wegener, Schmitz, Olhofft and Ueland, A. introduced—

S. F. No. 549: A bill for an act relating to local government; requiring additional local participation in consolidation procedures; amending Minnesota Statutes 1978, Section 414.041.

Referred to the Committee on Local Government.

Mr. Keefe, S. introduced—

S. F. No. 550: A bill for an act relating to elections; regulating campaign financing; increasing certain expenditure limits; amending Minnesota Statutes 1978, Section 10A.25, Subdivision 2.

Referred to the Committee on Elections.

Messrs. Olson, Dunn, Wegener, Setzepfandt and Anderson introduced—

S. F. No. 551: A bill for an act relating to peace officers; providing for certification of part time peace officers; providing for a change in the composition of the peace officer standards and training board; establishing minimum standards of conduct for peace officers; authorizing only licensed or certified peace officers to carry deadly weapons; authorizing the peace officer standards and training board to prepare and distribute a model code of peace officer standards of conduct for adoption by employers of peace officers; amending Minnesota Statutes 1978, Sections 624.714, Subdivision 1; 626.84; 626.841; 626.843, Subdivisions 1 and 3; 626.845, Subdivision 1; 626.846, Subdivisions 1, 1a and 2; and 626.848.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Anderson, Bernhagen, Strand, Knutson and Merriam introduced—

S. F. No. 552: A bill for an act relating to human rights; requiring the commissioner of human rights to follow certain procedures in an investigation of allegations of unfair discriminatory practices; amending Minnesota Statutes 1978, Section 363.06, Subdivision 4.

Referred to the Committee on Judiciary.

Mr. Benedict introduced—

S. F. No. 553: A bill for an act relating to the operation of state government; proposing a constitutional amendment on initiative and referendum.

Referred to the Committee on Judiciary.

Messrs. Vega, Moe, Olhoff, Chenoweth and Ashbach introduced—

S. F. No. 554: A bill for an act relating to the operation of state government; requiring zero-based budgeting by selected departments.

Referred to the Committee on Governmental Operations.

Messrs. Knoll, Peterson, Ashbach, Kirchner and McCutcheon introduced—

S. F. No. 555: A bill for an act relating to public contracts; providing for progress payments; authorizing alternative means of securing full performance; amending Minnesota Statutes 1978, Sections 162.04; and 162.10.

Referred to the Committee on Governmental Operations.

Messrs. Menning, Rued, Setzepfandt and Gunderson introduced—

S. F. No. 556: A bill for an act relating to taxation; exempting certain homemade vehicles from the motor vehicle excise tax; amending Minnesota Statutes 1978, Sections 297B.01, Subdivision 8; and 297B.03.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Davies, Sieloff and McCutcheon introduced—

S. F. No. 557: A bill for an act relating to statutes; providing that selected statutes shall be subject to judicial modification as is common law; amending Minnesota Statutes 1978, Chapter 645, by adding a section.

Referred to the Committee on Judiciary.

Messrs. Davies, Jensen and Sikorski introduced—

S. F. No. 558: A bill for an act relating to creditor's remedies; defining property exempt from legal process; amending Minnesota Statutes 1978, Section 550.37.

Referred to the Committee on Judiciary.

Messrs. Olson, Engler, Menning, Chmielewski and Olhoff introduced—

S. F. No. 559: A bill for an act relating to game and fish; authorizing minors to take fish without a license; amending Minnesota Statutes 1978, Section 98.47, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Keefe, S.; Hughes; Vega; Lewis and Knoll introduced—

S. F. No. 560: A bill for an act relating to education; establishing a scholarship program for financially disadvantaged students; appropriating money; amending Minnesota Statutes 1978, Chapter 124, by adding a section.

Referred to the Committee on Education.

Messrs. Hughes, Chmielewski, Spear, Frederick and Engler introduced—

S. F. No. 561: A bill for an act relating to parking privileges for handicapped persons; defining terms; extending the uses, in relation to parking privileges, of the special license plates issued to physically handicapped persons and clarifying the meaning of unauthorized use of those plates; extending parking privileges to operators of transportation services for physically handicapped persons; recognizing parking certificates, insignia or license plates issued to handicapped persons by other jurisdictions; modifying the criteria for posted signs designating handicapped parking spaces; imposing penalties; amending Minnesota Statutes 1978, Sections 168.021, Subdivisions 3 and 5, and by adding a subdivision; 169.345; and 169.346, Subdivisions 1 and 2.

Referred to the Committee on Transportation.

Mr. Dieterich, Mrs. Staples, Mr. Willet, Mrs. Brataas and Mr. Keefe, S. introduced—

S. F. No. 562: A bill for an act relating to labor; master and apprentice; identifying the ex officio member of the advisory council; authorizing equal opportunity in employment standards; providing for reciprocity recognition of certain programs; changing the terms of apprenticeships; changing the range in apprenticeship committee membership; amending Minnesota Statutes 1978, Sections 178.02, Subdivision 1; 178.03, Subdivision 3, and by adding a subdivision; 178.05, Subdivision 2; and 178.06.

Referred to the Committee on Employment.

Messrs. Stumpf and Dieterich introduced—

S. F. No. 563: A bill for an act relating to civil actions; providing for a mail form answer for complaints in consumer civil actions.

Referred to the Committee on Judiciary.

Messrs. Stumpf and Penny introduced—

S. F. No. 564: A bill for an act relating to education; providing for the licensure of school business officials, chief school business officers and district-wide community education directors; requiring licensed chief school business officers in school districts of a certain

size; appropriating money; amending Minnesota Statutes 1978, Section 121.11, Subdivision 13.

Referred to the Committee on Education.

Messrs. Stumpf and Dieterich introduced—

S. F. No. 565: A bill for an act relating to the city of Saint Paul and county of Ramsey; providing for a division of costs to maintain the joint court house and city hall.

Referred to the Committee on Local Government.

Mr. Stumpf introduced—

S. F. No. 566: A bill for an act relating to pollution; establishing in the pollution control agency a lake restoration and protection program; authorizing the agency to make grants to qualified applicants for lake restoration or protection projects; appropriating money; repealing Minnesota Statutes 1978, Sections 378.45; 378.53; and 378.54.

Referred to the Committee on Agriculture and Natural Resources.

Mrs. Staples, Messrs. Spear, Chmielewski, Gunderson and Ueland, A. introduced—

S. F. No. 567: A bill for an act relating to public buildings; authorizing expenditures for works of art; requiring part of appropriation for building construction be designated for acquisition of works of art; amending Minnesota Statutes 1978, Chapters 16, by adding a section; and 139, by adding a section.

Referred to the Committee on General Legislation and Administrative Rules.

Mrs. Staples, Messrs. Spear, Nelson, Perpich and Mrs. Brataas introduced—

S. F. No. 568: A bill for an act relating to welfare; altering the conditions under which a day care facility will be considered a single family residential use of property for zoning purposes; amending Minnesota Statutes 1978, Section 245.812, Subdivision 3.

Referred to the Committee on Health, Welfare and Corrections.

Mrs. Staples, Messrs. Olson, Dunn, Chmielewski and Olhoff introduced—

S. F. No. 569: A bill for an act relating to the Minnesota historical society; repealing Minnesota Statutes 1978, Section 138.02.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Olhoft, Sillers, Strand, Gunderson and Hughes introduced—

S. F. No. 570: A bill for an act relating to education; allowing certain school districts to receive certain state aids; amending Minnesota Statutes 1978, Section 275.125, Subdivision 2b.

Referred to the Committee on Education.

Messrs. Menning, Rued, Wegener and Schmitz introduced—

S. F. No. 571: A bill for an act relating to education; parents' rights; requiring school boards to furnish parents of pupils access to instructional materials, pupil records and tests; protecting privacy of pupil records.

Referred to the Committee on Education.

Messrs. Bang and Kirchner introduced—

S. F. No. 572: A bill for an act relating to the city of Bloomington; authorizing additional on-sale liquor licenses.

Referred to the Committee on Commerce.

Messrs. Peterson, McCutcheon, Ashbach, Bernhagen and Lesard introduced—

S. F. No. 573: A bill for an act relating to commerce; placing certain restrictions on product liability and related court actions; providing a statute of limitations; allowing installment payments of judgments; providing certain defenses; allowing admission of certain evidence; limiting recovery in certain instances; amending Minnesota Statutes 1978, Section 549.20, by adding a subdivision; repealing Minnesota Statutes 1978, Section 604.02, Subdivision 3.

Referred to the Committee on Judiciary.

Mr. Solon introduced—

S. F. No. 574: A bill for an act relating to taxation; sales; exempting sales of cigarettes by certain corrections institutions; amending Minnesota Statutes 1978, Section 297.02, Subdivision 6.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Olhoft, Lewis, Mrs. Brataas and Mr. Moe introduced—

S. F. No. 575: A bill for an act relating to welfare; establishing a program of subsidies to families caring in the home for certain mentally retarded, autistic and cerebral palsied minor dependents; appropriating money; amending Minnesota Statutes 1978, Chapter 245, by adding a section; repealing Minnesota Statutes 1978, Section 252.27, Subdivision 4.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Schaaf and Merriam introduced—

S. F. No. 576: A bill for an act relating to the metropolitan airports commission; providing compensation to property owners adversely affected by the expansion of certain minor use airports; amending Minnesota Statutes 1978, Sections 473.121, by adding a subdivision; and 473.217, by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. Schaaf and Merriam introduced—

S. F. No. 577: A bill for an act relating to the establishment of local airport zoning authorities; amending Minnesota Statutes 1978, Section 360.063, by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. Schaaf and Merriam introduced—

S. F. No. 578: A bill for an act relating to the metropolitan airports commission; prohibiting the expansion of Anoka county airport.

Referred to the Committee on Transportation.

Mr. Chmielewski introduced—

S. F. No. 579: A bill for an act relating to workers' compensation; requiring employer to provide certain podiatric treatment and orthotics; including certain podiatrists in definition of "physicians"; amending Minnesota Statutes 1978, Section 176.135, Subdivisions 1 and 2a.

Referred to the Committee on Employment.

Mr. Merriam introduced—

S. F. No. 580: A bill for an act relating to education; prohibiting teachers on certain extended leaves of absence from receiving retirement service credit for teaching part of a year; amending Minnesota Statutes 1978, Section 354.091.

Referred to the Committee on Education. Mr. Chenoweth questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Merriam introduced—

S. F. No. 581: A bill for an act relating to education; clarifying tuition charges at the Minnesota school for the deaf and the Minnesota braille and sight saving school; amending Minnesota Statutes 1978, Section 120.17, Subdivision 7a.

Referred to the Committee on Education.

Mr. Benedict introduced—

S. F. No. 582: A bill for an act relating to the operations of the government; proposing an amendment to the Minnesota Constitution, Article IV, by adding a section; reserving to the people the power to propose laws and constitutional amendments to the legislature; and implementing the constitutional amendment; providing a penalty; amending Minnesota Statutes 1978, Sections 3.20; 3.21; 203A.31, Subdivision 2; and 645.02.

Referred to the Committee on Judiciary.

Messrs. Jensen; Keefe, J.; Pillsbury and Knutson introduced—

S. F. No. 583: A bill for an act relating to taxation; income tax; providing for adjustments of tax brackets for individuals, estates, and trusts; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Frederick, Sieloff and Ogdahl introduced—

S. F. No. 584: A bill for an act relating to taxation; changing the income tax rate structure for individuals, estates, and trusts; amending Minnesota Statutes 1978, Section 290.06, Subdivision 2c.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sieloff, Mrs. Knaak, Messrs. Wegener, Engler and Chmielewski introduced—

S. F. No. 585: A bill for an act relating to taxation; income; providing an exclusion of \$10,000 for pension income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Engler, Jensen and Chmielewski introduced—

S. F. No. 586: A bill for an act relating to taxation; inheritance tax, establishing a presumption of contribution by a spouse in property held jointly with the decedent; amending Minnesota Statutes 1978, Section 291.01, Subdivision 4.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bernhagen, Rued and Engler introduced—

S. F. No. 587: A bill for an act relating to taxation; sales and use tax; reducing the tax rate on tractors and machines used in agriculture; amending Minnesota Statutes 1978, Chapter 297A, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Engler, Rued and Chmielewski introduced—

S. F. No. 588: A bill for an act relating to taxation; providing for a senior citizen property tax freeze refund; appropriating money; amending Minnesota Statutes 1978, Sections 290A.15; and 290A.16.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bang, Frederick, Bernhagen and Sieloff introduced—

S. F. No. 589: A bill for an act relating to taxation; income tax; reducing rates applicable to corporations; amending Minnesota Statutes 1978, Section 290.06, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sillers, Knoll, Bang, Anderson and Jensen introduced—

S. F. No. 590: A bill for an act relating to taxation; sales and use tax; providing an exemption for solar energy devices; amending Minnesota Statutes 1978, Chapter 297A, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bernhagen, Rued, Knutson and Ulland, J. introduced—

S. F. No. 591: A bill for an act relating to taxation; income tax; providing a ten percent credit for the cost of certain solar energy systems; appropriating money; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Jensen; Bang; Keefe, J. and Renneke introduced—

S. F. No. 592: A bill for an act relating to taxation; income tax; extending the credit for members of the National Guard to active members of the reserves; amending Minnesota Statutes 1978, Section 290.06, Subdivision 12.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Bernhagen, Sillers, Knoll and Bang introduced—

S. F. No. 593: A bill for an act relating to taxation; inheritance tax; adjusting the homestead exemption by the annual increase in the statewide average market value of homestead property; amending Minnesota Statutes 1978, Section 291.05.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sieloff, Mrs. Knaak, Messrs. Bernhagen and Knoll introduced—

S. F. No. 594: A bill for an act relating to taxation; gift tax; changing rates and credits; amending Minnesota Statutes 1978, Section 292.07, Subdivisions 1 and 5, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Jensen, Renneke, Pillsbury and Ogdahl introduced—

S. F. No. 595: A bill for an act relating to taxation; income tax; increasing credits for certain low income taxpayers; providing an inflation adjustment; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3d.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Jensen; Ueland, A.; Sieloff and Pillsbury introduced—

S. F. No. 596: A bill for an act relating to taxation; increasing income tax credits for certain low income taxpayers; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3d.

Referred to the Committee on Taxes and Tax Laws.

Mr. Merriam introduced—

S. F. No. 597: A bill for an act relating to motor vehicles; requiring an identification number on vehicles used in enforcing highway traffic safety regulations; amending Minnesota Statutes 1978, Section 169.98, Subdivision 1.

Referred to the Committee on Transportation.

Mr. Willet introduced—

S. F. No. 598: A bill for an act relating to the city of Bemidji; authorizing the issuance of bonds authorized at a special election.

Referred to the Committee on Local Government.

Messrs. McCutcheon, Gearty, Coleman, Strand and Ashbach introduced—

S. F. No. 599: A bill for an act proposing an amendment to the Minnesota Constitution, adding a section to Article VII; providing for a popular initiative.

Referred to the Committee on Judiciary.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

January 19, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Finance is hereby respectfully submitted to the Senate for confirmation as required by law:

Wayne Burggraaff, 7145 Park Avenue, Richfield, Hennepin County, has been appointed by me, effective February 12, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Governmental Operations.)

January 23, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Director of the Consumer Services Section, Department of Commerce, is hereby respectfully submitted to the Senate for confirmation as required by law:

Krista Sanda, Route 3, Box 3, Staples, Todd County, has been appointed by me, effective January 29, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Commerce.)

February 5, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of Banks, Department of Commerce, is hereby respectfully submitted to the Senate for confirmation as required by law:

Michael Pint, 10006 Washburn Avenue South, Bloomington, Hennepin County, has been appointed by me, effective February 26, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Commerce.)

Sincerely,

Albert H. Quie, Governor

January 25, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

Pursuant to Minnesota Statutes 1978, I have made the following appointment:

Sec. 3.303 Legislative Coordinating Commission

Messrs. Hanson and Keefe, S.

Respectfully,

Nicholas D. Coleman
Senate Majority Leader

January 25, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

On January 24, 1979, the Subcommittee on Committees met and by appropriate action made the following appointments:

Pursuant to Minnesota Statutes 1978

Sec. 1.34 Advisory Committee to Minnesota-Wisconsin Boundary Area Commission

Messrs. Lewis, Engler, Nichols, Sikorski and Vega

Sec. 121.82 Education Commission of the States

Mr. Hughes

Sec. 1.22 Great Lakes Commission

Messrs. Ulland, J. and Stokowski

Sec. 3.922 Indian Affairs Intertribal Board

Messrs. Chmielewski, Nelson and Sillers

Sec. 3.29 Interstate Cooperation Commission

Messrs. Humphrey, Bang, Knoll, Schaaf and Sillers

Sec. 86.07 Legislative Commission on Minnesota Resources

Messrs. Anderson, Chenoweth, Kirchner, Laufenburger, Moe, Renneke and Willet

Sec. 3.965 Legislative Commission to Review Administrative Rules

Messrs. Coleman; Gunderson; Keefe, J.; Olhoft and Penny

Sec. 3.85 Legislative Commission on Pensions and Retirement

Messrs. Ogdahl, Peterson, Renneke, Stokowski and Strand

Sec. 3.86 Tax Study Commission

Messrs. Davies, Hanson, Jensen, McCutcheon, Merriam, Peterson and Sillers

Sec. 298.22 Iron Range Resources and Rehabilitation Board

Messrs. Dunn, Johnson, Lessard, Perpich and Solon

Sec. 161.1419 Mississippi River Parkway Commission

Messrs. Bernhagen, Kleinbaum and Purfeerst

Sec. 84B.11 Citizens Committee on Voyageurs National Park

Messrs. Jensen and Stumpf

Pursuant to Senate Rule 75 Senate Special Committee on Ethical Conduct

Messrs. Willet, Kirchner, Sieloff and McCutcheon

Respectfully,

Nicholas D. Coleman, Chairman
Subcommittee on Committees

January 24, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

Pursuant to Minnesota Statutes 1978, I have made the following appointments:

Sec. 3.97 Legislative Audit Commission

Messrs. Ashbach, Ogdahl and Pillsbury

Sec. 3.303 Legislative Coordinating Commission

Mr. Ogdahl

Respectfully,

Robert O. Ashbach
Senate Minority Leader

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 107.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 15, 1979

FIRST READING OF HOUSE BILLS

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

H. F. No. 107: A bill for an act relating to constables; exempting certain constables from licensing requirements; amending Minnesota Statutes 1978, Section 367.41, Subdivision 2.

Referred to the Committee on General Legislation and Administrative Rules.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk with the exception of the report on S. F. No. 405, be now adopted. The motion prevailed.

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

S. F. No. 405: A bill for an act relating to transportation; establishing a state policy of coordinating public and private programs providing transportation for elderly, handicapped and others with special transportation needs; establishing an interagency task force on coordination of special transportation programs; authorizing the commissioner of transportation to adopt and enforce operating standards for special transportation services; exempting services that meet standards from other license and permit requirements; directing the establishment of a demonstration project for coordinating special transportation service in the metropolitan area; providing for state assistance for driver training and insurance and establishing accessibility requirements for paratransit projects; authorizing medical assistance reimbursement to qualified public and private nonprofit providers of special transportation service; requiring certain provisions in the medical assistance reimbursement rules of the department of public welfare; amending Minnesota Statutes 1978, Chapter 174, by adding sections; and Sections 256B.02, Subdivision 8; and 256B.04, Subdivision 12.

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

Page 2, line 5, before the period insert "*and who are unable to use regular means of transportation. Special transportation service includes but is not limited to service provided by specially equipped buses, vans, taxis and volunteers driving private automobiles*"

Page 2, line 17, delete "*director*" and insert "*chief administrative officer*"

Page 2, line 25, delete "*may*" and insert "*shall*"

Page 2, line 26, delete "*additional*"

Page 2, line 27, after "*state*" delete "*or*" and insert "*that assist, provide, reimburse or regulate special transportation service and may appoint up to five additional members*"

Page 2, line 28, delete "other" and insert "*the metropolitan council, regional development commissions and*"

Page 2, line 28, delete "agencies" and insert "*and private entities*"

Page 2, line 29, delete "*or develop public transportation*"

Page 2, line 30, delete "*policies*"

Page 2, line 30, delete "*chair*"

Page 2, line 31, delete "*the task force and*"

Page 2, line 31, before the period insert "*for the task force and shall chair or appoint a representative to chair the task force*"

Page 3, line 21, after "*services*" insert "*and educational*"

Page 4, line 24, after "a" and before "*private*" insert "*volunteer driver using a*"

Page 6, line 3, after the period insert "*Not later than November 15, 1979, and*"

Page 6, line 4, after "*rules*" insert "*under this section*"

Page 6, line 5, after "*rules*" insert "*, a plan for enforcing the rules and a proposed budget for the necessary enforcement activities of the department*"

Page 6, line 6, delete "*appropriate*"

Page 6, line 6, after "*committees*" insert "*on transportation in both houses*"

Page 6, line 7, after "*rules*" insert "*, enforcement plan and proposed budget*"

Page 6, line 8, after the period insert "*The commissioner shall adopt the rules necessary to implement this section and commence enforcement of those rules not later than July 1, 1980.*"

Page 7, line 22, delete "*and*" and insert "*. All transportation service provided through the project shall be provided under a contract between the commissioner and the provider which specifies the service to be provided and the rates for providing it. The commissioner*"

Page 7, line 22, delete "*manage*" and insert "*set management policies for*"

Page 7, line 23, after "*management*" insert "*policy*"

Page 7, line 25, delete "*and*" and insert a comma

Page 7, line 25, after "*representative*" insert "*of the metropolitan council and at least two representatives*"

Page 7, line 27, after "*management*" insert "*policy*"

Page 7, line 32, after "*management*" insert "*policy*"

Page 8, line 6, after *"with"* insert *"public and private"*

Page 8, line 13, delete *"an"*

Page 8, line 13, delete *"share"* and insert *"treatment in the allocation"*

Page 8, delete lines 19 to 24

Page 8, line 25, delete *"(h)"* and insert *"(g)"*

Page 8, line 25, delete *"state and local"* and insert *"public"*

Page 8, line 26, after *"of"* delete *"a"*

Page 8, line 27, delete *"service program"* and insert *"services and educational programs to coordinate with the project and"*

Page 9, line 3, after the period, insert *"A recipient of a grant made before the effective date of this section shall coordinate its program with the project as far as practicable but shall not be denied any additional grant for which it is otherwise qualified solely because it is not coordinated with the project."*

Page 9, after line 3, insert:

"Subd. 5. [COMPLIANCE WITH OPERATING STANDARDS.] A vehicle providing special transportation service which is subject to the operating standards adopted pursuant to section 2 shall not be allowed to provide service through the project unless a current certificate of compliance has been issued to the vehicle."

Renumber the subdivisions in sequence

Page 9, after line 25, insert:

"Sec. 4. Minnesota Statutes 1978, Section 174.23, is amended by adding a subdivision to read:

Subd. 6. [DRIVER TRAINING.] The commissioner may make grants to any project eligible for assistance under sections 174.24 to 174.27, except regular route transit systems in metropolitan areas having a population of 50,000 or more for the purpose of training drivers of vehicles operated by the project. The subjects of the training may include safe driving skills, techniques of assisting elderly and handicapped passengers and first aid. The commissioner may also contract with a public or private agency or institution to provide driver training to drivers of vehicles utilized by eligible projects."

Page 9, line 30, before *"Any"* insert *"The commissioner shall require"*

Page 9, line 32, delete *"shall"* and insert *"to"*

Page 10, line 1, before the period insert *"and may require additional accessible vehicles if necessary to serve handicapped individuals expected to use the project. A vehicle is accessible if it is equipped to allow transportation of an individual confined to a wheelchair or using an orthopedic device"*

Page 10, line 4, delete *"by operators of"* and insert *"for"*

Page 10, line 4, delete "*assisted*" and insert "*eligible for assistance*"

Page 10, line 4, delete "*section*" and insert "*sections*"

Page 10, line 5, delete "*or*" and insert "*and*"

Page 10, line 7, delete "*those*"

Page 10, line 8, delete "*operators*" and insert "*projects*"

Page 10, line 13, delete "*operators who*" and insert "*projects that*"

Page 10, line 15, before "*paratransit*" insert "*eligible*"

Page 10, line 15, delete "*operators*" and insert "*projects*"

Page 10, delete lines 17 to 26

Page 13, after line 24, insert:

"Sec. 8. [EFFECTIVE DATE.] *This act is effective the day following final enactment.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 24, after "*Sections*" and before "*256B.02*" insert "*174.23, by adding a subdivision;*"

And when so amended the bill do pass. Mr. Chenoweth questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S. F. No. 225: A bill for an act relating to the city of Richfield; authorizing the issuance of bonds for a certain recreational facility; authorizing the pledge of certain revenues as security therefor.

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

Page 3, after line 11, insert the following:

"Sec. 5. [VOTER APPROVAL.] The city council of the city of Richfield prior to the issuance of any bonds authorized by section 1 shall adopt an initial resolution stating the amount, purpose and, in general, the security to be provided for the bonds; and shall publish the resolution once each week for two consecutive weeks in the official newspaper of the city. The bonds may be issued without the submission of the question of their issuance to the voters of the city unless within 21 days after the second publication of the resolution a petition requesting an election signed by at least eight percent of the registered voters of the city voting in the last general election is filed with the city clerk-treasurer. If a petition is filed, no bonds shall be issued

unless approved by a majority of the voters of the city voting on the question of their issuance at a regular or special election.

Sec. 6. [REVENUE BONDS.] The city of Richfield may also issue and sell its revenue bonds for the purposes specified in section 1 pursuant to Minnesota Statutes 1978, Section 471.191, Subdivision 2, or pursuant to chapter 475, and may pledge to the bondholders for the payment of such bonds any defined portion of the net revenues of its municipal liquor dispensary. Bonds issued pursuant to this section shall be deemed to be payable wholly from the income of a revenue producing convenience within the meaning of Minnesota Statutes 1978, Sections 475.51 and 475.58."

Renumber the sections in sequence.

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

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

S. F. No. 202: A bill for an act relating to health; providing for several types of life support transportation service; providing for health systems agencies to be involved in the licensing process; providing factors to be used in making licensing recommendations; providing for standards for services; forbidding inquiry as to ability to pay before provision of emergency ambulance services; appropriating money; amending Minnesota Statutes 1978, Sections 144.801; 144.802; 144.803; 144.804; 144.805; 144.807, Subdivision 1; 144.808; 144.809 and 144.8091, Subdivision 1.

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

Page 1, line 22, strike "transportation of"

Page 1, line 23, before "ill" insert "life support transportation service to"

Page 3, after line 2, insert:

"Subd. 6. "Licensee" means a natural person, partnership, association, corporation, or unit of government which possesses a life support transportation service license."

Page 3, lines 3 and 4, strike "political subdivision in" and insert "address at"

Page 3, line 15, after "P.L. 93-641" insert ", 42 U.S.C. Section 300h et seq"

Page 3, after line 15, insert:

"Subd. 9. "Primary service area" means the geographic area that can reasonably be served by a life support transportation service.

Subd. 10. "Municipality" means any city of any class, however organized, and any town."

Renumber the subdivisions in sequence

Page 3, line 18, strike "operator shall" and insert "*natural person, partnership, association, corporation or unit of government may*"

Page 3, line 24, strike "location of the"

Page 3, line 25, after "operations" insert "*, primary service area,*"

Page 3, line 26, strike "operator" and insert "*licensee*"

Page 3, line 27, strike "operator" and insert "*licensee*"

Page 3, line 28, after "operation" insert "*, or to expand its primary service area,*"

Page 3, line 28, after "or" and before "provide" insert "*to*"

Page 3, line 29, strike "Licenses shall not be"

Page 3, strike lines 30 to 33

Page 4, strike line 1

Page 4, line 2, strike "is a transfer of ownership."

Page 4, line 2, before "The" insert "*A license, or the ownership of a licensed life support transportation service, may be transferred only after the approval of the commissioner, based upon a finding that the proposed licensee or proposed new owner of a licensed life support transportation service meets or will meet the requirements of section 144.804. If the proposed transfer would result in a change in or addition of a new base of operations, expansion of the service's primary service area, or provision of a new type or types of life support transportation service, the commissioner shall require the prospective licensee or owner to comply with subdivision 3. The commissioner may approve the license or ownership transfer prior to completion of the application process described in subdivision 3 upon obtaining written assurances from the proposed licensee or proposed new owner that no change in the service's base of operations, expansion of the service's primary service area, or provision of a new type or types of life support transportation service will occur during the processing of the application.*"

Page 4, line 7, strike "for" and insert "*authorizing*"

Page 4, line 8, before "life" insert "*new*"

Page 4, line 8, after "service," insert "*provision of*"

Page 4, line 10, after the stricken word "or" insert "*by an existing service*"

Page 4, line 10, after the comma, insert "*or establishment of*"

Page 4, line 10, after "operation" insert "*or an expanded primary service area*"

Page 4, line 11, delete "*or a transfer of ownership of a service*"

Page 4, lines 11 and 12, strike "in the state"

Page 4, line 12, strike "service meets the standards required by" and insert "requirements of"

Page 4, line 17, before the period, insert "are met"

Page 5, line 11, delete "operator that wants" and insert "prospective licensee and each present licensee wishing"

Page 5, line 12, after "service," delete "or" and insert "to"

Page 5, line 13, after "operation" insert ", or to expand a primary service area,"

Page 5, line 16, after "notice of the" insert "completed"

Page 5, lines 17 and 18, delete "or services" and insert "agency or agencies"

Page 5, line 18, delete "each city" and insert "and each municipality"

Page 5, lines 18 and 19, delete ", and other licensed health service providers"

Page 5, line 19, delete "for" and insert "in"

Page 5, lines 23, 24, 25, and 28, delete "city" and insert "municipality"

Page 5, lines 28 and 29, delete "other licensed health service provider,"

Page 5, lines 29 and 30, delete "which wants" and insert "wishing"

Page 5, line 30, after "concerning" insert "the disposition of"

Page 5, line 32, delete "receiving" and insert "the publication of"

Page 6, line 2, after "hearing" insert "in the municipality in which the service's base of operations is or will be located"

Page 6, line 8, after "counsel," insert "and"

Page 6, lines 9 and 10, delete ", and to confront and cross-examine opposing witnesses"

Page 6, lines 12 and 13, delete ", if the transcript is requested at least three days prior to the hearing"

Page 6, line 18, after "recommendations" insert "as to its disposition"

Page 6, line 19, after "making" insert "the"

Page 6, line 21, delete "on" and insert "as to whether the proposed service, change in base of operations, or expansion in primary service area is needed, based on consideration of"

Page 6, line 23, delete "or new" and insert ", change in"

Page 6, line 24, delete "operation" and insert "operations or expansion in primary service area"

Page 6, line 27, delete "*cities*" and insert "*municipalities*"

Page 6, lines 32 and 33, and Page 7, line 1, delete clause (4)

Page 7, line 2, delete "(5)" and insert "(4)"

Page 7, lines 2 and 3, delete "*or new*" and insert "*, change in*"

Page 7, line 3, after "*operation*" insert "*or expansion in primary service area*"

Page 7, after line 3, insert:

"(5) Whether any benefit accruing to the public health would outweigh the costs associated with the proposed service, change in base of operations, or expansion in primary service area."

Page 7, line 4, delete "*either*"

Page 7, line 5, delete "*issue or refuse to issue*" and insert "*either grant or deny*"

Page 7, lines 6 and 7, delete "*the proposed service be modified*" and insert "*a modified license be granted*"

Page 7, line 16, after "*application,*" insert "*any hearing record and*"

Page 7, line 17, at the beginning of the line, delete "*the*" and insert "*any*" and after "*benefit*" insert "*accruing*"

Page 7, line 17, after "*health*" delete "*of*" and insert "*would outweigh the costs associated with*"

Page 7, line 18, delete "*new*" and insert "*change in*"

Page 7, lines 18 and 19, delete "*operation, or transfer of ownership would exceed its cost*" and insert "*operations, or expansion in primary service area*"

Page 7, line 33, strike "*an operator*" and insert "*a licensee*"

Page 8, line 10, after "*unless*" strike "*the*" and insert "*its*"

Page 8, line 11, after "*course and*" insert "*each*"

Page 8, line 12, strike "*possess a current*" and insert "*possesses an appropriate*"

Page 8, line 13, strike "*certificate*"

Page 8, line 16, before the period, insert "*credential issued by the commissioner*"

Page 8, lines 17 and 18, delete "*possessing a current advanced American Red Cross first aid certificate*"

Page 8, line 19, delete "*certificate*" and insert "*credential*"

Page 8, line 20, after "*9*" insert "*if he: possesses a current advanced American Red Cross first aid certificate; or has successfully completed a basic emergency care course, and has successfully completed a refresher course at intervals of two years from the date of completing the basic emergency care course*"

Page 8, line 20, after the period, insert *"A person who has served as a life support transportation service driver or attendant in compliance with applicable laws and regulations governing that service for ten consecutive years immediately before the effective date of sections 1 to 10, excluding vacation and short-term sick leave, is exempt from the requirements of this subdivision."*

Page 9, line 1, after the first "and" insert *"each vehicle while in operation"*

Page 9, line 15, after "services" insert *"if this need develops in the licensee's primary service area"*

Page 10, line 12, delete "January" and insert "April"

Page 10, line 15, delete "services" and insert *"types of life support transportation service"*

Page 10, line 16, after "have" insert *"appropriate"*

Page 10, line 17, after "personnel," insert *"vehicles and"*

Page 10, line 17, delete "sanitation" and insert *"be maintained in a sanitary condition so as"*

Page 10, line 19, delete *"the patient"* and insert *"patients"*

Page 10, line 21, delete "an"

Page 10, line 21, delete *"situation"* and insert *"situations"*

Page 10, line 22, delete *"the patient"* and insert *"patients"*

Page 10, line 22, delete "a" and insert *"an appropriate"*

Page 10, line 23, delete *"appropriate"*

Page 10, line 25, delete *"equipment and personnel"* and insert *"appropriate personnel, vehicles and equipment, and be maintained in a sanitary condition so as"*

Page 10, line 29, delete clause (c) and reletter the clauses in sequence

Page 10, line 31, delete *"between health care facilities"*

Page 11, line 17, after "services." insert *"Local units of government intending to impose additional requirements shall consider whether any benefit accruing to the public health would outweigh the costs associated with the additional requirements."*

Page 12, after line 1, insert:

"Subd. 6. The commissioner shall promulgate as rules standards particularizing the definition of primary service area under section 1, subdivision 9, under which the commissioner shall designate each licensed life support transportation service as serving a primary service area or areas."

Page 13, line 25, after "\$210" insert *"for successful completion of a basic course, and \$70 for successful completion of a continuing education course"*

Page 13, after line 25, insert:

"Sec. 10. [144.8092] [MUNICIPALITIES OF LESS THAN 5,000 EXEMPT.] *A municipality of less than 5,000 population which operates or proposes to operate a life support transportation service is not required to comply with sections 1 to 10 if it has appropriate personnel, vehicles and equipment maintained in a sanitary condition to ensure that life-threatening situations and potentially serious injuries can be recognized and that patients will be protected from additional hazards before and during transportation to an appropriate medical facility for treatment."*

Page 13, delete section 10 and insert:

"Sec. 11. [REDESIGNATION OF EMERGENCY AMBULANCE SERVICES; TEMPORARY CONTINUATION OF EXISTING STANDARDS.] *Each entity licensed as an emergency ambulance service on the effective date of sections 1 to 11 is hereby redesignated as a life support transportation service. Until the commissioner promulgates standards pursuant to section 4, the standards promulgated under Laws 1977, Chapter 37, Section 4, for emergency ambulance services shall apply to all life support transportation services."*

Page 13, after line 30, insert:

"Sec. 12. [REIMBURSEMENT FOR NON-EMERGENCY TRANSPORTATION.] *The commissioner of public welfare shall by rule establish a method of reimbursement under the medical assistance program, Minnesota Statutes 1978, Sections 256B.01 to 256B.40, to non-emergency medical transportation providers which shall consist of a base rate for single riders and a percentage of that base rate for each additional rider when more than one is transported plus an allowable mileage charge which shall be charged only once regardless of the number of persons transported.*

Sec. 13. *Upon approval by the governing body of the city of Duluth, any life support transportation service that:*

(1) Operated continuously in that city under a valid license for a three year period between June 1, 1975 and the effective date of this act;

(2) Complies with the standards required by section 4, subdivision 3; and

(3) Proposes to offer life support transportation service in Duluth which will meet the requirements of sections 1 to 10; shall be granted a license.

Sec. 14. *Section 13 of this act shall be effective upon the approval of the governing body of the city of Duluth and upon compliance with Minnesota Statutes 1978, Section 645.021, and shall expire one year from the effective date of sections 1 to 11."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 8 and 9, delete "emergency ambulance" and insert "life support transportation"

Page 1, line 9, after "services;" insert "requiring rules for non-emergency transportation reimbursement under medical assistance; exempting certain providers;"

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

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

S. F. No. 160: A bill for an act relating to juveniles; concerning foster care; extending county cost of care payment provisions; amending Minnesota Statutes 1978, Sections 260.251, Subdivisions 1 and 1a; and 261.27.

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

Page 1, line 18, strike "section 260.175, clauses (a), (b), or (c)" and insert "*section 260.185, subdivision 1, clause (c), paragraphs (1), (2), (3), and (4) and section 260.191, subdivision 1, clause (b)*"

Page 2, line 4, after "parent" insert "*and unless the child is a ward of the state or is severely mentally retarded*"

Page 4, after line 28, insert:

"Sec. 4. [APPROPRIATION.] \$..... is appropriated from the general fund to the commissioner of public welfare for the purposes of sections 1 to 3 for the biennium ending June 30, 1981."

Amend the title as follows:

Page 1, line 3, after "provisions;" insert "appropriating money;"

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

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

S. F. No. 266: A bill for an act relating to public welfare; child care services; defining a sliding fee schedule payment plan for child care; appropriating money; amending Minnesota Statutes 1978, Section 245.84, Subdivision 2.

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

Page 2, line 11, after "commissioner" insert " *, according to criteria which the commissioner shall establish,*"

Page 2, lines 15 and 16, delete "*considered to be above the maximum allowable for fully subsidized child care*" and insert "*specified in clause (a) of the preceding paragraph for determining eligibility*"

Page 2, line 17, after "for" insert "*federal and state*"

Page 2, line 18, after "according to" insert "*federal and state*"

Page 2, line 18, after "*standardized*" insert "*tax*"

Page 2, after line 22, insert:

"In each case where the grantee charges a fee that is less than the fee set by the commissioner for the same service, the state's payment shall be limited to the difference between the fee set by the commissioner and the charge for care."

Page 2, line 28, after "*charge*" insert "*for like care arrangements in the geographic area*"

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

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

S. F. No. 307: A bill for an act relating to health; permitting placement of pets with certain individuals in certain institutions; amending Minnesota Statutes 1978, Chapters 144A, by adding a section; and 343, by adding a section.

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

Page 1, line 10, delete "**AND BOARDING CARE**"

Page 1, line 11, delete "*Residents of*" and delete "*and boarding care homes*"

Page 1, line 13, after "*care*" insert "*, type*"

Page 1, lines 13 and 14, delete "*Dangerous pets shall not be permitted.*"

Page 1, after line 14, insert:

"Sec. 2. Minnesota Statutes 1978, Chapter 144, is amended by adding a section to read:

[144.573] [PETS IN CERTAIN INSTITUTIONS.] *Facilities for the institutional care of human beings licensed under Minnesota Statutes 1978, Section 144.50, may keep pet animals on the premises subject to reasonable rules as to the care and maintenance of the pet."*

Page 1, lines 17 and 18, delete "*and county humane societies*"

Page 1, line 19, after "*persons*" insert "*, including foster children and senior citizens,*"

Page 1, line 20, delete "*, including foster children and senior citizens*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "*with certain individuals*"

Page 1, after line 3, insert "requiring placement efforts by the Minnesota humane society;"

Page 1, line 4, after "Chapters" insert "144, by adding a section;"

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

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 219, 198, 81, 254, 87, 231 and 59 makes the following report:

That the above Senate Files be placed on the General Orders Calendar in the order indicated.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 225 and 307 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Nichols moved that S. F. No. 4 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Energy and Housing. The motion prevailed.

Mr. Luther moved that the names of Messrs. Spear, Sikorski and Benedict be added as co-authors to S. F. No. 286. The motion prevailed.

Mr. Olhofft moved that the name of Mr. Solon be added as co-author to S. F. No. 501. The motion prevailed.

Mr. McCutcheon moved that the name of Mr. Nichols be added as co-author to S. F. No. 508. The motion prevailed.

Mr. Frederick moved that the name of Mr. Dunn be added as co-author to S. F. No. 584. The motion prevailed.

Mr. McCutcheon moved that S. F. No. 591 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Energy and Housing. The motion prevailed.

Mr. McCutcheon moved that S. F. No. 590 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Energy and Housing. The motion prevailed.

Mr. Jensen moved that the name of Mr. Lessard be added as co-author to S. F. No. 592. The motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that a Memorial Service for deceased Senators be made a Special Order of business for immediate consideration. The motion prevailed. So the rules were suspended.

MEMORIAL SERVICE

Pursuant to rules suspension passed under Motions and Resolutions, the Senate proceeded with a Memorial Service for deceased Senators:

The Honorable Llewellyn "Lew" Larson

The Honorable Ralph L. Mayhood

The Honorable Elmer Peterson

The Honorable Donald Sinclair

The Honorable John L. Richardson

A MEMORIAL PRAYER

Offered by Rev. Dr. Carl L. Manfred

Senate of the State of Minnesota

February 19, 1979

We pause for this moment to honor the memory of the five members of this assembly who departed this life during the past year. As we do so, we give thanks for them—for their comradeship in common tasks—for their service to this body—and for their dedication to the people of this State. Let us pray.

Our Father, for every remembrance of these friends and colleagues who have gone before us, we give you thanks, We know that in their service of your people they were also serving you.

We praise you for lives touched by their lives in their homes and families, in their communities, in their congregations, and in their service to this State.

Bless and befriend their loved ones. Minister to their sorrowing spirits with your loving presence and promise. Grant them comfort, and a strength beyond their own. Enable them to claim by faith the assurance that "the eternal God is their refuge and underneath are the everlasting arms." In the Name of our Lord. Amen.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Memorial Prayer be printed in the Journal and that the Secretary of the Senate transmit a formal copy of this Memorial Prayer to the widows of the deceased Senators or their next of kin. The motion prevailed.

CALENDAR

S. F. No. 68: A bill for an act relating to statutes; defining terms; amending Minnesota Statutes 1978, Section 645.44.

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 56 and nays 6, as follows:

Those who voted in the affirmative were:

Bang	Hughes	Lessard	Perpich	Staples
Benedict	Humphrey	Lewis	Pillsbury	Stokowski
Brataas	Jensen	Luther	Purfeerst	Strand
Chenoweth	Johnson	McCutcheon	Rued	Stumpf
Coleman	Keefe, J.	Merriam	Schaaf	Tennessee
Davies	Keefe, S.	Moe	Schmitz	Ueland, A.
Dieterich	Kirchner	Nelson	Setzepfandt	Vega
Dunn	Kleinbaum	Nichols	Sieloff	Wegener
Frederick	Knaak	Ogdahl	Sikorski	
Gearty	Knoll	Olhoft	Sillers	
Gunderson	Knutson	Olson	Solon	
Hanson	Laufenburger	Penny	Spear	

Those who voted in the negative were:

Chmielewski	Peterson	Renneke	Schrom	Willet
Menning				

So the bill passed and its title was agreed to.

S. F. No. 138: A bill for an act relating to civil actions; providing for authority for attorney to bind his client and execute a satisfaction of judgment; amending Minnesota Statutes 1978, Sections 481.08 and 548.15.

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 55 and nays 9, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knoll	Olson	Sikorski
Bang	Hanson	Knutson	Penny	Sillers
Benedict	Hughes	Lessard	Perpich	Solon
Brataas	Humphrey	Lewis	Pillsbury	Spear
Chmielewski	Jensen	Menning	Purfeerst	Staples
Coleman	Johnson	Merriam	Renneke	Stokowski
Davies	Keefe, J.	Moe	Rued	Stumpf
Dieterich	Keefe, S.	Nelson	Schaaf	Tennessee
Dunn	Kirchner	Nichols	Schmitz	Ueland, A.
Engler	Kleinbaum	Ogdahl	Setzepfandt	Vega
Frederick	Knaak	Olhoft	Sieloff	Wegener

Those who voted in the negative were:

Chenoweth	Laufenburger	McCutcheon	Schrom	Willet
Gunderson	Luther	Peterson	Strand	

So the bill passed and its title was agreed to.

S. F. No. 66: A bill for an act relating to statutes; providing a general reference for statutes that change dollar amounts to conform to price changes; amending Minnesota Statutes 1978, Chapter 645, 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 39 and nays 25, as follows:

Those who voted in the affirmative were:

Coleman	Jensen	Moe	Schaaf	Stokowski
Davies	Johnson	Nelson	Schmitz	Strand
Dieterich	Keefe, S.	Olhoff	Setzepfandt	Stumpf
Dunn	Kirchner	Penny	Sieloff	Tennessee
Engler	Kleinbaum	Perpich	Sikorski	Vega
Gearty	Lewis	Peterson	Solon	Wegener
Hanson	Luther	Pillsbury	Spear	Willet
Hughes	Merriam	Purfeerst	Staples	

Those who voted in the negative were:

Ashbach	Chmielewski	Knaak	McCutcheon	Renneke
Bang	Frederick	Knoll	Menning	Rued
Benedict	Gunderson	Knutson	Nichols	Schrom
Brataas	Humphrey	Laufenburger	Ogdahl	Sillers
Chenoweth	Keefe, J.	Lessard	Olson	Ueland, A.

So the bill passed and its title was agreed to.

S. F. No. 130: A bill for an act relating to courts; criminal procedure; conforming certain statutory provisions to the rules of criminal procedure, and eliminating certain other statutory provisions which have been superseded by the rules; amending Minnesota Statutes 1978, Sections 169.89, Subdivision 2; 357.32; 484.30; 487.25, Subdivisions 1 and 2; 487.28; 487.29; 487.40, Subdivisions 1 and 2; 488A.08; 488A.10, Subdivisions 1 and 2; 488A.25; 488A.27, Subdivisions 1, 2, 3, 4, and 5; 542.16; 546.11; 546.12; 609.115, Subdivisions 1 and 4; 611.06; 627.01; 628.01; 628.02; 628.18; 628.54; 628.57; 628.63; 628.68; 629.47; 629.48; 629.49; 629.58; 629.61; 629.64; 630.18; 631.05; and Chapter 388, by adding a section; repealing Minnesota Statutes 1978, Sections 388.05; 487.25, Subdivisions 3, 4, 5, and 8; 488A.10, Subdivisions 3, 4, 5, and 9; 488A.27, Subdivision 9; 611.04; 611.08; 627.03 to 627.10; 627.13; 627.14; 628.03 to 628.08; 628.11; 628.14; 628.19; 628.29 to 628.33; 628.55; 628.58; 628.59; 628.64; 629.42; 629.43; 629.46; 629.50 to 629.52; 629.57; 630.01 to 630.11; 630.13 to 630.16; 630.19 to 630.30; 630.34; 631.01; 631.015; 631.03; 631.08; 631.10; 631.11; 631.16; 631.18; 631.19; 631.23 to 631.32; 631.34; 631.35; 631.37 to 631.39; 632.01 to 632.13.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 298: A bill for an act relating to the city of South International Falls; authorizing the city to lease municipal buildings.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 187: A bill for an act relating to employment agencies; providing an exemption for management consultant firms from employment agency regulation; amending Minnesota Statutes 1978, Section 184.22.

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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 39: A bill for an act relating to taxation; authorizing the commissioner of revenue to publish lists of persons having unclaimed income tax refunds or property tax refund; amending Minnesota Statutes 1978, Section 290.61.

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 62 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Kirchner voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 236: A bill for an act relating to the state auditor; providing for the examination of municipal records pursuant to petition; requiring signatures of 20 percent of the number of voters in the last presidential election for a petition to examine municipal records; establishing certain other requirements for petitions for examination of towns and school districts; requiring that the city, town and school district as well as county auditor be notified when the petition is certified; amending Minnesota Statutes 1978, Section 6.54.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 88: A bill for an act relating to cities; allowing installment purchases by certain cities; amending Minnesota Statutes 1978, Section 465.71.

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 5, as follows:

Those who voted in the affirmative were:

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

Messrs. Benedict, Luther, Merriam, Peterson and Schrom voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 388: A bill for an act relating to towns; changing certain limits on payments for attorney's fees; amending Minnesota Statutes 1978, Section 368.121.

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 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Peterson, Schaaf and Sikorski voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 389: A bill for an act relating to taxation; requiring county to reimburse township for certain errors made by county auditor.

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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hanson moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, February 22, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate