

TWENTIETH DAY

St. Paul, Minnesota, Monday, February 26, 1979

The Senate met at 11:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

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

Anderson	Dieterich	Luther	Rued	Stokowski
Ashbach	Engler	McCutcheon	Schaaf	Strand
Bang	Frederick	Menning	Schmitz	Stumpf
Benedict	Gearty	Moe	Schrom	Tennessee
Bernhagen	Gunderson	Nelson	Setzpfandt	Ueland, A.
Brataas	Hughes	Nichols	Sikorski	Vega
Chenoweth	Johnson	Ogdahl	Sillers	Wegener
Chmielewski	Keefe, S.	Olson	Solon	
Coleman	Kirchner	Pillsbury	Spear	
Davies	Lewis	Purfeerst	Staples	

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

Prayer was offered by the Chaplain, Rev. Ellen Babinsky.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Hanson, Humphrey, Kleinbaum, Perpich and Peterson were excused from the Session of today. Messrs. Laufenburger

and Willet were excused from the Session of today until 11:30 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. Gunderson, Olhoft, Schmitz, Setzepfandt and Rued introduced—

S. F. No. 642: A bill for an act relating to fiscal notes; requiring fiscal notes to accompany certain bills and administrative rules; appropriating money; amending Minnesota Statutes 1978, Section 15.0412, Subdivision 7; and Chapter 3, by adding a section.

Referred to the Committee on Governmental Operations.

Mr. Davies introduced—

S. F. No. 643: A bill for an act relating to no-fault automobile insurance; prescribing security requirements for school buses; requiring coverage for drivers and other occupants; amending Minnesota Statutes 1978, Section 65B.47, Subdivision 1.

Referred to the Committee on Commerce.

Messrs. Davies, McCutcheon and Merriam introduced—

S. F. No. 644: A bill for an act proposing an amendment to the Minnesota Constitution; repealing Article X, Section 6; repealing the taconite amendment.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ashbach, Rued, Mrs. Knaak, Messrs. Laufenburger and Keefe, J. introduced—

S. F. No. 645: A bill for an act relating to the legislature; providing for the payment only of actual claimed expenses of legislators; making limitations on in-session living expenses permanent; repealing certain redundant provisions; amending Minnesota Statutes 1978, Sections 3.099, Subdivision 1; and 3.102; repealing Minnesota Statutes 1978, Sections 3.101; and 3.103.

Referred to the Committee on Rules and Administration.

Mr. Peterson introduced—

S. F. No. 646: A bill for an act relating to taxation; repealing the mortgage registration tax; repealing Minnesota Statutes 1978, Sections 287.01 to 287.12.

Referred to the Committee on Taxes and Tax Laws.

Mr. Peterson introduced—

S. F. No. 647: A bill for an act relating to the city of Wadena; increasing payments for firefighters' relief association service pensions; amending Laws 1976, Chapter 208, Section 1.

Referred to the Committee on Governmental Operations.

Mr. Merriam introduced—

S. F. No. 648: A bill for an act relating to education; prohibiting a school district from making a levy to provide for certain payments into the unemployment compensation fund; amending Minnesota Statutes 1978, Section 275.125, by adding a subdivision.

Referred to the Committee on Education.

Messrs. Merriam, Knutson, Gunderson, Anderson and Dunn introduced—

S. F. No. 649: A bill for an act relating to education; increasing the pupil unit weighting for certain handicapped pupils; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.

Referred to the Committee on Education.

Messrs. Anderson, Bernhagen, Sillers and Strand introduced—

S. F. No. 650: A bill for an act relating to courts; establishing the appellate division of the district court; providing for the election of judges; prescribing duties; providing for appellate division staff; appropriating money; repealing Minnesota Statutes 1978, Sections 484.63; and 487.39.

Referred to the Committee on Judiciary.

Mr. Lewis introduced—

S. F. No. 651: A bill for an act relating to social development; requiring the commissioner of public welfare and each board of county commissioners to develop a biennial plan relating to the identification, reduction, remedy, and prevention of public social problems; requiring public participation in state and county plan development; authorizing the appointment of advisory councils; setting forth a formula for block grants to be allocated to the counties; establishing a temporary study commission; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Sieloff introduced—

S. F. No. 652: A bill for an act relating to courts; requiring conciliation court judgments to be in writing; amending Minnesota Statutes 1978, Section 488A.32, Subdivision 5.

Referred to the Committee on Judiciary.

Messrs. Sieloff, Sillers and Dieterich introduced—

S. F. No. 653: A bill for an act relating to courts; authorizing the district court to adopt by rule guidelines for the awarding of maintenance, child support and disposition of property in dissolution, legal separation and maintenance proceedings; appropriating money.

Referred to the Committee on Judiciary.

Mrs. Staples, Messrs. Benedict, Merriam, Solon and Chmielewski introduced—

S. F. No. 654: A bill for an act relating to human services; providing state recognition and financial grants to volunteer programs for retired senior citizens; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Wegener introduced—

S. F. No. 655: A bill for an act relating to state lands; directing the exchange of certain public lands bordering on public waters in Mille Lacs County.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Gunderson introduced—

S. F. No. 656: A bill for an act relating to towns; providing an alternate method of vacating town roads; amending Minnesota Statutes 1978, Section 164.06.

Referred to the Committee on Transportation.

Messrs. Humphrey, Olhoff, Luther, Willet and Sikorski introduced—

S. F. No. 657: A bill for an act relating to nuclear waste management and disposal; requiring certificates of feasibility; administration by the Minnesota energy agency; legislative approval; providing penalties.

Referred to the Committee on Energy and Housing.

Messrs. Anderson and Merriam introduced—

S. F. No. 658: A bill for an act relating to education; providing for actions against school districts to restrain violations of the rules and regulations of the state board of education; amending Minnesota Statutes 1978, Section 127.03, by adding a subdivision.

Referred to the Committee on Education.

Messrs. Perpich; Tennesen; Keefe, J.; Schaaf and Lewis introduced—

S. F. No. 659: A bill for an act relating to health; appropriating money to the University of Minnesota for the Minnesota Regional Sleep Disorders Center.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Davies, Sieloff and Tennesen introduced—

S. F. No. 660: A bill for an act relating to corporations; altering quorum requirements; permitting loans and other transactions with officers and employees; empowering corporations to engage in certain transactions; amending Minnesota Statutes 1978, Sections 301.25, Subdivision 7; 301.32; and 301.36.

Referred to the Committee on Judiciary.

Messrs. Keefe, S.; Spear; Perpich; Lewis and Coleman introduced—

S. F. No. 661: A bill for an act relating to public welfare; increasing grants under certain state income assistance programs; appropriating money; amending Minnesota Statutes 1978, Section 256D.01, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. McCutcheon, Chenoweth, Perpich, Humphrey and Schaaf introduced—

S. F. No. 662: A bill for an act relating to taxation; providing a basic adjustment and annual adjustments to property tax refund according to rate of change in the cost of living index; change in maximum refund to renters; amending Minnesota Statutes 1978, Section 290A.04, Subdivisions 2, 2a, and 2b, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. McCutcheon, Olhoft and Hughes introduced—

S. F. No. 663: A bill for an act relating to taxation; providing for annual adjustments of individual income tax brackets, individual and homemaker credits, low income amounts, and maximum standard deductions according to rate of change in the cost of living index; amending Minnesota Statutes 1978, Sections 290.06, Subdivisions 2c, 3c, 3d and 3e, and by adding a subdivision; and 290.09, Subdivision 15.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Laufenburger, Purfeerst, Engler, Chmielewski and Schmitz introduced—

S. F. No. 664: A bill for an act relating to the state transportation system; authorizing the issuance and sale of Minnesota state transportation bonds; authorizing the expenditure of the proceeds for grants for construction and reconstruction of certain bridges; appropriating money.

Referred to the Committee on Transportation.

Mmes. Brataas, Staples, Messrs. Lewis, Laufenburger and Keefe, J. introduced—

S. F. No. 665: A bill for an act relating to retirement; prescribing retirement benefits for correctional employees; amending Minnesota Statutes 1978, Sections 43.051, Subdivision 3; 352.90; and 352.91, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Knutson, Kirchner, Mrs. Brataas, Messrs. Strand and Dieterich introduced—

S. F. No. 666: A bill for an act relating to public health; prescribing fees for diagnostic laboratory services provided by the department of health; providing exemptions for charging fees; authorizing the commissioner of health to promulgate rules; amending Minnesota Statutes 1978, Chapter 144, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Knutson; Knoll; Schmitz; Ueland, A. and Lewis introduced—

S. F. No. 667: A bill for an act relating to corrections; providing for vocational training of the inmates of state correctional facilities; reorganizing and harmonizing the various laws relating to the industrial activities conducted at such facilities; amending Minnesota Statutes 1978, Sections 241.26, Subdivision 7; and 241.27; repealing Minnesota Statutes 1978, Sections 243.19; 243.41; 243.42; 243.43; 243.44; 243.45; 243.46; 243.47; 243.63; 243.66; 243.67; 243.68; 243.80; 243.84; 243.85; 325.45; 325.46; and 325.47.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Ueland, A. and Renneke introduced—

S. F. No. 668: A bill for an act relating to Blue Earth County; authorizing the county to enter into various agreements for acquisition of property; amending Laws 1973, Chapter 38, Section 1.

Referred to the Committee on Local Government.

Mr. Sikorski introduced—

S. F. No. 669: A bill for an act relating to juveniles; providing for a hearing to determine detrimental relationships involving children; providing for a penalty for those engaging children in detrimental relationships; amending Minnesota Statutes 1978, Section 260.315; and Chapter 260, by adding a section.

Referred to the Committee on Judiciary.

Mr. Sikorski introduced—

S. F. No. 670: A bill for an act relating to crimes; prohibiting solicitation or inducement concerning prostitution, promoting the prostitution of a person, receiving profit derived from prostitution, engaging in prostitution, and patronizing a prostitute; limiting defenses to prosecution; establishing rules of evidence; establishing immunity from prosecution for certain testimony; providing penalties; repealing Minnesota Statutes 1978, Section 609.32.

Referred to the Committee on Judiciary.

Mr. Sikorski introduced—

S. F. No. 671: A bill for an act relating to crimes; limiting juvenile court jurisdiction with respect to certain juveniles; amending Minnesota Statutes 1978, Sections 260.015, by adding a subdivision; 260.111, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Renneke, Penny, Pillsbury, Johnson and Mrs. Knaak introduced—

S. F. No. 672: A bill for an act relating to motor vehicles; changing the effective date for certified mailing of certificate of title and security interest release to loans entered into after June 1, 1979; allowing the mailing expense to be included in the loan fee if the borrower agrees and is informed in writing; providing for procedures for the satisfied secured party to follow on loans entered into prior to June 1, 1979; amending Minnesota Statutes 1978, Sections 168.71; and 168A.20, by adding subdivisions.

Referred to the Committee on Commerce.

Messrs. Sieloff, Frederick and Setzepfandt introduced—

S. F. No. 673: A bill for an act relating to taxation; altering the definition of gross income for income tax purposes for individuals, trusts and estates; placing restrictions on certain deductions; making certain changes in the minimum tax and in the treatment of small business corporations; allowing a 10 year carry-back of products liability losses; allowing adjustments to basis; allowing deductions for employer contributions to simplified em-

ployee pension plans; updating the definition of income for property tax refund purposes; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; 290.09, Subdivisions 4 and 28; 290.091; 290.095, by adding a subdivision; 290.14; 290.26, Subdivision 2; 290.971, Subdivision 1; 290.974; 290A.03, Subdivision 3; repealing Minnesota Statutes 1978, Sections 290.971, Subdivisions 2, 3, 4, 5, and 6; 290.972; 290.973; and 290.975.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Engler, Sieloff, Schmitz, Purfeerst and Olson introduced—

S. F. No. 674: A bill for an act relating to motor vehicles; defining the gross weight of a wrecker for the purposes of registration and taxation; amending Minnesota Statutes 1978, Sections 168.011, Subdivision 16; and 168.013, Subdivision 3.

Referred to the Committee on Transportation.

Messrs. Engler; Ulland, J.; Setzepfandt; Willet and Penny introduced—

S. F. No. 675: A bill for an act relating to trespass; redefining "agricultural lands" for the purpose of restricting trespass; amending Minnesota Statutes 1978, Section 100.273, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Keefe, J.; Schaaf and Merriam introduced—

S. F. No. 676: A bill for an act relating to public utilities; reducing time periods involved in obtaining approval of rate changes; amending Minnesota Statutes 1978, Sections 216B.16, Subdivisions 1 and 2; and 237.075, Subdivisions 1 and 2.

Referred to the Committee on Commerce.

Messrs. Keefe, J.; Lewis and Spear introduced—

S. F. No. 677: A bill for an act relating to public utilities; repealing authority of a public utility or telephone company to impose increased rates pending a final determination by the public service commission; repealing Minnesota Statutes 1978, Sections 216B.16, Subdivision 3; and 237.075, Subdivision 3.

Referred to the Committee on Commerce.

Messrs. Humphrey; Schaaf; Chenoweth; Keefe, J. and Ogdahl introduced—

S. F. No. 678: A bill for an act relating to the operation of state government; providing for the expiration or periodic reevaluation of various regulatory programs; requiring program and fiscal re-

view of regulatory programs; providing for performance audits by the legislative auditor; establishing a pilot program; appropriating money.

Referred to the Committee on Governmental Operations.

Mrs. Knaak introduced—

S. F. No. 679: A bill for an act relating to Ramsey County; modifying procedures for the publication of a board journal; amending Laws 1974, Chapter 435, Section 2.05, as amended.

Referred to the Committee on Local Government.

Messrs. Olson, Nichols, Strand, Purfeerst and Penny introduced—

S. F. No. 680: A bill for an act relating to motor vehicles; defining "fertilizer applicator"; including fertilizer applicators in the definition of implement of husbandry; setting maximum weight for loaded fertilizer applicators; directing the commissioner of transportation to adopt temporary and permanent rules; providing a penalty; amending Minnesota Statutes 1978, Sections 168.012, Subdivision 2; 169.01, Subdivision 55, and by adding a subdivision; and Chapter 169, by adding a section.

Referred to the Committee on Transportation.

Messrs. Peterson, Willet, Merriam and Bernhagen introduced—

S. F. No. 681: A bill for an act relating to game and fish; contracts for removal of rough fish; repealing Minnesota Statutes 1978, Section 97.4861.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Chmielewski, Knutson, Rued and Bernhagen introduced—

S. F. No. 682: A bill for an act relating to game and fish; authorizing the use of handguns in taking protected and unprotected wild animals; amending Minnesota Statutes 1978, Section 100.29, Subdivision 2 and 9.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. McCutcheon, Stumpf, Chenoweth, Schaaf and Ashbach introduced—

S. F. No. 683: A bill for an act relating to the department of administration; requiring the commissioner of administration to prepare a budget for computer services; requiring that competi-

tive bids be solicited for the development or operation for computer systems; repealing Minnesota Statutes 1978, Section 16.07, Subdivision 14.

Referred to the Committee on Governmental Operations.

Messrs. Schrom, Rued, Bernhagen and Knutson introduced—

S. F. No. 684: A bill for an act proposing an amendment to the Minnesota Constitution, Article I, adding a section to provide that the right to possess and use arms shall not be abridged.

Referred to the Committee on Judiciary.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

January 23, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

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

Jack G. Young, 569 North 9th Street, Bayport, Washington County, has been appointed by me, effective February 5, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Health, Welfare and Corrections.)

January 26, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Director of the Minnesota Housing Finance Agency is hereby respectfully submitted to the Senate for confirmation as required by law:

James J. Solem, 1520 Raymond Avenue, St. Paul, Ramsey County, has been appointed by me, effective January 18, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Energy and Housing.)

Sincerely,
Albert H. Quie, Governor

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to ap-

pointments and to the report on S. F. No. 27. The motion prevailed.

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

S. F. No. 179: A bill for an act relating to legal process; providing for replevin of personal property before and after a hearing; providing for bonds; providing a penalty; repealing Minnesota Statutes 1978, Sections 565.01; 565.02; 565.03; 565.04; 565.05; 565.06; 565.07; 565.08; 565.09; 565.10; and 565.11.

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

Page 1, line 18, delete "any" and insert "a"

Page 1, line 20, delete "any"

Page 1, line 22, delete "any" and insert "a"

Page 2, line 13, delete "any" and insert "the"

Page 3, line 6, after "for" insert "the"

Page 3, delete lines 14 to 15 and insert "the sheriff shall remove from your possession and deliver to [claimant] (hereinafter "claimant") the following"

Page 3, line 24, delete "should determine" and insert "determines"

Page 3, line 25, delete "take" and insert "have"

Page 4, line 14, delete "such" and insert "the"

Page 4, line 28, delete "any" and insert "the"

Page 5, line 5, after "respondent" insert "time"

Page 6, line 9, delete "(1), (2) and (3)" and insert "(a), (b) and (c), but does not direct seizure,"

Page 6, line 26, delete "any" and insert "the"

Page 7, line 20, after "claim." insert a quotation mark

Page 7, line 22, delete "Any" and insert "An"

Page 7, line 23, delete "conditioned on" and insert "contingent upon"

Page 7, line 24, after "court" insert "conditioned for the return of the property to the respondent, if a return be adjudged, and for the payment to him of the sums as may be adjudged in his favor"

Page 7, line 29, after "court" insert "conditioned that the property shall be delivered to the claimant, if delivery be adjudged, and for the payment to him of the sum as may be adjudged against the respondent"

Page 7, line 30, after "property" insert "or 1½ times the amount of the claimant's claim, whichever is less. An order for seizure may specify a time limitation within which the bond must be filed"

Page 8, after line 19, insert

"Subd. 4. In lieu of filing a bond, either claimant or respondent may satisfy bonding requirements by depositing with the court cash, cashier's check, or a certified check."

Page 8, line 24, after "authorized" insert ", immediately or after a specified reasonable period of time,"

Page 9, line 20, delete "Any" and insert "A"

Page 9, after line 33, insert:

"Sec. 9. [565.08] [ADVANCEMENT ON CALENDAR.] A motion for advancement on the calendar or for a date certain for final hearing on the merits may be presented at any time and may be combined with any other motion and the court may advance the case or set a date certain as the ends of justice require."

Renumber the sections in sequence.

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

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 93: A bill for an act relating to taxation; income tax; changing definition of gross income; subtracting certain capital gains realized in divorce settlement; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.14.

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

Page 5, line 11, after "*spouse*" insert "*or former spouse*"

Page 8, line 7, after "*spouse*" insert "*or former spouse*"

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

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 114: A bill for an act relating to taxation; altering procedure for obtaining refunds of tax on certain gasoline or special fuel used for exempt purposes; amending Minnesota Statutes 1978, Sections 290.06, by adding a subdivision; and 296.18, Subdivisions 1, 2, and 3.

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

Page 5, after line 14, insert:

"Sec. 5. Minnesota Statutes 1978, Section 296.18, Subdivision 8, is amended to read:

Subd. 8. [APPROPRIATION.] There is hereby appropriated to the persons entitled to such refund under this section, from the fund or account in the state treasury to which the money was credited, an amount sufficient to make the refund and payment. *There is annually appropriated from the highway user tax distribution fund to the general fund the amount required to make the refunds required to be paid as income tax credits pursuant to sections 1 and 2."*

Page 5, line 16, delete "July" and insert "December"

Renumber the remaining section in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon insert "appropriating funds;"

Page 1, line 7, delete "and" and after "3" insert "and 8"

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

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

S. F. No. 218: A bill for an act relating to game and fish; authorizing exporting of leaches; time for possession of certain equipment usable in taking fish; amending Minnesota Statutes 1978, Sections 97.45, Subdivision 15; and 101.42, Subdivision 18.

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

Page 1, line 18, delete "leaches" and insert "leeches"

Page 2, line 18, after "trap" insert a comma

Page 2, line 19, after "nets" insert "*which may be possessed between the hours of sunrise and sunset during the period of February 16 to April 30, inclusive,*"

Page 2, line 23, after "inclusive" insert "*and except that spears, dip nets, bows and arrows, and devices permitted in section 101.51 used for the taking of rough fish may be possessed between the hours of sunrise and sunset after April 30"*

Page 2, line 24, after "season" insert "*or to seines or traps used for the taking of minnows for bait"*

Amend the title as follows:

Page 1, line 3, delete "leaches" and insert "leeches"

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

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

S. F. No. 233: A bill for an act relating to the city of Faribault; authorizing subletting of certain property leased from the state; directing disposition of rentals therefrom; amending Laws 1977, Chapter 245, Section 1, Subdivision 1.

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

Page 1, line 23, after "*Faribault*" insert "*annually*"

Page 2, line 1, delete "*which are suitable*"

Page 2, line 1, after "*for*" insert "*raising*"

Page 2, line 1, delete "*uses*" and insert "*crops*"

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

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 521: A bill for an act relating to the city of St. Cloud; authorizing an on-sale liquor license for the Municipal Sports Complex.

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

Strike everything after the enacting clause and insert:

"Section 1. Notwithstanding any statute, ordinance, or charter to the contrary, the governing body of the city of St. Cloud may by ordinance authorize any holder of an on-sale intoxicating liquor license issued by the city to dispense intoxicating liquor at any convention, banquet, conference, meeting or social affair at the premises known and used as the Municipal Sports Complex. The licensee must be engaged to dispense intoxicating liquor at such an event held by a person or organization permitted to use space at the arena, and may dispense intoxicating liquor only to persons attending the event. The dispensing of intoxicating liquor shall be subject to all laws and ordinances governing the dispensing of intoxicating liquor as are not inconsistent herewith. Nothing in this act shall authorize the dispensing of intoxicating liquor to any person attending or participating in any amateur hockey game, or elementary or secondary school or college athletic event being held on the Sports Complex premises.

Sec. 2. This act is effective upon approval by the governing body of the city of St. Cloud, and compliance with provisions of Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 2, delete "an"

Page 1, line 3, delete "on-sale" and insert "sale of"

Page 1, line 3, delete "license for" and insert "at"

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

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 27: A bill for an act relating to financial institutions; defining reverse mortgage loans; authorizing investments in reverse mortgage loans by certain financial institutions and insurance companies; providing tax deductions for accrued interest on reverse mortgage loans; allowing lenders to include accrued earned interest on such loans in their yearly earned income under certain circumstances; amending Minnesota Statutes 1978, Section 290.09, Subdivision 3; and Chapters 47, by adding a section; and 290, by adding a section.

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

Page 4, line 12, after "banks" insert "*or commissioner of insurance*"

Page 4, line 16, before the period insert "*, provided the aggregate total of committed principal of the investment in reverse mortgage loans by any bank, savings bank, or savings and loan association, does not exceed 5 percent of that lender's total deposits and savings accounts. This limitation shall be determined at each June 30 and December 31 for the following six month period. Any decline in the total of deposits and savings accounts subsequent to a determination may be disregarded*"

Page 6, line 11, after the period, insert: "*A contract rate within the maximum lawful interest rate applicable to a reverse mortgage loan at the time the loan is made shall be the maximum lawful interest rate for the term of the reverse mortgage loan.*"

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

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 57: A bill for an act relating to insurance; providing for the coordination of reparations benefits for automobile losses; amending Minnesota Statutes 1978, Section 65B.49, by adding a subdivision.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 65B.61, Subdivision 3, is amended to read:

Subd. 3. *With appropriate consideration in setting premium rates, any legally constituted legal entity, other than a reparation obligor obligated to pay benefits under a plan of reparation security or an insurer or employer obligated to pay benefits under a workers' compensation law, may coordinate any benefits it is obligated to pay for loss incurred as a result of injury arising out of the maintenance or use of a motor vehicle with basic economic loss benefits.*

Sec. 2. Minnesota Statutes 1978, Section 65B.61, Subdivision 4, is repealed."

Amend the title as follows:

Page 1, line 5, delete "65B.49, by adding a subdivision" and insert "65B.61, Subdivision 3; repealing Minnesota Statutes 1978, Section 65B.61, Subdivision 4"

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

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 427: A bill for an act relating to warehouses; excepting certain marine dealers from requirements applied to warehousemen; amending Minnesota Statutes 1978, Section 231.01, Subdivision 5.

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

Page 2, line 3, delete the new language and before the period insert "; or storing on a seasonal basis boats, boating accessories, recreational vehicles or recreational equipment"

Page 2, delete line 4

Amend the title as follows:

Page 1, line 2, delete "certain marine" and insert "persons storing certain items on a seasonal basis"

Page 1, line 3, delete "dealers"

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

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 228: A bill for an act relating to intoxicating liquor; places where sales are forbidden; amending Minnesota Statutes 1978, Section 340.14, Subdivision 3.

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

Mr. Tennessen from the Committee on Commerce, to which was referred the following appointment as reported in the Journal for February 22, 1979:

PUBLIC SERVICE COMMISSION

Roger Hanson

Reports the same back with the recommendation that the appointment be confirmed.

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

Mr. Tennesen from the Committee on Commerce, to which was referred the following appointment as reported in the Journal for January 8, 1979:

PUBLIC SERVICE COMMISSION

Lillian F. Warren-Lazenberry

Reports the same back with the recommendation that the appointment be confirmed.

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

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 307, 225, 54, 60, 61, 432, 411 and 384 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. 179, 93, 114, 218, 233, 521, 57, 427 and 228 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Humphrey moved that the name of Mr. Chenoweth be added as co-author to S. F. No. 21. The motion prevailed.

Mr. Laufenburger moved that the names of Messrs. Perpich, Anderson and Ashbach be added as co-authors to S. F. No. 171. The motion prevailed.

Mr. Nichols moved that the name of Mr. Olson be added as co-author to S. F. No. 230. The motion prevailed.

Mr. Peterson moved that the names of Messrs. Willet, Dunn and Moe be added as co-authors to S. F. No. 272. The motion prevailed.

Mr. Olhoft moved that the name of Mr. Gunderson be added as co-author to S. F. No. 575. The motion prevailed.

Mr. Johnson moved that the name of Mr. Solon be added as co-author to S. F. No. 603. The motion prevailed.

Mr. Sieloff moved that the name of Mr. Dieterich be added as co-author to S. F. No. 638. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Lessard be added as co-author to S. F. No. 682. The motion prevailed.

CALENDAR

S. F. No. 51: A bill for an act relating to liens; enacting the revised uniform federal lien registration act; amending Minnesota Statutes 1978, Sections 272.481; 272.482; 272.483; 272.484; 272.486; and Chapter 272, 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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 198: A bill for an act relating to professional corporations; clarifying the kinds of professional services which may be rendered; permitting pharmacists to organize professional corporations; allowing nonprofessionals to hold certain corporate offices and positions; providing for reconstitution of corporate powers and privileges; amending Minnesota Statutes 1978, Sections 319A.02, Subdivision 2; 319A.12, by adding a subdivision; 319A.15; and 319A.16.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 81: A bill for an act relating to adoption; providing that an adopted child may inherit from its natural parent in

certain cases; amending Minnesota Statutes 1978, Section 259.29, Subdivision 1.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 254: A bill for an act relating to rates of interest; regulating interest on loans for business or agricultural purposes; amending Minnesota Statutes 1978, Section 334.011, Subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Johnson and Nichols voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 59: A bill for an act relating to no-fault automobile insurance; modifying indemnification rights on certain commercial vehicles; coordinating benefits with medicare; providing penalties for failure to provide security on motorcycles and motor vehicles; requiring evidence of insurance; authorizing the commissioner of insurance to limit coverage variations; increasing the interest rate on unpaid insurance benefits; amending Minnesota

Statutes 1978, Sections 65B.53, Subdivision 1; 65B.54, Subdivision 2; 65B.61; 65B.67; 65B.68, by adding a subdivision; and Chapter 65B, 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 57 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Merriam, Penny and Sieloff voted in the negative.

So the bill passed and its title was agreed to.

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. 219, 87 and 231 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.

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. Tennessee, Sikorski, Willet, Moe and Ashbach introduced—

S. F. No. 685: A bill for an act relating to energy; Minnesota energy assistance act; providing assistance for certain homeowners and renters for costs of energy needed to sustain life; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Section 256.879, Subdivision 3, and by adding subdivisions; and Chapter 290A, by adding sections.

Referred to the Committee on Commerce.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, March 1, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate