

TWENTY-THIRD DAY

St. Paul, Minnesota, Thursday, March 8, 1979

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

CALL OF THE SENATE

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

Anderson	Gearty	Laufenburger	Purfeerst	Strand
Ashbach	Gunderson	Lewis	Renneke	Stumpf
Bang	Hanson	Luther	Rued	Tennessee
Benedict	Hughes	Menning	Schmitz	Ueland, A.
Bernhagen	Humphrey	Merriam	Schrom	Vega
Brataas	Jensen	Moe	Sieloff	Wegener
Chenoweth	Johnson	Nelson	Sikorski	Willet
Davies	Keefe, S.	Penny	Sillers	
Dieterich	Kirchner	Perpich	Spear	
Dunn	Knaak	Peterson	Staples	
Engler	Knoll	Pillsbury	Stokowski	

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

Prayer was offered by the Chaplain, Rev. Sheila Henderson.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Mr. Coleman was excused from the Session of today. Mr. Nichols was 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. Nelson, Humphrey, Anderson and Bernhagen introduced—

S. F. No. 772: A bill for an act relating to public utilities; providing for advice and assistance to cities operating steam or hot water heating systems; appropriating funds; amending Minnesota Statutes 1978, Section 451.09.

Referred to the Committee on Energy and Housing.

Messrs. Gunderson, Penny, Nichols, Luther and Engler introduced—

S. F. No. 773: A bill for an act relating to wild animals; prohibiting possession of firearms while shining wild animals; amending Minnesota Statutes 1978, Section 100.29, Subdivision 10.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Engler introduced—

S. F. No. 774: A bill for an act relating to natural resources; regulating the harvest of ginseng; requiring the licensing of dealers; providing penalties.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Olson, Pillsbury, Kirchner, Nichols and Purfeerst introduced—

S. F. No. 775: A bill for an act relating to motor vehicles; providing for taxing and registering modified vehicles manufactured prior to 1949; regulating storage of modified vehicles and requiring certain equipment; amending Minnesota Statutes 1978, Section 168.10.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Davies, Kleinbaum, Mrs. Brataas, Messrs. Hanson and Ulland, J. introduced—

S. F. No. 776: A bill for an act relating to accountancy; pro-

viding for licensing of public accountants; prohibiting certain practices; appropriating money; providing penalties; amending Minnesota Statutes 1978, Sections 326.17; 326.18; 326.20, Subdivisions 1 and 2; and Chapter 326, by adding sections.

Referred to the Committee on Commerce.

Mr. Spear, Mrs. Staples, Messrs. Perpich, Vega and Mrs. Brataas introduced—

S. F. No. 777: A bill for an act relating to public welfare; disregarding certain income in determining eligibility for medical assistance; amending Minnesota Statutes 1978, Section 256B.06, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Jensen, Peterson, Wegener, Setzepfandt and Dunn introduced—

S. F. No. 778: A bill for an act relating to retirement; disposition of state police aid to municipalities and counties; amending Minnesota Statutes 1978, Section 69.031, Subdivision 5.

Referred to the Committee on Governmental Operations.

Messrs. Schaaf; Keefe, S.; Ashbach; Solon and Kirchner introduced—

S. F. No. 779: A bill for an act relating to commerce; regulating building movers; amending Minnesota Statutes 1978, Chapter 221, by adding a section.

Referred to the Committee on Commerce.

Messrs. Stumpf; Vega; Keefe, S. and Nichols introduced—

S. F. No. 780: A bill for an act relating to employment; prohibiting mandatory overtime; providing a penalty.

Referred to the Committee on Employment.

Messrs. Stumpf, Chmielewski, Nelson, Willet and Sillers introduced—

S. F. No. 781: A bill for an act relating to employment; creating the advisory committee on Indian employment; appropriating money.

Referred to the Committee on Employment.

Messrs. Purfeerst, Moe, Kleinbaum, Engler and Strand introduced—

S. F. No. 782: A bill for an act relating to transportation;

establishing a public transit capital grant assistance program to aid certain political subdivisions to meet federal matching fund requirements for certain federal grants; appropriating money; amending Minnesota Statutes 1978, Chapter 174, by adding a section.

Referred to the Committee on Transportation.

Messrs. Spear, Dieterich, Luther and Sikorski introduced—

S. F. No. 783: A bill for an act relating to landlords and tenants; extending the time between service of the summons in unlawful detainer proceedings and the return day; providing for a stay of the writ of restitution in unlawful detainer proceedings; amending Minnesota Statutes 1978, Sections 566.05; 566.06; 566.09; and 566.11.

Referred to the Committee on Judiciary.

Messrs. Johnson and Peterson introduced—

S. F. No. 784: A bill for an act relating to retirement; actuarial reporting and financial requirements of nonprofit firefighting corporations; amending Minnesota Statutes 1978, Section 69.774, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Strand, Stokowski, Peterson, Ogdahl and Renneke introduced—

S. F. No. 785: A bill for an act relating to retirement; payment of teachers' annuities; refunds of accumulated contributions; amending Minnesota Statutes 1978, Sections 354.44, by adding a subdivision; and 354.47, Subdivision 1.

Referred to the Committee on Governmental Operations.

Mr. Strand, Mrs. Staples, Messrs. Nelson, Kirchner and Knutson introduced—

S. F. No. 786: A bill for an act relating to health; prohibiting applicants for certain dental licenses who fail a clinical examination twice from further taking the examination without additional education and training; requiring the board of dentistry to promulgate rules establishing requirements for this education and training; requiring licensed dentists, dental hygienists and registered dental assistants to inform the board of dentistry when changing addresses; setting standards for the names under which dentists may practice; authorizing the board of dentistry to promulgate rules governing advertising by dentists; establishing penalties; amending Minnesota Statutes 1978, Sections 150A.06,

Subdivisions 1, 2 and 2a; 150A.09, Subdivision 3; and 150A.11, Subdivisions and 1 and 2.

Referred to the Committee on Health, Welfare and Corrections.

Mrs. Staples, Messrs. Nelson, Peterson, Frederick and Bang introduced—

S. F. No. 787: A bill for an act relating to commerce; creating a business assistance center within the department of economic development; appropriating money; amending Minnesota Statutes 1978, Sections 161.321, Subdivision 1; 362.42; and Chapter 362, by adding sections; repealing Minnesota Statutes 1978, Section 16.082.

Referred to the Committee on Employment.

Messrs. Strand, Nichols, Hanson and Willet introduced—

S. F. No. 788: A bill for an act relating to agriculture; agreeing to the Interstate Compact on Agricultural Grain Marketing.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Bang, Sikorski, Laufenburger, Knutson and Mrs. Brataas introduced—

S. F. No. 789: A bill for an act relating to commerce; registering and regulating continuing care facilities; providing a lien; providing for disclosure; providing a penalty; amending Minnesota Statutes 1978, Section 82.18.

Referred to the Committee on Commerce.

Messrs. Olhoft; Keefe, S.; Frederick and Hanson introduced—

S. F. No. 790: A bill for an act relating to the legislature; creating a Legislative Commission on Science and Technology and a legislative office of science and technology research; defining their powers and duties; and appropriating money.

Referred to the Committee on Governmental Operations.

Mr. Willet introduced—

S. F. No. 791: A bill for an act relating to waters; requiring executive council designation of wild and scenic rivers; authorizing legislative review of the designation of wild and scenic rivers; permitting county administration of certain areas within the wild and scenic rivers system; providing for informational meetings prior to adoption of management plans; assisting local governments in preparation and administration of required ordinances; restricting acquisition of lands by the state; protecting land-

owners rights; amending Minnesota Statutes 1978, Sections 104.34; 104.35, Subdivisions 1, 2 and 3; 104.36, by adding a subdivision; and 104.37, Subdivision 1; repealing Minnesota Statutes 1978, Sections 104.35, Subdivision 4; and 104.39.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Bang; Dunn; Ulland, J.; Willet and Wegener introduced—

S. F. No. 792: A bill for an act relating to natural resources; authorizing cities to acquire conservation easements; amending Minnesota Statutes 1978, Sections 84.64, Subdivision 1; and 84.65, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Dunn, Anderson, Renneke, Merriam and Setzepfandt introduced—

S. F. No. 793: A bill for an act relating to energy; invalidating certificates of need for certain large electric generating plants; amending Minnesota Statutes 1978, Section 116H.13, Subdivision 2.

Referred to the Committee on Energy and Housing.

Mr. Sillers introduced—

S. F. No. 794: A bill for an act relating to retirement; directing recalculation of certain annuities and benefits paid by the teachers retirement association; appropriating funds.

Referred to the Committee on Governmental Operations.

Messrs. Dieterich, Setzepfandt, Hughes, Jensen and Benedict introduced—

S. F. No. 795: A bill for an act relating to taxation; allowing a one-time exclusion of gain up to \$100,000 on the sale of a principal residence of an individual who has attained age 55; allowing an income tax credit for blind dependents; establishing a presumption of ownership for inheritance tax purposes in property held jointly by husband and wife; providing a minimum homestead exemption from the inheritance tax; equalizing inheritance tax exemptions; equalizing gift tax rates and credits between spouses; removing the sales tax from water used for residential use; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; 290.06, Subdivision 3c; 291.01, Subdivision 4; 291.03; 291.05; 292.07, Subdivisions 1 and 5, and by adding a subdivision; and 297A.01, Subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Mr. Nichols introduced—

S. F. No. 796: A bill for an act relating to aeronautics; limiting state regulation of certain federally licensed mechanics; amending Minnesota Statutes 1978, Section 360.018, by adding a subdivision.

Referred to the Committee on Transportation.

Mr. Nichols introduced—

S. F. No. 797: A bill for an act relating to game and fish; authorizing, licensing and regulating nonresidents' fish houses or dark houses; amending Minnesota Statutes 1978, Section 98.46, Subdivision 15.

Referred to the Committee on Agriculture and Natural Resources.

Mrs. Staples, Messrs. Gunderson, Tennessen, Renneke and Nelson introduced—

S. F. No. 798: A bill for an act relating to health; establishing a state coordinated and funded system of services to help maintain certain elderly, physically disabled, mentally ill and developmentally disabled adults in non-institutional settings; prescribing the powers and duties of the commissioner of health and of the county boards in relation to in-home care services; authorizing certain planning grants for counties; appropriating money; repealing Minnesota Statutes 1978, Section 256B.51.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Lessard, Hanson, Willet, Dunn and Peterson introduced—

S. F. No. 799: A bill for an act relating to game and fish; revocation of and ineligibility for game and fish licenses upon conviction for game and fish law violations; amending Minnesota Statutes 1978, Section 98.52, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Hughes, Coleman, Perpich, Kirchner and Renneke introduced—

S. F. No. 800: A bill for an act relating to health; establishing a grant program in the department of public welfare for assisting mental health boards in providing services for the chronically mentally ill; requiring the availability of five levels of treatment for the chronically mentally ill; establishing a community residential living program with services; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Knutson; Wegener; Ueland, A. and Kleinbaum introduced—

S. F. No. 801: A bill for an act relating to non-alcoholic beverages; requiring laboratory examination of certain beverages; deleting registration exemption for identified beverages; amending Minnesota Statutes 1978, Section 34.05, Subdivision 1; repealing Minnesota Statutes 1978, Section 34.05, Subdivision 2.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Solon, Lewis, Kleinbaum and Engler introduced—

S. F. No. 802: A bill for an act relating to health; regulating the occupations of physical therapist and physical therapist assistant; amending Minnesota Statutes 1978, Sections 148.65; 148.67; 148.70; 148.71; 148.72; 148.73; 148.74; 148.75; 148.76; 148.77; 148.78; and Chapter 148, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Dieterich, Chmielewski, Schaaf and Sieloff introduced—

S. F. No. 803: A bill for an act relating to crimes; property seized by authorized law enforcement officers; providing for identification and return of seized property; amending Minnesota Statutes 1978, Section 299C.07; repealing Minnesota Statutes 1978, Sections 626.04 and 629.361.

Referred to the Committee on Judiciary.

Mr. Peterson introduced—

S. F. No. 804: A bill for an act relating to the state building code; repealing statewide application of portions of the code; amending Minnesota Statutes 1978, Sections 16.84, Subdivision 3; 16.851, Subdivision 1; and 16.866, Subdivision 1; repealing Minnesota Statutes 1978, Sections 16.84, Subdivisions 2 and 6; 16.851, Subdivision 2; and Laws 1978, Chapter 786, Section 22.

Referred to the Committee on Energy and Housing.

Mr. Wegener introduced—

S. F. No. 805: A bill for an act relating to state parks; deleting certain land from the boundaries of Father Hennepin state park.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Bang and Kirchner introduced—

S. F. No. 806: A bill for an act relating to the city of Blooming-

ton; placing the chief of police of Bloomington under the public employees police and fire fund.

Referred to the Committee on Governmental Operations.

Mr. Sikorski introduced—

S. F. No. 807: A bill for an act relating to intoxicating liquor; authorizing Washington County to issue an off-sale license in Denmark township.

Referred to the Committee on Commerce.

Messrs. Nichols, Dunn, Willet and Peterson introduced—

S. F. No. 808: A bill for an act relating to waters; redefining public waters; defining wetlands; providing new procedures for the determination of public waters and wetlands; reappropriating money; amending Minnesota Statutes 1978, Sections 105.37, by adding subdivisions; 105.38; 105.39, Subdivision 3; 105.391, Subdivisions 1 and 3, and by adding subdivisions; 105.392, Subdivisions 2 and 5; repealing Minnesota Statutes 1978, Section 105.391, Subdivisions 2, and 4 to 8.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Stokowski, Strand, Renneke, Ogdahl and Peterson introduced—

S. F. No. 809: A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; amending Minnesota Statutes 1978, Sections 353.01, Subdivisions 2b, 10, 16, and 27; 353.017, Subdivision 2; 353.29, Subdivisions 2 and 8; 353.31, Subdivision 1; 353.32, Subdivisions 1, 3, and 9; 353.33, Subdivision 1 and by adding a subdivision; 353.34, Subdivision 3; 353.35; 353.46, Subdivision 1; 353.656, Subdivision 2; 353.657, Subdivision 1; 353.71, Subdivision 5; repealing Minnesota Statutes 1978, Sections 353.272; 353.33, Subdivisions 4 and 6.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski, Strand, Renneke, Ogdahl and Peterson introduced—

S. F. No. 810: A bill for an act relating to retirement; prohibiting volunteer firefighters relief association membership for fire chiefs.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski, Strand, Renneke and Peterson introduced—

S. F. No. 811: A bill for an act relating to retirement; teachers

retirement fund associations in cities of the first class; codification of a coordinated program for the Minneapolis and St. Paul teachers retirement fund associations; recodification of the law governing first class city teachers retirement fund associations; amending Minnesota Statutes 1978, Sections 354A.05; 354A.08; 354A.09; 354A.091; 354A.11; 354A.12; 354A.21; and 356.32, Subdivision 2; and Chapter 354A by adding sections; repealing Minnesota Statutes 1978, Sections 354A.01; 354A.02; 354A.03; 354A.04; 354A.10; 354A.13; and 354A.22.

Referred to the Committee on Governmental Operations.

Messrs. Engler, Knutson, Mrs. Knaak, Mr. Schmitz introduced—

S. F. No. 812: A bill for an act relating to metropolitan government; changing procedures for contesting decisions by the metropolitan council to require modification of local land planning; amending Minnesota Statutes 1978, Section 473.866.

Referred to the Committee on Governmental Operations.

Messrs. Dunn, Olhoft, Wegener, Rued and Peterson introduced—

S. F. No. 813: A bill for an act relating to agriculture; providing a wetlands property tax credit; providing for state reimbursement of lost local revenues; appropriating money; amending Minnesota Statutes 1978, Chapter 273, by adding a section; repealing Minnesota Statutes 1978, Section 272.59.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Penny, Bang, Kirchner, Lessard and Vega introduced—

S. F. No. 814: A bill for an act relating to interstate motor vehicle carriers; eliminating certain registration requirements for certain interstate carriers; amending Minnesota Statutes 1978, Section 221.62.

Referred to the Committee on Commerce.

Messrs. Knoll, Anderson, Sillers, Humphrey and Willet introduced—

S. F. No. 815: A bill for an act relating to building codes; defining "earth sheltered" construction; requiring modification of zoning and building codes and ordinances so as to allow earth sheltered construction; appropriating funds; amending Minnesota Statutes 1978, Sections 394.22, by adding a subdivision; 394.25, Subdivision 3; 394.27, Subdivision 7; 462.352, by adding a subdivision; and 462.357, Subdivisions 1 and 6.

Referred to the Committee on Energy and Housing.

Messrs. Ogdahl, Strand, Stokowski and Renneke introduced—

S. F. No. 816: A bill for an act relating to retirement; teachers retirement association; increase in employer contribution; amending Minnesota Statutes 1978, Sections 354.42, Subdivisions 3 and 5; and 354A.12.

Referred to the Committee on Governmental Operations.

Mr. Schaaf introduced—

S. F. No. 817: A bill for an act relating to metropolitan government; providing for the membership of the metropolitan airports commission; removing mayors from the governing body; setting a residence requirement for the chairman; amending Minnesota Statutes 1978, Sections 473.604; and 473.605, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Hughes, Strand, Schaaf and Ashbach introduced—

S. F. No. 818: A bill for an act relating to public employment labor relations; expanding the use of arbitration to new contracts in certain situations; setting time deadlines for certain bargaining procedures; providing for mediation in certain instances; amending Minnesota Statutes 1978, Sections 179.64, Subdivision 7; 179.65, Subdivision 7; 179.66, Subdivision 8; and 179.69.

Referred to the Committee on Governmental Operations.

Messrs. Peterson, Lessard, Setzepfandt and Laufenburger introduced—

S. F. No. 819: A bill for an act relating to natural resources; providing payments in lieu of taxes to counties and townships in which certain natural resources lands are located; appropriating money; amending Minnesota Statutes 1978, Section 275.51, Subdivision 3d.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Johnson, Merriam, Lessard, Perpich and Hanson introduced—

S. F. No. 820: A bill for an act relating to education; establishing a sparsity aid for certain school districts; appropriating money; amending Minnesota Statutes 1978, Chapter 124, by adding a section.

Referred to the Committee on Education.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

February 28, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Minnesota Pollution Control Agency is hereby respectfully submitted to the Senate for confirmation as required by law:

Duane Rappana, 62 Pike Lake, Duluth, St. Louis County, has been appointed by me, effective February 22, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Agriculture and Natural Resources.)

February 21, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

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

Algernon H. Johnson, Rural Route 1, Box 144A, Litchfield, Meeker County, has been appointed by me, effective February 17, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Energy and Housing.)

February 28, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

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

Harry D. Peterson, 210 East Laurel Street, Stillwater, Washington County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Employment.)

Sincerely,

Albert H. Quie, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of

the following Senate File, herewith returned: S. F. No. 187.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 5, 1979

Mr. President:

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

S. F. No. 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.

Senate File No. 388 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 5, 1979

CONCURRENCE AND REPASSAGE

Mr. Wegener moved that the Senate concur in the amendments by the House to S. F. No. 388 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 388 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 127, 145, 201, 259, 330, 9, 295, 395 and 498.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 5, 1979

FIRST READING OF HOUSE BILLS

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

H. F. No. 127: 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.

H. F. No. 145: A bill for an act relating to health; changing requirements for school employee tuberculosis examinations; amending Minnesota Statutes 1978, Section 123.69, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

H. F. No. 201: A bill for an act relating to political subdivisions; regarding public officers; permitting contracts between hospital district boards and board members; amending Minnesota Statutes 1978, Section 471.88, Subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 14, now in the subcommittee on Bill Scheduling.

H. F. No. 259: A bill for an act relating to cooperative associations; providing for boards of directors; prescribing the minimum number of directors governing a cooperative apartment corporation; amending Minnesota Statutes 1978, Section 308.11.

Referred to the Committee on Judiciary.

H. F. No. 330: A bill for an act relating to courts; eliminating erroneous and ambiguous references relating to municipal courts outside Hennepin and Ramsey counties; amending Minnesota Statutes 1978, Sections 480.055, Subdivision 1; 487.01, Subdivision 8; 487.16; 487.38; 488A.113; 488A.282; 525.011, Subdivision 1; 525.013, Subdivisions 1 and 8; and 525.014.

Referred to the Committee on Judiciary.

H. F. No. 9: A bill for an act relating to education; authorizing the pairing of certain independent school districts; extending the time for pairing; amending Minnesota Statutes 1978, Section 122.85, Subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 91, now in the subcommittee on Bill Scheduling.

H. F. No. 295: 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 144A.04, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 418, now in the subcommittee on Bill Scheduling.

H. F. No. 395: 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.

H. F. No. 498: A bill for an act relating to education; requiring hearings on schoolhouse closings to be held at the school absent a compelling reason for another location; amending Minnesota Statutes 1978, Section 123.36, Subdivision 11.

Referred to the Committee on Education.

REPORTS OF COMMITTEES

Mr. Hanson moved that the Committee Reports at the Desk, with the exception of the report on S. F. No. 520, be now adopted. The motion prevailed.

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

S. F. No. 72: A bill for an act relating to elections; providing for the official identification of ballots; amending Minnesota Statutes 1978; Sections 123.32, Subdivision 5; 203A.13; 203A.15; 204A.26, Subdivision 1; 204A.32, Subdivision 3; and 206.17.

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

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1978, Section 123.11, Subdivision 4, is amended to read:

Subd. 4. The clerk shall prepare, at the expense of the district, necessary ballots for the election of officers placing thereon the names of the proposed candidates for such office with a blank space after such names, such ballots shall be marked and signed as official ballots, and the ballots so prepared by the clerk of the district shall be used to the exclusion of all other ballots at such annual meeting or election in the election of officers of the district."

Page 3, after line 4, insert:

"Sec. 6. Minnesota Statutes 1978, Section 204A.31, is amended to read:

204A.31 [MARKING BALLOTS, INSTRUCTIONS.] The voter shall mark and prepare each ballot in the following manner:

(a) The voter shall place a mark (X) in the square opposite the printed name of each candidate for whom he desires to vote, and in the square before the "YES" or "NO" if he desires to vote for or against any proposition.

(b) If he so desires, he may write other names in the blank spaces provided therefor under the printed names of the candi-

dates, except that no names may be written in on primary election ballots.

(c) If, at any primary election the voter votes for the candidates of more than one party on the party ballot, that ballot is void.

(d) When he has prepared his ballots, he shall fold each of them separately so as to conceal the face and all marks thereon, and so as to expose only the facsimile of the official signature and the initials of the judges on the back of the ballot.

(e) Having marked and folded his ballots in the manner provided in this section, the voter shall withdraw from the voting booth with his ballot."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after "Sections" insert "123.11, Subdivision 4;"

Page 1, line 5, after "1;" insert "204A.31;"

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. 124: A bill for an act relating to taxation; providing that certain income tax credits for contributions may be carried forward; amending Minnesota Statutes 1978, Section 290.21, Subdivision 3.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 290.21, Subdivision 3, is amended to read:

Subd. 3. An amount for contribution or gifts made within the taxable year:

(a) to or for the use of the state of Minnesota, or any of its political subdivisions for exclusively public purposes,

(b) to or for the use of any community chest, corporation, organization, trust, fund, association, or foundation located in and carrying on substantially all of its activities within this state, organized and operating exclusively for religious, charitable, public cemetery, scientific, literary, artistic, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual,

(c) to a fraternal society, order, or association, operating under the lodge system located in and carrying on substantially all of their activities within this state if such contributions or gifts are to be used exclusively for the purposes specified in subdivision

3(b), or for or to posts or organizations of war veterans or auxiliary units or societies of such posts or organizations, if they are within the state and no part of their net income inures to the benefit of any private shareholder or individual, or to an employee stock ownership trust as defined in section 290.01, subdivision 25. Where the beneficiaries of a stock ownership trust include the transferor, his spouse, children, grandchildren, parents, siblings or their children, the amount of the deduction shall be reduced by the product of multiplying said amount by their percentage interest in the trust,

(d) to or for the use of the United States of America for exclusively public purposes, and to or for the use of any community chest, corporation, trust, fund, association, or foundation, organized and operated exclusively for any of the purposes specified in subdivision 3(b) and (c) no part of the net earnings of which inures to the benefit of any private shareholder or individual, but not carrying on substantially all of their activities within this state, in an amount equal to the ratio of Minnesota taxable net income to total net income, provided, however, that for an individual taxpayer, the credit shall be allowed in an amount equal to the ratio of the taxpayer's gross income from sources within the state to the taxpayer's gross income from all sources,

(e) to a political party, as defined in section 200.02, subdivision 7, or a political candidate, as defined in section 210A.01, or a political cause when sponsored by any party or association or committee, as defined in section 210A.01, in a maximum amount not to exceed the following:

(1) contributions made by individual natural persons, \$100,

(2) contributions made by a national committeeman, national committeewomen, state chairman, or state chairwoman of a political party, as defined in section 200.02, subdivision 7, \$1,000,

(3) contributions made by a congressional district committeeman or committeewoman of a political party, as defined in section 200.02, subdivision 7, \$350,

(4) contributions made by a county chairman or a county chairwoman of a political party, as defined in section 200.02, subdivision 7, \$150; ,

(f) in the case of an individual, the total credit against taxable net income allowable hereunder shall not exceed 30 percent of the taxpayer's Minnesota gross income as follows:

(i) the aggregate of contributions made to organizations specified in (a), (b) and (d) shall not exceed ten percent of the taxpayer's Minnesota gross income,

(ii) the total credits under this subparagraph for any taxable year shall not exceed 20 percent of the taxpayer's Minnesota gross income. For purposes of this subparagraph, the credits under this section shall be computed without regard to any deduction allowed under subparagraph (i) but shall take into account any contribu-

tions described in subparagraph (i) which are in excess of the amount allowable as a credit under subparagraph (i); the sum of:

(i) 20 percent of the taxpayer's Minnesota gross income in the case of contributions described in clauses (c) and (e); and

(ii) 30 percent of the taxpayer's Minnesota gross income in the case of contributions or gifts described in clauses (a), (b) and (d), reduced by the amount of the credit allowable under subparagraph (i),

(g) in the case of an individual, if the amount of the contributions or gifts described in clauses (a), (b) and (d), when added to the amount of contributions described in clauses (c) and (e), payment of which is made in a taxable year, hereinafter referred to in this subdivision as the "contribution year", exceeds 30 percent of the taxpayer's Minnesota gross income for that year, the excess shall be treated as a gift or contribution pursuant to this subdivision, paid in each of the five succeeding taxable years in order of time, but with respect to any succeeding taxable year, only to the extent of the lesser of the following amounts:

(i) the amount by which 30 percent of the taxpayer's Minnesota gross income for such succeeding taxable year exceeds the sum of the contribution and gifts described in this subdivision, payment of which is actually made by the taxpayer within such succeeding taxable year, and the contributions and gifts described in clauses (a), (b) and (d), payment of which was made in taxable years before the contribution year and which are treated pursuant to this clause as having been paid in such succeeding taxable year; or

(ii) in the first succeeding taxable year, the amount of such excess, and in the second, third, fourth and fifth succeeding taxable years, the portion of such excess not treated under this clause as a contribution or gift described in clauses (a), (b) and (d) paid in a taxable year between the contribution year and such succeeding taxable year; or

(iii) if, in a contribution year, the taxpayer's Minnesota gross income exceeds \$100,000, clause (g) shall not apply and no contributions or gifts covered by clause (g) shall be carried forward to a subsequent year,

(g) (h) in the case of a corporation, the total credit against net income hereunder shall not exceed 15 percent of the taxpayer's taxable net income less the credits allowable under this section other than those for contributions or gifts,

(h) (i) in the case of a corporation reporting its taxable income on the accrual basis, if: (A) the board of directors authorizes a charitable contribution during any taxable year, and (B) payment of such contribution is made after the close of such taxable year and on or before the fifteenth day of the third month following the close of such taxable year; then the taxpayer may elect to treat such contribution as paid during such taxable year. The election may be made only at the time of the filing of the return

for such taxable year, and shall be signified in such manner as the commissioner shall by regulations prescribe,

(i) in the case of a contribution or property placed in trust as described in section 170(f)(2) of the Internal Revenue Code of 1954, as amended through December 31, 1976, a credit shall be allowed under this subdivision to the extent that a deduction is allowable for federal income tax purposes.

Sec. 2. [EFFECTIVE DATE.] *This act is effective for taxable years commencing after December 31, 1978.*"

Amend the title as follows:

Page 1, line 2, after the semicolon insert "changing computation of certain income tax credits for contributions;"

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. 484: A bill for an act relating to elections; requiring recounts in municipal elections under certain circumstances; amending Minnesota Statutes 1978, Chapter 205, by adding a section.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 204A, is amended by adding a section to read:

[204A.515] [RECOUNTS IN COUNTY AND MUNICIPAL ELECTIONS.] *A losing candidate for nomination or election to a county or municipal office may request a recount of the votes cast for the nomination or election to that office if the difference between the vote cast for that candidate and for a winning candidate for nomination or election is:*

(a) *Five votes or less when the total vote cast for nomination or election to that office is 100 votes or less;*

(b) *Ten votes or less when the total vote cast for nomination or election to that office is more than 100 but not more than 500 votes;*

(c) *Twenty votes or less when the total vote cast for nomination or election to that office is more than 500 but not more than 2,000 votes;*

(d) *One percent of the votes or less when the total vote cast for nomination or election to that office is more than 2,000 but less than 10,000 votes; or*

(e) *100 votes or less when the total vote cast for nomination or election to that office is 10,000 votes or more.*

Candidates for county offices shall file a written request for the recount with the county auditor. Candidates for municipal offices shall file a written request with the municipal clerk. All requests shall be filed during the time for notice of contest of the primary or election for which a recount is sought.

Upon receipt of a request made pursuant to this section, the county auditor shall recount the votes for a county office at the expense of the county and the governing body of the municipality shall recount the votes for a municipal office at the expense of the municipality.

Time for notice of contest of a nomination or election to a county office which is recounted pursuant to this section shall begin to run upon certification of the results of the recount by the county canvassing board. Time for notice of contest of a nomination or election to a municipal office which is recounted pursuant to this section shall begin to run upon certification of the results by the governing body of the municipality.

Sec. 2. Minnesota Statutes 1978, Section 205.11, is amended by adding a subdivision to read:

Subd. 4a. [RECOUNT.] A losing candidate at the municipal primary may request a recount of the votes for that nomination subject to the requirements of section 1.

Sec. 3. Minnesota Statutes 1978, Section 205.14, is amended by adding a subdivision to read:

Subd. 4. [RECOUNT.] A losing candidate at a municipal election may request a recount of the votes for that office subject to the requirements of section 1.

Sec. 4. Minnesota Statutes 1978, Section 123.32, is amended by adding a subdivision to read:

Subd. 8a. A losing candidate for any school district office may request a recount of the votes cast for that office if the difference between the vote cast for that candidate and for a winning candidate for that office is:

(a) Five votes or less when the total vote cast for that office is 100 votes or less;

(b) Ten votes or less when the total vote cast for that office is more than 100 but not more than 500 votes;

(c) Twenty votes or less when the total vote cast for that office is more than 500 but not more than 2,000 votes;

(d) One percent of the votes or less when the total vote cast for that office is more than 2,000 but less than 10,000 votes; or

(e) 100 votes or less when the total vote cast for that office is 10,000 votes or more.

The request shall be made in writing to the school board during the time for notice of contest of the election for which the

recount is sought. Upon receipt of a request made pursuant to this section the school board shall recount the votes for that office at the expense of the school district.

Time for notice of contest of an election which is recounted pursuant to this subdivision shall begin to run upon certification of the results of the recount by the school board.

Sec. 5. Minnesota Statutes 1978, Section 123.32, Subdivision 25, is amended to read:

Subd. 25. (a) Any voter may contest the election of any person for or against whom he had the right to vote, who is declared elected to a school district office, or other questions submitted to public vote, by proceeding as follows:

He shall file with the clerk of the district court of the county in which the administrative office of the school district is located, within ten days after the canvass is completed, a written notice of contest specifying the points upon which the contest will be made, and cause a copy thereof to be served within said period as follows:

(1) If the contest be upon the election of any person, then upon the person whose election he is contesting and the official authorized to issue the certificate of election;

(2) If the contest be upon the question of consolidation or reorganization, then upon the county auditor authorized by law to issue the order;

(3) If the contest be upon any other question, by serving a copy upon the clerk of the district.

When the contestee desires to offer testimony on points not specified in contestant's notice, he shall file and serve on the contestant notice thereof specifying such additional points. Such notices shall be treated as the pleadings in the case and may be amended in the discretion of the court in such manner and within such times as the court may by order direct. Thereafter the matter shall be tried and determined by the court at a time set by the court within 30 days after such canvass. So far as consistent with this section, the Rules of Civil Procedure shall apply.

(b) When an appeal is taken to the supreme court from the determination of the district court in any contest instituted under this code, the party appealing shall file in the district court a bond in such sum, not less than \$500, and with such sureties, as shall be approved by the judge, conditioned for the payment of all costs incurred by the respondent in case appellant fails on his appeal. *The notice of appeal shall be served and filed no later than ten days after the entry of the determination of the district court in the contest.* The return of such appeal shall be made, certified, and filed in the supreme court within 15 days after service of notice of appeal. The appeal may be brought on for hearing in the court at any time when it is in session, upon ten days' notice from either party, which may be served during term time or in vacation; and it may be heard and determined summarily by the court.

Sec. 6. *This act is effective the day following its final enactment.*

Amend the title as follows:

Page 1, line 2, after "in" insert "county,"

Page 1, line 3, after "municipal" insert "and school district"

Page 1, line 3, after the semicolon insert "setting a time limit for appeal of a district court determination in a school district election contest;"

Page 1, line 4, delete "205" and insert "204A"

Page 1, line 5, before the period insert "; Sections 123.32, Subdivision 25, and by adding a subdivision; 205.11, by adding a subdivision; and 205.14, by adding a subdivision"

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

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

S. F. No. 91: A bill for an act relating to education; authorizing the pairing of certain independent school districts; extending the time for pairing; amending Minnesota Statutes 1978, Section 122.85, Subdivision 1.

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

Page 1, line 22, after "516," insert "*No. 421 and No. 426,*"

Page 2, after line 3, insert:

"Sec. 2. This act shall be effective with respect to each named pair of school districts upon its approval by the school boards of both of the paired districts."

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

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

S. F. No. 520: A resolution urging the President, Congress and the Secretary of Transportation to retain the Amtrak North Coast Hiawatha in the National Amtrak Transportation System.

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

Page 1, line 10, delete "thousands and thousands of"

Page 1, line 17, before "alternative" delete "the" and insert "an"

Page 2, line 2, delete "in" and insert "and to improve and revitalize service on"

And when so amended the resolution do pass. Mr. Tennessen

questioned the reference thereon and, under Rule 35, the resolution was referred to the Committee on Rules and Administration.

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

S. F. No. 213: A bill for an act relating to physically handicapped persons; providing parking privileges for the physically handicapped; authorizing parking privileges for operators of vehicles used in transporting the physically handicapped; amending Minnesota Statutes 1978, Sections 168.021, Subdivision 1; 169.345, Subdivisions 3 and 4; and 169.346, Subdivision 1.

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

Pages 1 to 2, delete section 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "168.021, Subdivision 1;"

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

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

S. F. No. 470: A bill for an act relating to highway traffic regulations; requiring the commissioner of transportation to adopt uniform specifications for senior citizen crossings; authorizing local authorities to designate senior citizen crossings in conformance with specifications and providing a penalty.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 169, is amended by adding a section to read:

[169.215] [SENIOR CITIZEN CROSSINGS.] *Subdivision 1. [DESIGNATION OF CROSSINGS.] Local authorities may designate senior citizen crossings on any street or highway in the vicinity of senior citizen housing projects and senior citizen nursing homes on the basis of an engineering and traffic investigation prescribed by the commissioner and subject to the uniform specifications adopted pursuant to subdivision 2. Designation of a senior citizen crossing on a trunk highway is subject to the written consent of the commissioner.*

Subd. 2. [UNIFORM SPECIFICATIONS.] The commissioner shall adopt uniform specifications for senior citizen crossings. The specifications shall include criteria for determining the need for a senior citizen crossing and the type and design of traffic control devices or signals that may be used at such a crossing. The specifications shall be incorporated as a part of the manual

of uniform traffic control devices required pursuant to section 169.06.

Subd. 3. [SPEED ZONES.] Local authorities may establish a reduced speed zone for a senior citizen crossing designated pursuant to this section. The reduced speed zone shall be established on the basis of an engineering and traffic investigation as prescribed by the commissioner. The reduced speed for a senior citizen crossing shall not be lower than 20 miles per hour and shall not be more than 15 miles per hour below the established speed limit on the affected street or highway if the established speed limit is 40 miles per hour or greater. The speed limit shall be effective when signs are posted to designate the speed limit and the beginning and end of the reduced speed zone. Any speed in excess of the posted speed is unlawful. A reduced speed zone on a trunk highway is subject to the consent of the commissioner. The signs shall be erected by local authorities on streets and highways under their jurisdiction and by the commissioner on trunk highways."

Amend the title as follows:

Page 1, line 7, delete "and" and insert "authorizing reduced speed zones in senior citizen crossings;"

Page 1, line 7, before the period insert "; amending Minnesota Statutes 1978, Chapter 169, by adding a section"

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

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

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.

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

Page 1, strike lines 14 to 18 and insert "in one of the following ways:

(a) Submitting to the executive director a resolution of the city council of each affected municipality;

(b) Submitting to the executive director a petition signed by five percent or more of the resident voters of a municipality who voted for governor at the last general election; or

(c) By the board on its own motion."

Page 2, line 12, delete "an" and insert "the"

Page 2, line 19, after "rules" insert "with reference to its operation and procedures"

Page 3, line 4, delete "commission's first meeting" and insert "board's initial appointment of the commission"

Page 4, line 14, after the comma, insert *"return to the commission for amendment or further study,"*

Page 5, line 1, after the period insert *"If the commission's findings and recommendations include a proposed home rule charter for the new municipality, the board may in its order combine the issue of the adoption of the charter and the vote on approval of the order for consolidation into one question on the ballot, and shall submit it in a special or general election as provided in Minnesota Statutes 1978, Section 410.10."*

Page 6, lines 5 and 6, delete *"a resolution of a municipality or"*

Page 6, line 6, delete *"by"* and insert *"of the"*

Page 6, line 6, after *"voters"* insert *"of a municipality"*

Page 6, line 16, after *"petition,"* insert *"the board shall order the municipalities to conduct"*

Page 6, line 16, delete *"shall be"*

Page 6, line 17, delete *"conducted"*

Page 6, line 18, after *"and"* insert *"the referenda shall be held within six months of the receipt of the petition. Costs of the respective referenda shall be borne by the respective municipality."*

Page 6, line 19, after the period insert *"The results of the referenda shall be certified to the executive director of the municipal board by the chief election judge within ten days after the referenda. The executive director shall upon receipt of the certificate notify all parties of the election results."*

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

SECOND READING OF SENATE BILLS

S. F. Nos. 72, 124, 484, 91, 213, 470 and 549 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Sieloff moved that the names of Messrs. Ulland, J. and Merriam be added as co-authors to S. F. No. 93. The motion prevailed.

Mr. Humphrey moved that the name of Mr. Dieterich be added as co-author to S. F. No. 149. The motion prevailed.

Mr. Benedict moved that the name of Mr. Sikorski be added as co-author to S. F. No. 436. The motion prevailed.

Mr. Knoll moved that the name of Mr. Merriam be added as co-author to S. F. No. 525. The motion prevailed.

Mr. Humphrey moved that the name of Mr. Ulland, J. be added as co-author to S. F. No. 740. The motion prevailed.

Mr. Sieloff moved that the name of Mr. Purfeerst be added as co-author to S. F. No. 747. The motion prevailed.

Mr. Kleinbaum moved that the name of Mr. Ulland, J. be added as co-author to S. F. No. 749. The motion prevailed.

Mr. Hanson moved that House Concurrent Resolution No. 1 be taken from the table. The motion prevailed.

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.

Mr. Hughes moved to amend House Concurrent Resolution No. 1 as follows:

Page 1, lines 15 and 16, delete "in a joint meeting"

The motion prevailed. So the amendment was adopted.

Mr. Hanson moved that the foregoing resolution be adopted, as amended. The motion prevailed. So the resolution, as amended, was adopted.

CONFIRMATION

Mr. Stokowski, for Mr. Gearty, moved that the report from the Committee on Elections, reported March 1, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Stokowski moved that the foregoing report be now adopted. The motion prevailed.

Mr. Stokowski moved that in accordance with the report from the Committee on Elections, reported March 1, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

STATE ETHICAL PRACTICES BOARD

John W. Carey, Box 182, Fairfax, Renville County, effective June 29, 1978, for a term expiring the first Monday in January, 1981.

The motion prevailed. So the appointment was confirmed.

CALENDAR

H. F. No. 48: A bill for an act relating to the city of Austin; authorizing an on-sale liquor license for Riverside Arena.

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 61 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Gunderson, Olhoff and Renneke voted in the negative.

So the bill passed and its title was agreed to.

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.

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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Renneke voted in the negative.

So the bill passed and its title was agreed to.

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.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.61, Subdivision 3; repealing Minnesota Statutes 1978, Section 65B.61, Subdivision 4.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Benedict	Chenoweth	Dieterich	Frederick
Ashbach	Bernhagen	Chmielewski	Dunn	Garty
Bang	Brataas	Davies	Engler	Gunderson

Hanson	Knoll	Nelson	Rued	Staples
Hughes	Knutson	Ogdahl	Schaaf	Stokowski
Humphrey	Laufenburger	Olhoft	Schmitz	Strand
Jensen	Lessard	Olson	Schrom	Stumpf
Johnson	Lewis	Penny	Setzepfandt	Tennessee
Keefe, J.	Luther	Perpich	Sieloff	Ueland, A.
Keefe, S.	McCutcheon	Peterson	Sikorski	Ulland, J.
Kirchner	Menning	Pillsbury	Sillers	Vega
Kleinbaum	Merriam	Purfeerst	Solon	Wegener
Knaak	Moe	Renneke	Spear	Willet

So the bill passed and its title was agreed to.

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.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Hughes	Knaak	Menning
Ashbach	Dieterich	Humphrey	Knoll	Merriam
Bang	Dunn	Jensen	Knutson	Moe
Benedict	Engler	Johnson	Laufenburger	Nelson
Bernhagen	Frederick	Keefe, J.	Lessard	Ogdahl
Brataas	Gearty	Keefe, S.	Lewis	Olhoft
Chenoweth	Gunderson	Kirchner	Luther	Olson
Chmielewski	Hanson	Kleinbaum	McCutcheon	Penny

Perpich	Rued	Sieloff	Staples	Ueland, A.
Peterson	Schaaf	Sikoraki	Stokowski	Ulland, J.
Pillsbury	Schmitz	Sillers	Strand	Vega
Purfeerst	Schrom	Solon	Stumpf	Wegener
Renneke	Setzepfandt	Spear	Tennessee	Willet

So the bill passed and its title was agreed to.

CONSENT CALENDAR

S. F. No. 280: A bill for an act relating to towns; permitting certain purchases for highway uses; amending Minnesota Statutes 1978, Section 160.11, Subdivision 1.

Mr. Chmielewski moved that S. F. No. 280 be stricken from the Consent Calendar and returned to its author. The motion prevailed.

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. 345, 427, 228, 521 and 287 which the committee recommends to pass.

S. F. No. 307, which the committee recommends to pass with the following amendment offered by Mr. Merriam:

Page 1, line 21, after "*care*" insert "*, type*"

The motion prevailed. So the amendment was adopted.

S. F. No. 179, which the committee recommends to pass with the following amendments offered by Mr. Luther:

Mr. Luther moved to amend S. F. No. 179 as follows:

Page 3, line 31, after the period, insert "This amount is [1- $\frac{1}{4}$ times the claimant's estimate of the value of the property] [1- $\frac{1}{2}$ times the claimant's claim against you]. If you believe the [value of the property] [amount of the claim] is overstated, you may ask the court to lower it."

The motion prevailed. So the amendment was adopted.

Mr. Luther then moved to amend S. F. No. 179 as follows:

Page 7, delete line 28 and insert "the respondent of any sum adjudged against the claimant. The bond shall be in an amount"

Page 8, line 3, delete everything before "adjudged" and insert "the claimant of any sum"

Page 8, line 3, delete "in" and insert a period

Page 8, line 4, delete "a sum" and insert "The bond shall be in an amount"

Page 8, line 32, after the first comma, insert "a"

The motion prevailed. So the amendment was adopted.

Mr. Luther then moved to amend S. F. No. 179 as follows:

Page 9, line 14, after "Require" insert "that" and delete the comma at the end of the line

Page 9, line 15, before "deliver" delete "to"

Page 9, line 15, delete the comma and after "or" delete "to"

Page 9, line 16, delete "that" and insert a comma

Page 9, line 17, after "disclosed" insert a comma

Page 9, line 21, delete "such" and insert "the"

Page 9, line 23, delete "be" and insert "is"

Page 9, line 26, after the comma delete "he" and insert "the sheriff"

Page 9, line 27, after "and" insert "shall"

Page 9, line 29, delete "so"

Page 9, line 30, delete "so"

Page 10, line 14, after "taken" insert "which is"

The motion prevailed. So the amendment was adopted.

S. F. No. 327, which the committee recommends to pass with the following amendment offered by Mr. Chenoweth:

Page 1, line 20, delete "donation" and insert "conveyance"

The motion prevailed. So the amendment was adopted.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hanson moved that the Senate do now adjourn until 11:00 o'clock a.m., Monday, March 12, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate