

NINETEENTH DAY

St. Paul, Minnesota, Thursday, February 22, 1979

The Senate met at 10:00 o'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:

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

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

Prayer was offered by the Chaplain, Rev. Paul D. Sorlein.

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

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

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

Mrs. Knaak, Messrs. Benedict, Hanson, Lessard, Moe, Nelson, Pillsbury and Rued were excused from the Session of today. Messrs.

Gunderson and Sikorski were excused from the Session of today at 11:00 o'clock a.m. Mr. Wegener was excused from the Session of today at 10:30 o'clock a.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Olson; Purfeerst; Engler; Ueland, A. and Bernhagen introduced—

S. F. No. 600: A bill for an act relating to natural resources; exempting racing snowmobiles from registration requirements; amending Minnesota Statutes 1978, Section 84.82, Subdivision 6.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Merriam, Sieloff, Setzepandt, Strand and Vega introduced—

S. F. No. 601: A bill for an act relating to trunk highways; requiring reimbursement of local expenses for fighting fires originating in the trunk highway right-of-way; amending Minnesota Statutes 1978, Section 161.465.

Referred to the Committee on Transportation.

Mmes. Knaak, Staples, Brataas, Messrs. Hughes and Moe introduced—

S. F. No. 602: A bill for an act relating to education; providing for pilot programs of education for certain gifted or academically talented students; requiring the council on quality education and the state board of education to perform certain functions related to the development of a comprehensive state program for education of certain gifted or academically talented students; appropriating money.

Referred to the Committee on Education.

Mr. Johnson introduced—

S. F. No. 603: A bill for an act relating to courts; sixth judicial district; providing that terms of court no longer shall be held in Ely; authorizing terms of court to be held at places other than Duluth, Hibbing or Virginia; amending Minnesota Statutes 1978, Sections 484.48; 484.50; and Chapter 484, by adding a section.

Referred to the Committee on Judiciary.

Messrs. Keefe, S.; Johnson; Solon and Davies introduced—

S. F. No. 604: A bill for an act relating to life insurance; imposing duties to locate beneficiaries; requiring certain provisions in life insurance applications; imposing penalties.

Referred to the Committee on Commerce.

Messrs. Merriam, Anderson, Stokowski, Mrs. Knaak and Mr. Schaaf introduced—

S. F. No. 605: A bill for an act relating to the county of Anoka; authorizing the Anoka county board of commissioners to assume the powers and duties of a human services board.

Referred to the Committee on Local Government.

Mr. Gearty introduced—

S. F. No. 606: A bill for an act relating to the revisor of statutes; publication of the Minnesota Statutes, Supplement and Session Laws by the revisor; correcting certain obsolete provisions; clarifying certain provisions; amending Minnesota Statutes 1978, Sections 482.09; 482.11; 648.31, Subdivision 1; 648.32; 648.40; and 648.41, Subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Merriam, Penny, Davies, Mrs. Knaak and Mr. Tennesen introduced—

S. F. No. 607: A bill for an act relating to crimes; prescribing penalties for the possession of controlled substances on school premises; amending Minnesota Statutes 1978, Section 152.15, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Chmielewski, Schmitz, Olson, Rued and Menning introduced—

S. F. No. 608: A bill for an act relating to limitation of actions; exempting town roads from the marketable title act; amending Minnesota Statutes 1978, Section 541.023, by adding a subdivision.

Referred to the Committee on Local Government.

Messrs. Olhofft, Renneke, Engler, Setzepfandt and Purfeerst introduced—

S. F. No. 609: A bill for an act relating to state government; providing an appropriation for state training of assessors.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Penny, Lewis, Kirchner and Engler introduced—

S. F. No. 610: A bill for an act relating to railroads; requiring the use of a caboose on freight trains; providing penalties.

Referred to the Committee on Transportation.

Mrs. Knaak, Messrs. Rued, Stumpf, Spear and Keefe, J. introduced—

S. F. No. 611: A bill for an act relating to education; appropriating money for grants to enable certain schools to experiment with a mastery learning methodology to achieve minimum student competency in mathematics and reading.

Referred to the Committee on Education.

Mrs. Knaak, Messrs. Benedict, Lewis, Knutson and Ashbach introduced—

S. F. No. 612: A bill for an act relating to education; providing for four year averaging in the declining pupil unit formula; appropriating money; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.

Referred to the Committee on Education.

Mr. Menning introduced—

S. F. No. 613: A bill for an act relating to Rock County; providing for the service of deputy assessors.

Referred to the Committee on Local Government.

Mr. Moe introduced—

S. F. No. 614: A bill for an act relating to appropriations; converting certain open appropriations of dedicated receipts to direct appropriations; abolishing other open appropriations of dedicated receipts; abolishing certain dedicated funds and accounts; appropriating money; amending Minnesota Statutes 1978, Sections 16.72, Subdivisions 1; 18.411; 18.67; 34.07; 69.031, Subdivision 3; 69.55; 84.153; 84.154, Subdivision 5; 84.155, Subdivision 6; 84.86, Subdivision 1; 86.42, Subdivision 1; 89.035; 89.036; 89.21; 94.48; 97.49, Subdivision 7; 115.03, Subdivision 1; 116.41, Subdivision 2; 136A.29, Subdivision 22; 136A.30; 160.285, Subdivision 3; 163.051, Subdivision 2; 168.54, Subdivision 5; 168A.31, Subdivision 1; 192.68, Subdivision 2; 192A.645; 197.02; 197.03; 197.05; 197.06; 246.41, Subdivision 2; 270.077; 299F.21; and 344.03, Subdivision 2; repealing Minnesota Statutes 1978, Sections 1.38; 16A.125, Subdivision 6; 21.114; 94.49; 168.54, Subdivisions 2, 3 and 6; 168A.31, Subdivision 2; 197.04; 197.07; 241.25; 246.41, Subdivisions 1 and 3; 290.60; 360.389; 424.165; 458.50 to 458.60; 626.85, Subdivision 2; and Laws 1961, Chapter 472, Section 4, as added.

Referred to the Committee on Finance.

Messrs. Stumpf, Sieloff, Stokowski and Chenoweth introduced—

S. F. No. 615: A bill for an act relating to retirement; St. Paul teachers retirement fund association; post retirement adjustments for certain retirees and benefit recipients; retirement annuity computation for certain coordinated members; recomputation of disability benefits; early retirement reductions; augmentation of benefits; appropriating funds.

Referred to the Committee on Governmental Operations.

Messrs. Stumpf, Wegener and Dunn introduced—

S. F. No. 616: A bill for an act relating to education; requiring school board hearings on a schoolhouse closing to be held at the schoolhouse; amending Minnesota Statutes 1978, Section 123.36, Subdivision 11.

Referred to the Committee on Education.

Messrs. Rued, Sieloff and Sillers introduced—

S. F. No. 617: A bill for an act relating to retirement; annuities and benefits under certain public retirement plans; appropriating funds.

Referred to the Committee on Governmental Operations.

Messrs. Hughes, Chenoweth, Sikorski, Ogdahl and Dunn introduced—

S. F. No. 618: A bill for an act relating to education; transferring certain functions of teacher licensing from the state board of education, the department of education and the commissioner of education to the board of teaching; eliminating the requirement that certain rules of the board of teaching be approved by the board of education; requiring that the board of teaching adopt certain rules pursuant to chapter 15; providing that the expense of administering certain sections be paid for solely from appropriations made to the board of teaching; amending Minnesota Statutes 1978, Sections 125.05, Subdivisions 1 and 2; 125.08; 125.182, Subdivision 2; 125.185, Subdivisions 4, 6 and 9; repealing Minnesota Statutes 1978, Sections 125.182, Subdivision 4 and 125.185, Subdivision 4a.

Referred to the Committee on Education.

Mr. Menning introduced—

S. F. No. 619: A bill for an act relating to Murray County; allowing the county and local government units to participate in a federal railroad assistance program.

Referred to the Committee on Transportation.

Messrs. Wegener, Olhoft and Dunn introduced—

S. F. No. 620: A bill for an act relating to local government; authorizing the establishment of a local government training board; prescribing the board's powers and duties; appropriating money.

Referred to the Committee on Local Government.

Mr. Hanson, Mrs. Brataas, Messrs. Kleinbaum, Sieloff and Nichols introduced—

S. F. No. 621: A bill for an act relating to taxation; sales tax; exempting all newsprint and ink; amending Minnesota Statutes 1978, Sections 297A.14; and 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Staples, Messrs. Humphrey, Luther, Ogdahl and Keefe, J. introduced—

S. F. No. 622: A bill for an act relating to the county of Hennepin; creating the office of county administrator; providing financial procedures; providing for the operation of county government; providing bonding limits; creating a corrections facility; providing for central purchasing; establishing set aside contracts; providing a penalty; amending Laws 1965, Chapter 533, Section 1, as amended; Extra Session Laws 1967, Chapter 24, Section 1, Subdivision 1; Extra Session Laws 1967, Chapter 24, Section 1, Subdivision 2, as amended; Extra Session Laws 1967, Chapter 47, Section 1, as amended; Extra Session Laws 1967, Chapter 47, Section 3, as amended; Laws 1969, Chapter 476, Section 1, as amended; repealing Laws 1951, Chapter 556; Laws 1951, Chapter 598; Laws 1951, Chapter 636, Section 4; Laws 1951, Chapter 702; Laws 1953, Chapter 270; Laws 1953, Chapter 703, Section 1; Laws 1953, Chapter 753; Laws 1955, Chapter 875; Laws 1957, Chapter 671, Section 7; Laws 1957, Chapter 950; Laws 1959, Chapter 200; Laws 1959, Chapter 297; Extra Session Laws 1959, Chapter 17; Extra Session Laws 1961, Chapter 45; Extra Session Laws 1961, Chapter 47; Laws 1963, Chapter 857; Laws 1965, Chapter 294; Laws 1965, Chapter 633; Laws 1965, Chapter 850; Laws 1967, Chapter 441; Laws 1967, Chapter 588; Laws 1967, Chapter 599, Section 4; Laws 1967, Chapter 796; Laws 1969, Chapter 473; Laws 1969, Chapter 692; Laws 1969, Chapter 918; Laws 1969, Chapter 1053; Laws 1971, Chapter 495; Laws 1971, Chapter 744, Section 2; Laws 1973, Chapter 261.

Referred to the Committee on Local Government.

Messrs. Davies, Schaaf and Ashbach introduced—

S. F. No. 623: A bill for an act relating to insurance; removing certain licensing and regulatory controls from appraisers, ad-

justers, solicitors and other persons handling insurance claims; repealing Minnesota Statutes 1978, Chapter 72B.

Referred to the Committee on Commerce.

Mr. Sikorski, Mrs. Staples, Messrs. Setzepfandt, Ogdahl and Ashbach introduced—

S. F. No. 624: A bill for an act relating to financial institutions; providing a new interest index for conventional home loans; regulating mortgage insurance; regulating various interest rates; granting enforcement powers to the attorney general; permitting a usury exception to certain loans; extending the contract for deed redemption period; providing penalties; amending Minnesota Statutes 1978, Sections 47.20, Subdivisions 2, 4, 13, and by adding a subdivision; 82.19, by adding a subdivision; 334.01, Subdivision 2; 334.011, Subdivision 1; 559.21; and Chapter 334, by adding sections.

Referred to the Committee on Commerce.

Messrs. Merriam, Nelson, Hanson, Peterson and Anderson introduced—

S. F. No. 625: A bill for an act relating to education; requiring a school board to grant certain extended leaves of absence; amending Minnesota Statutes 1978, Section 125.60, Subdivision 2.

Referred to the Committee on Education.

Mr. Moe introduced—

S. F. No. 626: A bill for an act relating to natural resources; recodifying statutes relating to certain conservation areas; abolishing consolidated conservation areas fund; repealing obsolete provisions; appropriating money; amending Minnesota Statutes 1978, Sections 84A.01; 84A.03; 84A.07; 84A.10; 84A.51, Subdivision 4; 84A.52; 84A.55, Subdivisions 1, 3, 6, 8, 9, 10, 11, and 12; 281.23, Subdivision 8; 282.14; 282.16, Subdivision 1, and by adding subdivisions; 282.19; 282.21; and Laws 1961, Chapter 612, Section 1; repealing Minnesota Statutes 1978, Sections 84A.02; 84A.04; 84A.08; 84A.09; 84A.11; 84A.20 to 84A.23; 84A.26 to 84A.33; 84A.36 to 84A.42; 84A.50; 84A.51, Subdivisions 1, 2, and 3; 84A.53; 84A.54; 84A.55, Subdivision 14; and 282.221 to 282.226.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Lessard introduced—

S. F. No. 627: A bill for an act relating to labor; requiring employers to provide employees with a meal break.

Referred to the Committee on Employment.

Messrs. Nelson, Perpich and Kirchner introduced—

S. F. No. 628: A bill for an act relating to health; establishing community mental health, retardation and chemical dependency services; directing the commissioner of public welfare to make grants to local mental health authorities; requiring comprehensive program evaluation; requiring mandatory diagnostic screening of certain applicants for voluntary admission to public hospitals; designating mental health services as eligible costs under the medical assistance program; appropriating money; amending Minnesota Statutes 1978, Sections 253A.03, Subdivision 2; and 256B.02, Subdivision 8; repealing Minnesota Statutes 1978, Sections 245.61; 245.62; 245.63; 245.64; 245.65; 245.651; 245.66; 245.67; 245.68; 245.69; and 245.691.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Tennesen, Merriam, McCutcheon and Setzepfandt introduced—

S. F. No. 629: A bill for an act relating to education; eliminating the license requirement for school superintendents; amending Minnesota Statutes 1978, Sections 121.26; 123.35, Subdivision 5; 125.03, Subdivision 1; 125.05, Subdivision 1; 125.08; 125.12, Subdivisions 1, 2 and 6b; 125.13, Subdivision 1; 125.18, Subdivision 1; and 125.61, Subdivision 1.

Referred to the Committee on Education.

Messrs. Schaaf, Merriam, Ashbach, Penny and Sikorski introduced—

S. F. No. 630: A bill for an act relating to commerce; providing for the licensing and regulation of mobile home dealers, brokers and salespersons; transferring certain responsibilities from the commissioner of administration to the commissioner of securities; prescribing certain additional duties for the commissioner of securities; providing penalties; amending Minnesota Statutes 1978, Sections 82.17, Subdivision 8; 168.27, Subdivision 20; 327.51, Subdivision 3; and 327.55, Subdivisions 1, 3 and 4; repealing Minnesota Statutes 1978, Section 327.55, Subdivisions 2, 5 and 6.

Referred to the Committee on Commerce.

Mr. Perpich introduced—

S. F. No. 631: A bill for an act relating to Independent School District No. 706, Virginia; permitting it to transfer certain surplus in its debt service fund to its capital expenditure fund for a certain purpose; providing that the amount transferred shall not be used to reduce a certain levy.

Referred to the Committee on Education.

Messrs. Hanson, Lessard, Peterson and Moe introduced—

S. F. No. 632: A bill for an act relating to tax-forfeited land sales; changing procedure for classification of agricultural land by county boards; amending Minnesota Statutes 1978, Sections 282.14; and 282.221, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Peterson, Purfeerst, Hanson, Frederick and Sieloff introduced—

S. F. No. 633: A bill for an act relating to taxation; motor vehicle excise; reducing the purchase price of trucks and truck tractors by the amount of federal excise tax imposed; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Tennesen, Solon, Frederick, Bang and Laufenburger introduced—

S. F. No. 634: A bill for an act relating to commerce; extending an exception for certain loans from the usury laws; amending Minnesota Statutes 1978, Section 334.01, Subdivision 2.

Referred to the Committee on Commerce.

Messrs. Anderson, Purfeerst, Kleinbaum, Stumpf and Kirchner introduced—

S. F. No. 635: A bill for an act relating to state historic sites; authorizing management contracts with counties, municipalities, or county or local historical societies.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Tennesen, Bang and Spear introduced—

S. F. No. 636: A bill for an act relating to insurance; regulating homeowner's insurance; requiring insurers to disclose and file information; prescribing certain procedures for an insurer's refusal to renew or to write homeowner's insurance; prohibiting redlining; amending Minnesota Statutes 1978, Section 72A.20, Subdivision 1; and Chapter 65A, by adding sections.

Referred to the Committee on Commerce.

Mr. Benedict introduced—

S. F. No. 637: A bill for an act relating to taxation; property tax refund; extending senior citizen benefits to certain surviving spouses; amending Minnesota Statutes 1978, Sections 290A.03, Subdivision 8; 290A.04, Subdivisions 1, 2a, 2b, and 3; and 290A.07, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sieloff introduced—

S. F. No. 638: A bill for an act relating to marriage dissolution; recodifying the laws of marriage dissolution, child custody and child support; amending Minnesota Statutes 1978, Sections 257.41; 487.19, Subdivision 1; and 518A.09, Subdivision 1; repealing Minnesota Statutes 1978, Chapter 518.

Referred to the Committee on Judiciary.

Messrs. Sieloff, Frederick and Sillers introduced—

S. F. No. 639: A bill for an act relating to taxation; income; reducing the minimum tax on preference items; excluding capital gain from preference items; excluding charitable contributions from excess itemized deductions; excluding from the minimum tax certain deferred federal minimum tax; amending Minnesota Statutes 1978, Section 290.091.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Nelson, Solon, Strand, Sillers and Humphrey introduced—

S. F. No. 640: A bill for an act relating to public television; providing block grants and matching grants for public television stations for certain purposes; providing for certain funds to be included in the calculation of contributions to a station; redefining public station; appropriating money; amending Minnesota Statutes 1978, Sections 139.17, Subdivision 2; and 139.18, Subdivisions 1 and 2.

Referred to the Committee on Education.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

February 15, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Public Service Commission is hereby respectfully submitted to the Senate for confirmation as required by law:

Roger Hanson, P.O. Box 128, Vergas, Ottertail County, has been appointed by me, effective January 29, 1979, for a term expiring the first Monday in January, 1985.

(Referred to the Committee on Commerce.)

Sincerely,
Albert H. Quie, Governor

MESSAGES FROM THE HOUSE

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. 1: A House concurrent resolution providing for a joint convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 19, 1979

House Concurrent Resolution No. 1: A House concurrent resolution providing for a joint convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

BE IT RESOLVED, by the House of Representatives, the Senate concurring:

(1) The House of Representatives and the Senate shall meet in joint convention on Monday, March 12, 1979, at 6:00 p.m. in the chamber of the House of Representatives to elect members to the Board of Regents of the University of Minnesota.

(2) The Education Committee of the Senate and the Education Committee of the House of Representatives in a joint meeting are appointed to submit a slate of nominations and to report the slate at the meeting of the joint convention.

Mr. Coleman moved that the foregoing resolution be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the desk with the exception of the reports on S. F. Nos. 50 and 410, be now adopted. The motion prevailed.

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

S. F. No. 50: A bill for an act relating to the Boundary Waters Canoe Area; providing for a temporary citizen's committee thereon.

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

Page 1, line 10, delete "15" and insert "17"

Page 1, line 16, after the semicolon, insert "and"

Page 1, line 17, delete "Two" and insert "Eight"

Page 1, line 18, delete the semicolon and insert a period

Page 1, delete lines 19 to 22

Page 2, delete lines 1 to 3

Page 2, line 4, delete "the legislative office to which they were elected."

Page 2, line 4, before "The" insert "The governor shall designate one of the appointees to serve as chairman and the committee may elect such other officers as it deems necessary."

Page 2, line 6, delete "non-legislator"

Page 2, delete Subdivision 3 and insert:

"Subd. 3. The sum of \$40,000 is appropriated from the general fund to the commissioner of administration for the purposes of this act to be available until June 30, 1981."

Amend the title as follows:

Page 1, line 4, after "thereon" insert "; appropriating money"

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

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 60: A bill for an act relating to elections; prohibiting certain uses of campaign funds; providing a civil penalty; providing that compensation for personal services rendered to influence election of a candidate is not a prohibited expenditure; amending Minnesota Statutes 1978, Section 210A.19, Subdivision 1; and Chapter 210A, by adding a section.

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

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 384: A bill for an act relating to elections; providing additional compensation for election judges who travel to pick up election supplies or deliver ballots; authorizing town boards to fix the compensation of town election judges; amending Minnesota Statutes 1978, Section 204A.23.

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

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 97: A bill for an act relating to education; directing the commissioner of education to sponsor regional seminars on the school breakfast program; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 396: A bill for an act relating to housing; creating a grant program for accessible housing; appropriating money; amending Minnesota Statutes 1978, Sections 462A.05, Subdivision 15, and by adding a subdivision; and 462A.21, Subdivision 6, and by adding a subdivision.

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

Page 3, line 7, after "*loan*" insert "*or grant*"

Page 3, line 7, delete the comma and insert a semicolon

Page 3, line 17, delete "*shall*" and insert "*may*"

Page 3, line 18, after "*housing*" insert "*financed under this program*"

Page 3, line 33, delete "*For the biennium ending June*"

Page 4, line 1, delete "*30, 1981,*"

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

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 276: A bill for an act relating to workers' compensation; defining "*closely held corporation*"; providing for coverage of certain business owners upon election; amending Minnesota Statutes 1978, Sections 176.011, by adding a subdivision; 176.012; and 176.041, Subdivision 1.

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

Page 1, line 14, after the period insert "*The determination of ownership shall be made annually on the effective date of the policy issued under this chapter. In case of self-insureds the determination shall be made annually on the date of approval of self-insurance or renewal of self-insurance.*"

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. 418: A bill for an act relating to nursing homes; requiring notice of rate increases to residents who are not recipients of medical assistance; amending Minnesota Statutes 1978, Section 256B.47, by adding a subdivision.

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

Page 1, line 11, delete "*nonmedical assistance*" and insert "*private paying*"

Page 1, line 12, after "*resident*" insert "*or person responsible for payment*"

Page 1, after line 13, insert:

"A nursing home may adjust its rates without giving the notice required by this subdivision when the purpose of the rate adjustment is to: (a) reflect a necessary change in the level of care provided to a resident; or (b) retroactively or prospectively equalize private pay rates with rates charged to medical assistance recipients as required by section 256B.48, subdivision 1, clause (a) and applicable federal law."

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. 432: A bill for an act relating to general assistance; eliminating the notarizing requirement for general assistance applications; amending Minnesota Statutes 1978, Section 256D.07.

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

Page 1, line 17, delete "*verfied*" and insert "*verified*"

Amend the title as follows:

Page 1, line 3, delete "*notorizing*" and insert "*notarizing*"

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

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 61: A bill for an act relating to elections; further prescribing conditions for automatic recounts in certain election contests; amending Minnesota Statutes 1978, Sections 204A.51, Subdivisions 2 and 3; and 204A.53, Subdivisions 2 and 3.

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

Page 2, line 23, delete "*office*" and insert "*nomination*"

Page 2, line 29, after the period insert "*A losing candidate may waive the recount required pursuant to this subdivision by filing a written notice of waiver with the canvassing board.*"

Page 3, line 27, strike "*the candidates*"

Page 3, line 28, strike everything before "*is*" and insert "*a candidate who would otherwise be declared elected to a legislative office by the county canvassing board and the votes of any other candidate for that office*"

Page 3, lines 29 and 30, delete the new language

Page 3, line 31, delete "*office*"

Page 4, line 4, after the period insert "*A losing candidate may waive the recount required pursuant to this subdivision by filing a written notice of waiver with the canvassing board.*"

Page 4, line 26, delete "*office*" and insert "*nomination*"

Page 4, line 32, after the period insert "*A losing candidate may waive the recount required pursuant to this subdivision by filing a written notice of waiver with the canvassing board.*"

Page 5, line 19, strike "*the candidates*"

Page 5, line 20, strike everything before "*by*" and insert "*a candidate for legislative office who would otherwise be declared elected*"

Page 5, line 21, after "*board*" insert "*and the votes of any other candidate for that office*"

Page 5, line 21, delete "*and the difference is less*"

Page 5, line 22, delete the new language.

Page 5, line 23, delete "*that office*"

Page 5, line 28, after the period insert "*A losing candidate may waive the recount required pursuant to this subdivision by filing a written notice of waiver with the canvassing board.*"

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 410: A bill for an act relating to courts; board on judicial standards; providing for appointment of an executive secretary by the board; providing for appointment of board members by certain organizations; amending Minnesota Statutes 1978, Section 490.15, Subdivision 1.

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

Page 2, line 3, reinstate the stricken language

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. Davies from the Committee on Judiciary, to which was referred

S. F. No. 411: A bill for an act relating to taxation; defining conveyances that must be presented to the auditor before recording; eliminating duty of county recorder to list judgments affecting real estate titles; eliminating payment to county recorder for making lists; amending Minnesota Statutes 1978, Sections 272.12; and 272.17; repealing Minnesota Statutes 1978, Section 272.18.

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 54: A bill for an act relating to profit and nonprofit corporations; simplifying certain requirements governing formation and management of nonprofit corporations; resolving certain inconsistencies between profit and nonprofit corporations; removing certain ambiguities and deficiencies; amending Minnesota Statutes 1978, Sections 301.30, Subdivision 1; 317.02, Subdivision 5; 317.07; 317.08, Subdivisions 1 and 2; 317.20, Subdivision 1; and 317.21, Subdivision 1.

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

Page 1, lines 23 and 24, strike “, except those of president and vice-president,”

Pages 2 and 3, delete Section 5 and insert:

“Sec. 5. Minnesota Statutes 1978, Section 317.08, Subdivision 3, is amended to read:

Subd. 3. [OPTIONAL PROVISIONS.] The articles of incorporation may contain any other provision, consistent with the law of this state, for regulating the business of the corporation or the conduct of the corporate affairs, *including without limitation, and notwithstanding subdivision 2, clause (3), a provision permitting or requiring the corporation to afford pecuniary gain to any member designated in the bylaws which is a nonprofit corporation.*”

Page 3, line 23, delete “*which shall constitute the whole board*”

Page 4, line 8, delete “, *except those*”

Page 4, line 9, strike “of” and strike “president and vice-president”

Page 4, line 11, delete the comma

Amend the title as follows:

Page 1, line 10, delete “2” and insert “3”

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 345: A bill for an act relating to Hennepin County; providing that law library fees be set by the library trustees; amending Laws 1933, Chapter 291, Section 4, as amended.

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

Page 1, line 12, strike “such” and insert “*the*”

Page 1, lines 18 to 19, strike "therein, and in addition thereto"

Page 1, line 21, strike "such" and insert "the"

Page 1, line 22, strike "therein"

Page 2, line 2, strike "therein"

Page 2, line 4, strike "such" and insert "the"

Page 2, line 5, strike "or their"

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 203: A bill for an act relating to real estate; providing a flexible procedure for registering land; amending Minnesota Statutes 1978, Section 508.52.

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

Page 1, line 11, strike "same" and insert "land"

Page 1, line 11, strike "any" and insert "a"

Page 1, line 12, strike "same" and insert "deed"

Page 2, line 17, before "certificate" insert "owner's"

Page 2, line 17, delete "Prior to" and insert "Before"

Page 2, line 17, delete "of"

Page 2, line 20, delete "All" and insert "The"

Page 2, line 26, delete "thereupon"

Page 2, line 27, delete "such" and insert "the"

Page 2, line 28, delete "However,"

Page 2, line 29, delete "part only" and insert "portion"

Page 2, line 33, before "land" insert "portion of the"

Page 3, line 1, delete "hereinafter noted" and insert "otherwise provided in this section"

Page 3, line 2, delete "that" and insert "the"

Page 3, line 8, before "land" insert "portion of the"

Page 3, line 8, delete "at" and insert "in"

Page 3, line 8, after "discretion" insert "if the grantor's deed does not divide a parcel of unplatted land,"

Page 3, line 12, after the period, insert "The fee for a residue certificate of title shall be paid to the registrar only when the grantor's certificate of title is cancelled after the conveyance by

the grantor of a portion of the land described in his certificate of title."

Page 3, line 13, strike "Provided, however, that"

Page 3, lines 15 to 16, strike "if it suits his convenience" and insert "*in his discretion*"

Page 3, line 17, strike "said" and insert "*the*"

Page 3, line 21, strike "said" and insert "*the*"

Page 3, line 22, strike "said" and insert "*the*"

Page 3, lines 27 to 28; strike "Provided also,"

Page 3, line 30, strike "at" and insert "*in*"

Page 4, line 5, strike "said" and insert "*the*"

Page 4, line 5, strike "such" and insert "*the*"

Page 4, line 5, strike "as"

Page 4, line 5, strike "may be" and insert "*is*"

Page 4, line 6, strike "said" and insert "*the*"

Page 4, line 7, strike "in the meantime"

Page 4, line 8, strike "force and"

Page 4, line 9, strike "said" and insert "*the*"

Page 4, line 10, delete "*such*"

Page 4, line 10, after "*conveyance*" insert "*without cancellation of the certificate of title*"

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

SECOND READING OF SENATE BILLS

S. F. Nos. 60, 384, 276, 418, 432, 61, 411, 54, 345 and 203 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Luther moved that the name of Mr. Sikorski be added as co-author to S. F. No. 179. The motion prevailed.

Mr. Keefe, S. moved that the name of Mr. Knoll be added as co-author to S. F. No. 406. The motion prevailed.

Mr. Vega moved that the name of Mr. Purfeerst be added as co-author to S. F. No. 539. The motion prevailed.

Mr. Keefe, S. moved that the name of Mr. Peterson be added as co-author to S. F. No. 550. The motion prevailed.

Mr. Stumpf moved that the name of Mr. Purfeerst be added as co-author to S. F. No. 566. The motion prevailed.

Mr. Merriam moved that the name of Mr. Purfeerst be added as co-author to S. F. No. 581. The motion prevailed.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the discussion on Permanent Rules. The following Senators answered to their names:

Anderson	Frederick	Luther	Renneke	Strand
Ashbach	Gearty	McCutcheon	Schaaf	Stumpf
Bang	Gunderson	Menning	Schmitz	Tennessee
Bernhagen	Hughes	Merriam	Setzepfandt	Ueland, A.
Chenoweth	Humphrey	Ogdahl	Sieloff	Ulland, J.
Chmielewski	Jensen	Olhoft	Sikorski	Vega
Coleman	Johnson	Olson	Sillers	Wegener
Davies	Keefe, S.	Penny	Solon	Willet
Dieterich	Kirchner	Perpich	Spear	
Dunn	Laufenburger	Peterson	Staples	
Engler	Lewis	Purfeerst	Stokowski	

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

Mr. Coleman moved that the report from the Committee on Rules and Administration of February 15, 1979 on Permanent Rules be taken from the table. The motion prevailed.

Mr. Coleman moved the adoption of the foregoing Committee Report. The motion prevailed. Report adopted.

Mr. Coleman moved that the rules contained in the Committee Report be adopted as the Permanent Rules of the Senate.

Mr. Jensen moved to amend the Permanent Rules of the Senate as printed in the Journal for the 17th day, as follows:

After Rule 75, add a new rule to read:

"CONFERENCE COMMITTEE REPORTS

76. If any new matter is included in a conference committee report that was not contained in either the bill or amendments referred to the conference committee, the presiding officer shall return the report to the conference committee upon a point of order being raised that the report contains such new matter."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 18 and nays 38, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, J.	Ogdahl	Ueland, A.
Bang	Engler	Kirchner	Renneke	Ulland, J.
Bernhagen	Frederick	Knutson	Sieloff	
Brataas	Jensen	Luther	Sillers	

Those who voted in the negative were:

Anderson	Hughes	Merriam	Schaaf	Stokowski
Chenoweth	Humphrey	Nichols	Schmitz	Strand
Chmielewski	Johnson	Olhoft	Schrom	Stumpf
Coleman	Keefe, S.	Olson	Setzepfandt	Tennessee
Davies	Knoll	Penny	Sikorski	Vega
Dieterich	Lewis	Perpich	Solon	Willet
Gearty	McCutcheon	Peterson	Spear	
Gunderson	Menning	Purfeerst	Staples	

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

Mr. Jensen then moved to amend the Permanent Rules of the Senate as printed in the Journal for the 17th day, as follows:

Amend Rule 56 by inserting the following after the first sentence of the first paragraph:

“Committee membership on all committees shall be proportional to the number in each group in the Senate, provided, however, that the majority group shall be entitled to a majority of at least three on any committee of fifteen members or less, four on any committee of between sixteen and twenty members, and five on any committee of twenty-one members and over.”

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 39, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, J.	Renneke	Ulland, J.
Bang	Engler	Kirchner	Sieloff	
Bernhagen	Frederick	Knutson	Sillers	
Brataas	Jensen	Ogdahl	Ueland, A.	

Those who voted in the negative were:

Anderson	Hughes	McCutcheon	Purfeerst	Staples
Chenoweth	Humphrey	Menning	Schaaf	Stokowski
Chmielewski	Johnson	Merriam	Schmitz	Strand
Coleman	Keefe, S.	Olhoft	Schrom	Stumpf
Davies	Knoll	Olson	Setzepfandt	Tennessee
Dieterich	Laufenburger	Penny	Sikorski	Vega
Gearty	Lewis	Perpich	Solon	Willet
Gunderson	Luther	Peterson	Spear	

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

Mr. Jensen then moved to amend the Permanent Rules of the Senate as printed in the Journal for the 17th day, as follows:

Amend Rule 56 by inserting before the period at the end of the last sentence of the last paragraph the following:

“, except that all conference committees shall include at least one member of the minority group”

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 19 and nays 37, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Jensen	Luther	Sillers
Bang	Dunn	Keefe, J.	Ogdahl	Ueland, A.
Bernhagen	Engler	Kirchner	Renneke	Ulland, J.
Brataas	Frederick	Knutson	Sieloff	

Those who voted in the negative were:

Anderson	Humphrey	Merriam	Schmitz	Strand
Chenoweth	Johnson	Olhoft	Schrom	Stumpf
Chmielewski	Keefe, S.	Olson	Setzepfandt	Tennessen
Coleman	Knoll	Penny	Sikorski	Vega
Davies	Laufenburger	Perpich	Solon	Willet
Gearty	Lewis	Peterson	Spear	
Gunderson	McCutcheon	Purfeerst	Staples	
Hughes	Menning	Schaaf	Stokowski	

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

The question recurred on the motion of Mr. Coleman.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 51 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Lewis	Purfeerst	Stokowski
Ashbach	Gearty	Luther	Renneke	Strand
Bang	Gunderson	McCutcheon	Schaaf	Stumpf
Bernhagen	Hughes	Menning	Schmitz	Tennessen
Chenoweth	Humphrey	Merriam	Schrom	Ueland, A.
Chmielewski	Johnson	Ogdahl	Setzepfandt	Vega
Coleman	Keefe, S.	Olhoft	Sikorski	Willet
Davies	Kirchner	Olson	Sillers	
Dieterich	Knoll	Penny	Solon	
Dunn	Knutson	Perpich	Spear	
Engler	Laufenburger	Peterson	Staples	

Those who voted in the negative were:

Brataas	Jensen	Keefe, J.	Sieloff	Ulland, J.
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The motion prevailed. So the Permanent Rules were adopted.

Without objection, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Chmielewski, Knutson, Rued and Schrom introduced—

S. F. No. 641: A bill for an act relating to crimes; regulating the possession and use of pistols; requiring permits to carry pistols within cities of the fourth class or larger; requiring transferee permits or transfer reports to transfer pistols within cities of the fourth class or larger; prohibiting discrimination in the issuance of permits to carry pistols; providing penalties; amend-

ing Minnesota Statutes 1978, Sections 624.712, Subdivisions 2, 4 and 5; 624.713, Subdivision 1; 624.7132, Subdivision 16; 624.-714, Subdivisions 1, 4, 5, 6, 7, 9 and 10; 624.717; and Chapter 624, by adding a section.

Referred to the Committee on Judiciary.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Gearty in the chair.

After some time spent therein, the committee arose, and Mr. Gearty reported that the committee had considered the following:

S. F. Nos. 51, 198, 81, 254 and 59 which the committee recommends to pass.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 11:00 o'clock a.m., Monday, February 26, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate