

TWENTY-EIGHTH DAY

St. Paul, Minnesota, Monday, March 26, 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:

Bang	Frederick	Kleinbaum	Nelson	Spear
Benedict	Garty	Knaak	Peterson	Staples
Bernhagen	Gunderson	Knoll	Pillsbury	Strand
Brataas	Hanson	Knutson	Purfeerst	Stumpf
Chmielewski	Hughes	Laufenburger	Renneke	Tennessee
Coleman	Humphrey	Lewis	Rued	Ueland, A.
Davies	Johnson	Luther	Schmitz	Ulland, J.
Dieterich	Keefe, J.	McCutcheon	Schrom	Vega
Dunn	Keefe, S.	Merriam	Setzepfandt	Willet
Engler	Kirchner	Moe	Sikorski	

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

Prayer was offered by the Chaplain, Rev. Harold J. Kost.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Anderson, Ashbach, Olson, Perpich and Stokowski were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Ueland A.; Peterson and Renneke introduced—

S. F. No. 1019: A bill for an act relating to retirement; teachers; exempting certain part-time area vocational-technical institute instructors from teacher's retirement membership; amending Minnesota Statutes 1978, Section 354.05, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Anderson and Dunn introduced—

S. F. No. 1020: A bill for an act relating to Independent School District No. 911; providing for the sale of certain land.

Referred to the Committee on Education.

Messrs. Lewis, Sillers, Hanson, Setzepfandt and Schaaf introduced—

S. F. No. 1021: A bill for an act relating to taxation; providing for continuation of homestead classification of property owned by Peace Corps or VISTA volunteer; amending Minnesota Statutes 1978, Section 273.13, Subdivision 10.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dieterich, Stumpf, Chenoweth and Johnson introduced—

S. F. No. 1022: A bill for an act relating to taxation; repealing the termination date for a law denying tax deductions relating to substandard housing; amending Laws 1975, Chapter 226, Section 4.

Referred to the Committee on Energy and Housing.

Messrs. Engler, Nichols, Johnson and Olson introduced—

S. F. No. 1023: A bill for an act relating to construction contracts; requiring distribution of partial payments to subcontractors; requiring interest on delayed payments; providing for recovery of damages.

Referred to the Committee on Judiciary.

Messrs. Tennesen, Knoll, Anderson, Merriam and McCutcheon introduced—

S. F. No. 1024: A bill for an act relating to the collection and dissemination of data; providing that certain data collected by a

housing and redevelopment authority be classified as private data on individuals; amending Minnesota Statutes 1978, Chapter 462, by adding a section.

Referred to the Committee on Judiciary.

Messrs. Bang, Tennessen, Spear, Ashbach and Kleinbaum introduced—

S. F. No. 1025: A bill for an act relating to intoxicating liquor; permitting persons to hold more than one liquor license; amending Minnesota Statutes 1978, Section 340.11, Subdivision 7a; repealing Minnesota Statutes 1978, Section 340.13, Subdivision 3.

Referred to the Committee on Commerce.

Messrs. Lewis, Perpich, Gearty, Willet and Moe introduced—

S. F. No. 1026: A bill for an act relating to welfare; excluding certain payments made to members of Indian tribes from resources considered in determining eligibility for general assistance; amending Minnesota Statutes 1978, Section 256D.08, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Merriam, Dunn, Wegener, Sillers and Hughes introduced—

S. F. No. 1027: A bill for an act relating to education; establishing a program in which mobile units are used to provide certain programs and services to elementary and secondary school pupils; appropriating money.

Referred to the Committee on Education.

Messrs. Tennessen; Luther; Keefe, S.; Bang and Kleinbaum introduced—

S. F. No. 1028: A bill for an act relating to trade regulation; prohibiting certain unfair and deceptive practices and unreasonable restraints of trade in the business of motion picture distribution; prescribing penalties.

Referred to the Committee on Commerce.

Messrs. Anderson, Sillers, Dieterich and Stumpf introduced—

S. F. No. 1029: A bill for an act relating to education; authorizing a program for high school dropouts and dropout prone high school students; establishing a dropout prevention unit in the department of education and listing its duties; requiring school boards and the boards of educational cooperative service units to consider certain information relating to dropouts and to evaluate

the needs of certain dropouts and the dropout prone; appropriating money; amending Minnesota Statutes 1978, Sections 123.58, Subdivision 6; and 123.741, Subdivision 1.

Referred to the Committee on Education.

Messrs. Davies and Knoll introduced—

S. F. No. 1030: A bill for an act relating to probate; clarifying certain witness requirements for inheritance by illegitimates; amending Minnesota Statutes 1978, Section 525.172.

Referred to the Committee on Judiciary.

Messrs. Merriam, Knutson, Anderson, Sillers and Hughes introduced—

S. F. No. 1031: A bill for an act relating to education; providing for a center for the older adult learner and for an advisory council on the older adult learner; appropriating money; amending Minnesota Statutes 1978, Section 256.975, Subdivision 2; and Chapter 121, by adding sections.

Referred to the Committee on Education.

Messrs. Anderson, Kirchner, Moe, Ogdahl and Merriam introduced—

S. F. No. 1032: A bill for an act relating to the metropolitan council; providing for the acquisition and betterment of regional recreation open space; authorizing the issuance of Minnesota state general obligation bonds; appropriating money.

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

Messrs. Stumpf, Spear, McCutcheon, Moe and Kirchner introduced—

S. F. No. 1033: A bill for an act relating to crimes; specifying offenses relating to computers; providing penalties.

Referred to the Committee on Judiciary.

Messrs. Solon and Ulland, J. introduced—

S. F. No. 1034: A bill for an act relating to health; providing for rule making authority to the board of medical examiners in relation to the licensure and regulation of midwives; amending Minnesota Statutes 1978, Chapter 148, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Olson, Schrom, Wegener, Engler and Jensen introduced—

S. F. No. 1035: A bill for an act relating to taxation; deed tax; providing that counties retain a portion of the revenues; amending Minnesota Statutes 1978, Sections 287.21, Subdivision 2; and 287.29, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Kleinbaum introduced—

S. F. No. 1036: A bill for an act relating to state lands; providing for the conveyance of state land to the city of St. Cloud for use as a fire station.

Referred to the Committee on Agriculture and Natural Resources.

Mrs. Brataas, Messrs. Laufenburger, Frederick, Lewis and Engler introduced—

S. F. No. 1037: A bill for an act relating to traffic regulation; allowing an authorized emergency vehicle to use an oscillating white light; amending Minnesota Statutes 1978, Section 169.55, Subdivision 1.

Referred to the Committee on Transportation.

Mrs. Brataas, Messrs. Spear, Bang and Penny introduced—

S. F. No. 1038: A bill for an act relating to taxation; excise tax on intoxicating liquor and malt beverages; providing for a refund of taxes paid if product is destroyed upon an agency order; appropriating money; amending Minnesota Statutes 1978, Chapter 340, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Keefe, S.; Willet; Ashbach; McCutcheon and Spear introduced—

S. F. No. 1039: A bill for an act relating to transcript fees; providing for court transcript fees; authorizing the supreme court to adopt by rule a uniform transcript fee schedule; authorizing the commissioner of labor and industry to maintain a court reporter system for the workers' compensation division; providing for department transcript fees; amending Minnesota Statutes 1978, Sections 175.101, by adding a subdivision; 176.421, Subdivisions 4, 5 and 7; 488.A05, Subdivision 2; 488A.22, Subdivision 2; 525.11; 525.111; and 525.112; repealing Minnesota Statutes 1978, Section 486.06.

Referred to the Committee on Employment.

Mr. Davies introduced—

S. F. No. 1040: A bill for an act relating to insurance; authorizing use of facsimile signatures on certain insurance policies; amending Minnesota Statutes 1978, Sections 60A.08, Subdivision 5; and 65A.01, by adding a subdivision.

Referred to the Committee on Commerce.

Messrs. Menning, Pillsbury and Luther introduced—

S. F. No. 1041: A bill for an act relating to interim claims against the state; appropriating money for the payment thereof.

Referred to the Committee on Finance.

Messrs. Menning and Dieterich introduced—

S. F. No. 1042: A bill for an act relating to dogs; removing the urban location requirement in actions for damages against a dog owner; amending Minnesota Statutes 1978, Section 347.22.

Referred to the Committee on Judiciary.

Messrs. Menning, Setzepfandt and Schmitz introduced—

S. F. No. 1043: A bill for an act relating to commerce; regulating conduct of business under assumed business names; amending Minnesota Statutes 1978, Sections 301.09; 333.01; 333.04; 333.06; and Chapter 333, by adding sections; repealing Minnesota Statutes 1978, Sections 333.001; 333.035; and 333.055.

Referred to the Committee on Commerce.

Messrs. Johnson and Solon introduced—

S. F. No. 1044: A bill for an act relating to pollution; establishing procedures for certifying unpaid outstanding charges for solid waste control to county auditors for collection of taxes upon the lands served; amending Minnesota Statutes 1978, Section 400.08.

Referred to the Committee on Local Government.

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

S. F. No. 1045: A bill for an act relating to transportation; authorizing an increase in the mileage of the municipal state-aid street system; amending Minnesota Statutes 1978, Section 162.09, Subdivision 1.

Referred to the Committee on Transportation.

Messrs. Bernhagen, Frederick, Penny, Laufenburger and Jensen introduced—

S. F. No. 1046: A bill for an act relating to banks and banking; providing for publication of certain bank reports; amending Minnesota Statutes 1978, Section 48.48, Subdivision 1.

Referred to the Committee on Commerce.

Messrs. Pillsbury, Laufenburger, Frederick and Mrs. Staples introduced—

S. F. No. 1047: A bill for an act relating to workers' compensation; providing for settlement of claims; amending Minnesota Statutes 1978, Section 176.521, Subdivision 2.

Referred to the Committee on Employment.

Mr. Spear, Mrs. Staples and Mr. Keefe, S. introduced—

S. F. No. 1048: A bill for an act relating to health; prohibiting misrepresentation on restaurant menus; providing a penalty; appropriating money.

Referred to the Committee on Commerce.

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

S. F. No. 1049: A bill for an act relating to education; expanding a definition of "American Indian child"; extending the deadline for a report required by the American Indian language and culture education act; providing for an advisory task force on American Indian language and culture education programs; amending Minnesota Statutes 1978, Sections 126.47, Subdivision 2; 126.52, Subdivision 10; and Chapter 126, by adding a section; repealing Minnesota Statutes 1978, Section 126.53.

Referred to the Committee on Education.

Messrs. Ueland, A.; Dunn and Sillers introduced—

S. F. No. 1050: A bill for an act relating to economic development; providing for training of certain employees; appropriating money.

Referred to the Committee on Employment.

Messrs. Spear, Lewis, Perpich, Willet and Moe introduced—

S. F. No. 1051: A bill for an act relating to welfare; excluding educational grants and loans from income when determining the amount of assistance granted under aid to families with dependent children; amending Minnesota Statutes 1978, Section 256.74, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Johnson introduced—

S. F. No. 1052: A bill for an act relating to employments licensed by the state; prescribing certain duties of the board of architecture, engineering, land surveying and landscape architecture; limiting certain rule making powers of the board, and extending the time limit for the making of the rules; amending Minnesota Statutes 1978, Section 326.06.

Referred to the Committee on Commerce.

Messrs. Keefe, S.; Spear; Solon and Keefe, J. introduced—

S. F. No. 1053: A bill for an act relating to health; authorizing the commissioner of health to establish a research program concerning therapeutic uses of marijuana; establishing requirements for the program; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Wegener introduced—

S. F. No. 1054: A bill for an act relating to Morrison County; allowing free, nonsubscription publications to qualify as legal newspapers in Morrison County.

Referred to the Committee on Local Government.

Messrs. McCutcheon, Lewis, Vega, Nelson and Sikorski introduced—

S. F. No. 1055: A bill for an act relating to health; providing state funds to the Migrants in Action program for health services for certain migrants; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Spear, Willet, Kleinbaum and Nelson introduced—

S. F. No. 1056: A bill for an act relating to education; providing for grants for noncommercial radio stations and for an audit of certain grant recipients; appropriating money.

Referred to the Committee on Education.

Messrs. Rued, Ashbach, Knutson and Ueland, A. introduced—

S. F. No. 1057: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; providing that the legislature meet in regular session only in odd numbered years.

Referred to the Committee on Judiciary.

Messrs. Rued, Hanson, Lessard and Engler introduced—

S. F. No. 1058: A bill for an act relating to flood plain management; defining the rule making power of the commissioner of natural resources; amending Minnesota Statutes 1978, Section 104.05.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Rued; Keefe, J. and Sillers introduced—

S. F. No. 1059: A bill for an act relating to education; providing a new state aid for certain school districts; amending Minnesota Statutes 1978, Chapter 124, by adding a section.

Referred to the Committee on Education.

Mr. Penny introduced—

S. F. No. 1060: A bill for an act relating to the city of Waseca; authorizing a housing finance program; providing for the issuance of revenue bonds to finance the program.

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

Messrs. Schaaf, Vega and Purfeerst introduced—

S. F. No. 1061: A bill for an act relating to transportation; providing for performance funding of certain public transit systems; amending Minnesota Statutes 1978, Section 174.28.

Referred to the Committee on Transportation.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

February 5, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

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

Clyde Allen, 10750 Penn Avenue South, Bloomington, Hennepin County, has been appointed by me, effective February 1, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Taxes and Tax Laws.)

February 20, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Chairman of the Metropolitan Transit Commission is hereby respectfully submitted to the Senate for confirmation as required by law:

John A. Yngve, 2502 Unity Avenue North, Golden Valley, Hennepin County, has been appointed by me, effective February 21, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Transportation.)

March 6, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Soil and Water Conservation Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Alison D. Fuhr, 6609 Brittany Road, Edina, Hennepin County, has been appointed by me, effective March 6, 1979, for a term expiring the first Monday in January, 1983.

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

March 6, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Minnesota Higher Education Coordinating Board is hereby respectfully submitted to the Senate for confirmation as required by law:

James W. Krause, 512 Janalyn Circle, Minneapolis, Hennepin County, has been appointed by me, effective March 6, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Education.)

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 appointments and the reports on S. F. Nos. 533 and 832. The motion prevailed.

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

S. F. No. 361: A bill for an act relating to highway traffic regulations; regulating speed limits within school zones; prescribing penalties; amending Minnesota Statutes 1978, Section 169.14, Subdivision 5a.

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

Page 1, line 10, delete "(a)"

Page 1, line 12, delete "attended by"

Page 1, line 13, delete the underlined language

Page 1, lines 17 to 20, reinstate the stricken language

Page 1, line 21, strike "20" and insert "15"

Page 1, line 22, strike "15" and insert "20"

Page 2, lines 3 to 9, and lines 12 and 13, delete the underlined language and reinstate the stricken language

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

Mr. Chmielewski from the Committee on Veterans' Affairs, to which was referred

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

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

Page 1, line 13, delete "any" and insert "a"

Page 1, line 17, after the period, insert "*A veteran shall inform the registrar or other responsible official of the post-secondary vocational-technical school in writing of his intention to use the preference 30 days before the commencement of a designated program.*"

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

Mr. Chmielewski from the Committee on Veterans' Affairs, to which was referred

S. F. No. 832: A bill for an act relating to veterans; increasing the maximum amount of certain educational grants to certain persons; amending Minnesota Statutes 1978, Section 197.75, Subdivision 1.

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

Page 1, line 18, strike "any"

Page 2, line 3, strike "any" and insert "a"

Page 2, line 3, strike "such" and insert "the"

Page 2, line 5, strike "any" and insert "an"

Page 2, line 6, strike "any" and insert "a"

Page 2, line 7, strike "any" and insert "a"

Page 2, line 8, strike "therefor"

Page 2, line 9, strike "any" and insert "a"

Page 2, line 10, strike "herein"

Page 2, line 11, strike "such" and insert "the"

Page 2, line 12, strike "immediately prior to" and insert "before"

Page 2, line 12, strike "said" and insert "the"

Page 2, line 14, strike "hereunder" and insert "*as provided in this section*"

Page 2, line 16, strike "for herein" and insert "*in this section*"

Page 2, line 18, strike "such" and insert "the"

Page 2, after line 19, insert:

"Sec. 2. [APPROPRIATION.] *The sum of \$44,000 is appropriated to the department of administration from the general fund for the purposes of section 1 for the biennium ending June 30, 1981.*"

Amend the title as follows:

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

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

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred

S. F. No. 498: A bill for an act relating to motor vehicles; authorizing the identification of certain tax exempt vehicles by use of removable plates or placards; amending Minnesota Statutes 1978, Section 168.012, Subdivision 1.

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

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

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

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

Page 1, line 12, delete "training" and insert "continuing education"

Page 1, line 16, delete "training" and insert "continuing education"

Page 2, line 5, delete "TRAINING" and insert "CONTINUING EDUCATION"

Page 2, line 7, delete "training" and insert "continuing education"

Page 2, line 32, delete "and"

Page 2, line 33, delete "board of"

Page 3, line 1, delete "colleges." and insert "college system;"

Page 3, after line 1, insert

"(f) After the initial formation of the board in accordance with paragraphs (a) through (e), additional members may be added by a majority vote of the board from any other association or group comprised in whole or in part of local government officials."

Page 3, line 18, delete ", from time to time,"

Page 4, line 30, delete "shall" and insert "may"

Page 6, line 3, delete "training" and insert "continuing education"

Amend the title as follows:

Page 1, line 3, delete "training" and insert "continuing education"

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

Mr. Chenoweth from the Committee on Governmental Operations, to which was re-referred

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

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

Page 1, line 15, strike "court, one judge of" and insert "or"

Page 1, line 16, strike "four" and insert "five"

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

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred

S. F. No. 758: A bill for an act relating to motor vehicles; providing for special license plates for former prisoners of war; prescribing penalties; amending Minnesota Statutes 1978, Chapter 168, by adding a section.

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

Page 1, line 16, after " "EX-POW" " insert "or "EX-PRISONER OF WAR" "

Page 1, line 21, delete ", separated"

Page 2, line 6, after " "EX-POW" " insert "or "EX-PRISONER OF WAR" "

Page 2, line 13, after " "EX-POW" " insert "or "EX-PRISONER OF WAR" "

Page 2, line 15, delete "shall" and insert "may"

Page 2, line 16, delete "in accordance with the provisions of"

Page 2, line 17, delete "chapter 15,"

Page 2, line 19, delete "shall" and insert "may"

Page 2, line 20, delete "in accordance with the provisions of"

Page 2, line 21, delete "chapter 15,"

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

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

S. F. No. 4: A bill for an act relating to taxation; providing a refund or credit of the excise tax paid on certain gasoline; amending Minnesota Statutes 1978, Section 296.14, Subdivision 2.

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

Page 2, line 2, after "distilled" insert "or fermented"

Page 2, line 2, delete "from"

Page 2, line 3, delete "agricultural products produced in this state"

Page 2, line 14, after "effective" insert ", for gasoline received by the distributor,"

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

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

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

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

Page 1, line 26, delete "*independency*" and insert "*independence*"

Page 2, line 2, delete "*integration*" and insert "*coordination*"

Page 2, line 13, delete "*community services or*"

Page 2, delete lines 14 to 17 and insert "*the combination of services coordinated and provided for by the mental health authority under section 5 for the prevention or amelioration of mental disabilities, including mental illness, mental retardation, and chemical dependency.*"

Page 2, line 28, delete "*A local mental health*"

Page 2, delete lines 29 and 30

Page 2, line 31, delete everything through the period and insert "*There shall be established for each county a local mental health authority which shall have a minimum population base of 50,000. To accomplish this purpose, the county board of each county shall singly establish or shall combine with one or more counties to establish a local mental health authority. A county board in a county with an existing community mental health board organized under Laws 1957, Chapter 392, as amended, may designate that board as the local mental health authority regardless of population. Each county board shall make appropriations needed to perform the duties specified in section 5, subdivision 1 and shall authorize the mental health authority to apply for state grants, federal aid, and private grants for the program.*"

Page 2, line 31, after "*boards*" insert "*that establish local mental health authorities*"

Page 2, line 32, after "*appropriations*" insert "*needed*"

Page 2, line 32, delete "*operate these programs*" and insert "*perform the duties specified in section 5, subdivision 1.*"

Page 3, delete lines 2 to 5

Page 3, line 6, after "*board*" insert "*or boards*"

Page 3, line 11, after "*funds*" insert "*in excess of any statutory limitation but not exceeding two-thirds of one mill*"

Renumber the subdivisions in sequence

Page 3, line 12, delete "12" and insert "11"

Page 3, lines 14 and 15, delete "*of commissioners of every county, or every combination of counties,*" and insert "*or boards*"

Page 3, line 20, delete everything after "*Subd. 2.*"

Page 3, delete lines 21 to 25 and insert "*The following may be designated as the local mental health authority if all requirements of sections 1 to 11, except section 4, subdivisions 3 to 5, are met:*

(a) *An existing community mental health board organized under Laws 1957, Chapter 392, as amended;*

(b) *A duly constituted human services board organized under sections 402.01 and 402.02; or*

(c) *A county board of commissioners."*

Page 3, line 26, delete "*in*" and insert "*established by a*"

Page 3, line 27, delete "*counties*" and insert "*county*"

Page 3, line 30, delete "*or*" and insert "*and*"

Page 4, line 2, delete everything before the period and insert "*representation from the county board serving at the pleasure of the county board*"

Page 4, line 4, delete "*In any combination of counties,*"

Page 4, line 5, after "*authority*" insert "*established by a combination of counties*"

Page 4, line 10, delete "*or*" and insert "*and*"

Page 4, line 15, delete "*one county commissioner member*" and insert "*representation*"

Page 4, line 15, before the period, insert "*serving at the pleasure of its county board*"

Page 4, line 16, delete "*representatives of lay and*"

Page 4, delete line 17 and insert "*public members.*"

Page 4, line 24, before the period, insert "*, if any, established under subdivision 1*"

Page 4, line 30, delete "*this section*" and insert "*sections 1 to 11*"

Page 4, line 30, delete "*the*" and insert "*applicable*"

Page 4, line 31, delete "*rules promulgated hereunder*" and insert "*rule*"

Page 4, line 31, before "*mental*" insert "*each*"

Page 4, line 31, delete "*authorities*" and insert "*authority*"

Page 4, line 33, delete "*Administration and*"

Page 5, line 4, delete "*mandatory*"

Page 5, line 4, after "*screening*" insert "*and advisory*"

Page 5, line 5, delete "*individuals*" and insert "*each individual who has not been examined by a licensed physician before being*"

Page 5, line 9, delete "*Inpatient and*"

Page 5, line 10, delete "*residential facilities, day treatment,*"

Page 5, lines 13 and 14, delete clause (d) and insert:

"(d) An emergency system in operation 24 hours a day, seven days a week, for contacting a mental health, mental retardation, or chemical dependency professional staff person;"

Page 5, line 15, delete "*program*" and insert "*plan*"

Page 5, line 15, delete "*residents*" and insert "*each resident*"

Page 5, line 16, delete "*have*" and insert "*has*"

Page 5, line 16, delete "*mental health, mental*" and insert "*a state facility for the mentally ill, mentally*"

Page 5, line 17, delete everything before the semicolon and insert "*retarded, or chemically dependent*"

Page 5, line 19, delete "*alcoholism and drug abuse*" and insert "*chemical dependency*"

Page 5, line 20, delete "*drug and alcohol*" and insert "*chemical*"

Page 5, line 20, delete the comma and insert a semicolon

Page 5, delete line 21

Page 5, line 22, delete "*A program*" and insert "*Coordination of all available services*"

Page 5, line 26, delete "*allied*"

Page 5, line 26, before the semicolon, insert "*for the mentally retarded*"

Page 5, line 29, delete the second "*mental*"

Page 5, line 30, delete "*retardation, alcoholism*" and insert "*chemical dependency*"

Page 5, line 30, before the semicolon, insert "*, and mental retardation*"

Page 6, line 1, after "*enforcement*" insert "*agencies*"

Page 6, line 5, delete "*Staff*"

Page 6, line 5, before the semicolon, insert "*for all staff with special training for community support groups*"

Page 6, line 5, delete "*and*"

Page 6, after line 5, insert:

"(l) Inpatient care and treatment, residential facilities, day treatment, and subacute detoxification services; and"

Page 6, line 6, delete "(l)" and insert "(m)"

Page 6, line 6, delete "administration,"

Page 6, line 10, delete "long range and intermediate range" and insert "biennial"

Page 6, line 11, before the comma, insert "and annual plan updates"

Page 6, line 12, delete "of services provided by" and insert "between"

Page 6, line 13, after "state" insert "and community operated"

Page 6, line 13, after "facilities" insert "in providing services"

Page 6, line 17, delete "community mental health"

Page 6, line 18, delete "(iv)" and insert "(n)"

Page 6, line 18, delete "community" and insert "local"

Page 6, line 25, delete "(v)" and insert "(o)"

Page 6, line 27, delete "board" and insert "authority"

Page 6, after line 28, insert:

"Subd. 2. The mental health authority may enter into agreements with state residential facilities for specialized services identified by the authority as needed by its patient caseload.

Subd. 3. The mental health authority shall coordinate services for the mentally ill, mentally retarded, and chemically dependent provided by public agencies within its area with state residential services and other human service systems to assure continuity of care and minimize duplication of services."

Page 6, line 31, delete everything after "continuum" and insert a period

Page 6, delete line 32

Renumber the subdivisions in sequence

Page 7, line 9, delete "All of"

Page 7, line 11, delete "shall be" and insert "are"

Page 7, line 17, delete "12" and insert "11"

Page 7, line 19, delete everything after "(b)" and insert "An annual budget and update of the biennial plan;"

Page 7, line 32, delete "specialists" and insert "staff trained or experienced"

Page 8, lines 1 and 2, delete "as determined by the commissioner,"

Page 8, line 2, delete "*paraprofessional*"

Page 8, line 4, delete "*insure*" and insert "*ensure*"

Page 8, line 6, before "*psychiatrist*" insert "*consulting*"

Page 8, line 7, delete "*nurse*" and insert "*clinical specialist in psychiatric nursing*"

Page 8, line 9, before the period, insert "*as feasible*"

Page 8, line 12, after the comma insert "*an*"

Page 8, line 12, delete "*rules*" and insert "*rule*"

Page 8, after line 15, insert:

"Subd. 2. The commissioner shall establish statewide standards for coordination of state residential services with mental health authority programs."

Page 8, line 27, delete "*12*" and insert "*11*"

Page 8, line 30, delete everything after the first "*program*"

Page 8, delete line 31 and insert "*found to be not in compliance with sections 1 to 11*"

Page 8, line 32, delete "*a 120 day*"

Page 8, line 32, delete "*an opportunity*" and insert "*120 days*"

Page 9, line 2, delete "*may need*" and insert "*needs*"

Page 9, line 2, delete "*program*" and insert "*services and programs funded*"

Page 9, delete line 3

Page 9, lines 4, 12, 16, 21, and 26, delete "*12*" and insert "*11*"

Page 9, line 5, after "*provide*" insert "*consultative staff*"

Page 9, line 6, delete "*authority consultative staff*" and insert "*authorities*"

Page 9, delete subdivision 8

Renumber the subdivisions in sequence

Page 9, line 18, before the period, insert "*provided for under section 5, subdivision 1, clauses (a) to (k) and (m) to (o)*"

Page 9, line 23, before the period, insert "*provided for under section 5, subdivision 1, clause (1)*"

Page 9, after line 29, insert:

"(d) Fees derived from consultation services;"

Reletter the clauses in sequence

Page 10, lines 1 and 20, delete "*12*" and insert "*11*"

Page 10, line 3, delete "*appropriate*" and insert "*the*"

Page 10, line 3, delete "bodies" and insert "standing committees"

Page 10, line 6, delete "programs" and insert "methods of delivering services"

Page 10, line 8, delete "The" and insert "Each"

Page 10, line 9, delete "quality"

Page 10, delete line 10

Page 10, line 11, delete everything before the period and insert "system to evaluate services directly administered, provided, or contracted for by the authority"

Page 10, line 12, delete "evaluate" and insert "review"

Page 10, line 13, delete everything after "programs"

Page 10, line 14, delete "requirements" and insert "for compliance with the requirements of sections 1 to 11"

Page 10, delete lines 15 to 17

Pages 10 to 13, delete sections 12, 13 and 14 and insert:

"Sec. 12. Minnesota Statutes 1978, Section 253A.02, is amended by adding a subdivision to read:

Subd. 23. "Mental health authority" means the community board of directors established under sections 1 to 11.

Sec. 13. Minnesota Statutes 1978, Section 254.10, is amended to read:

254.10 [HEARINGS; ORDERS.] At the time and place specified in the notice, the person named or described in such notice, or his counsel being present, the judge shall hear the evidence presented; and, upon being satisfied that the allegations contained in the affidavit are true, make and file an order requiring such habitual user forthwith to take and continue, until otherwise ordered by the court, treatment for the cure of the habit at a private institution to be selected by the user and approved by the judge, if the user is able to pay therefor, otherwise at some public institution selected by the judge and at the expense of the county. In either case the order shall further require reports to be made to the court at stated intervals therein specified by the person and by the physician or superintendent in charge as to the effect and progress of the treatment. A copy of the order forthwith shall be served upon the user and the local mental health authority established pursuant to sections 1 to 11.

Sec. 14. Minnesota Statutes 1978, Section 254A.02, Subdivision 12, is amended to read:

Subd. 12. "Area mental health board" or "area board" Mental health authority means a board established pursuant to sections ~~245.61 to 245.69~~ 1 to 11.

Sec. 15. Minnesota Statutes 1978, Section 254A.07, is amended to read:

254A.07 [COMPREHENSIVE PROGRAMS; COORDINATION OF LOCAL PROGRAMS.] Subdivision 1. The commissioner of public welfare shall designate the ~~community mental health boards~~ *local mental health authorities* to (a) coordinate all alcohol and other drug abuse services conducted by local agencies, and to (b) review all proposed agreements, contracts, plans, and programs in relation to alcohol and other drug abuse prepared by any such local agencies for funding from any local, state or federal governmental sources.

Subd. 2. The department of public welfare may make grants to ~~community mental health boards~~ *local mental health authorities* for comprehensive programs for prevention, care, and treatment of alcohol and other drug abuse as developed and defined by the state authority. Grants made for programs serving the native American community shall take into account the guidelines established in section 254A.03, subdivision 1, clause (j). Grants may be made for the cost of these comprehensive programs and services whether provided directly by ~~community mental health boards~~ *local mental health authorities* or by other public and private agencies and organizations, both profit and nonprofit, and individuals, pursuant to contract. Nothing herein shall prevent the state authority from entering into contracts with and making grants to other state agencies for the purpose of providing specific services and programs.

Subd. 3. The expense of administration, operation and maintenance of comprehensive programs shall be financed by equal shares of state and local matching funds except as provided by Laws 1973, Chapter 572 and Minnesota Statutes 1971, Section 245.65, Subdivision 1, Clause (g) section 9.

Sec. 16. Minnesota Statutes 1978, Section 254A.12, is amended to read:

254A.12 [AFFECTED EMPLOYEES.] Participating ~~area boards~~ *local mental health authorities* shall may enter into one or more purchase of service agreements to provide services to employers to develop personnel practices for prevention of alcoholism and other chemical dependency, and to assist affected employees in gaining access to care through identification and referral services.

Sec. 17. Minnesota Statutes 1978, Section 254A.14, is amended to read:

254A.14 [SERVICES TO YOUTH AND OTHER UNDERSERVED POPULATIONS.] Subdivision 1. [IDENTIFICATION.] Participating ~~area boards~~ *local mental health authorities* shall may enter into one or more purchase of service agreements to provide services related to the prevention of chemical dependency to persons and groups which have responsibility for, and access to, youth and other underserved populations. The boards shall may also enter into purchase of service agreements to assist youth and other underserved populations in gaining access to care.

Subd. 2. [TREATMENT FACILITIES.] If, as a result of programs authorized under subdivision 1, significant numbers of persons are identified for whom treatment and aftercare programs are not available, participating ~~area boards~~ *local mental health authorities* may request funds from the commissioner to develop treatment and aftercare capabilities.

Sec. 18. Minnesota Statutes 1978, Section 254A.16, Subdivision 2, is amended to read:

Subd. 2. (a) The commissioner shall provide program guidelines and technical assistance to the ~~area boards~~ *local mental health authorities* in carrying out their responsibilities under sections 254A.12 and 254A.14.

(b) The commissioner shall recommend to the governor and to the legislature means of making the programs funded under sections 254A.031, 254A.12, and 254A.14 wholly or partially self-sustaining.

Sec. 19. Minnesota Statutes 1978, Section 254A.17, is amended to read:

254A.17 [ALLOCATION OF FUNDS BY COMMISSIONER OF PUBLIC WELFARE.] The funds appropriated for sections 254A.031, 254A.12, 254A.14 and 254A.15 to the commissioner of public welfare shall be allocated by him subject to the following provisions:

(a) For the purposes of section 254A.12, the allocation of funds shall be to each participating ~~area board~~ *local mental health authority* on the basis of total numbers of persons in the work force in counties served by the ~~area board~~ *local mental health authority*. For the purposes of section 254A.14, the allocation of funds shall be to each participating ~~area board~~ *local mental health authority* on the basis of the elementary, middle and secondary school populations and the most current United States census data in counties served by the ~~area board~~ *local mental health authority*. ~~Area boards~~ *Local mental health authorities* shall ensure that services are provided in each county in proportion to the population to be served.

(b) Funds in section 254A.12 to assist troubled employees in gaining access to care may be used for private employer or employee groups of under 200 persons, or public employer or employee groups of any number and shall be paid on the following cost sharing basis: During the first year of the program, the participating ~~area board~~ *local mental health authority* shall meet 90 percent of the cost of the program, and the employer or employee group shall meet 10 percent of the cost. During the second year of the program, each party shall pay 50 percent of the cost of the program. Private employer or employee groups of over 200 may participate in programs authorized under section 254A.12, but shall not be eligible for receipt of public funds under Laws 1976, Chapter 125. The ~~area board~~ *local mental health authority* and employer and employee groups must work towards a financially self-sustaining system for each program.

(c) Funds shall not be used to supplant or reduce in any way present local, state, federal, or private expenditure levels supporting existing resources.

(d) Existing program resources shall be fully utilized before new programs are developed.

(e) Allocation of funds to ~~area mental health boards~~ *local mental health authorities* shall be contingent upon the demonstrated capability of the ~~boards~~ *authorities* to adequately plan and coordinate chemical dependency programs.

(f) ~~Area boards~~ *Local mental health authorities* shall be encouraged to plan jointly to develop needed program resources on a multi-area basis.

(g) Programs developed by funds allocated under sections 254A.031, 254A.12, and 254A.14 shall comply with the guidelines established by the commissioner.

(h) No more than five percent of the total allocation to ~~an area mental health board~~ *a local mental health authority* may be used for purposes of administering and monitoring purchased services.

(i) Purchase of service agreements and contracts under sections 254A.12, 254A.14, and 254A.16 shall be contingent on the demonstrated capability of a service provider to adequately fulfill the terms of the agreement or contract.

(j) During the biennium, the commissioner may review the unexpended balance of funds allocated to each ~~area board~~ *local mental health authority* and service provider under sections 254A.12 and 254A.14 and may reallocate unexpended funds within the program categories established by sections 254A.12 and 254A.14 based upon demand for services."

Page 13, line 20, delete "department" and insert "commissioner"

Page 13, line 21, delete "12" and insert "4, 6 to 11, and section 5, subdivision 1, clauses (a) to (k) and (m) to (o), and the sum of \$. for the purposes of section 5, subdivision 1, clause (1)"

Page 13, line 24, delete "and"

Page 13, line 24, after "245.691" insert "; and 254A.08"

Page 13, line 26, delete "1980" and insert "1979"

Page 13, line 26, after the period, insert "All other sections are effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "mandatory"

Page 1, line 8, delete "voluntary"

Page 1, line 9, delete "designating mental"

Page 1, delete line 10

Page 1, line 11, delete "medical assistance program;"

Page 1, delete line 13 and insert "253A.02, by adding a subdivision; 254.10; 254A.02, Subdivision 12; 254A.07; 254A.12; 254A.14; 254A.16, Subdivision 2; 254A.17;"

Page 1, line 16, delete "and"

Page 1, line 16, before the period, insert "; and 254A.08"

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

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

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.

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

Page 1, line 18, delete "county or home rule"

Page 1, line 19, delete "charter or statutory city operating a publicly owned" and insert "political subdivision, public transit authority or other public or private nonprofit agency that operates or provides financial assistance to a"

Page 1, line 20, after "system" insert "which is eligible to receive capital assistance grants under the Urban Mass Transportation Act of 1964, Public Law 88-365, as amended"

Page 1, line 20, delete "and not included within an urbanized area"

Page 1, line 21, delete "as defined in 49 U.S.C. Section 1604" and insert "except a public transit authority or commission that operates a public transit system in any city of the first class"

Page 2, line 10, delete "political subdivisions" and insert "recipients"

Amend the title as follows:

Page 1, line 4, delete "political subdivisions" and insert "public transit systems"

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

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

S. F. No. 272: A bill for an act relating to taxation; property tax; exempting certain wetlands from taxation; providing a wet-

lands credit; providing for state reimbursement of lost local revenues; appropriating money; amending Minnesota Statutes 1978, Section 272.02, Subdivision 1; and Chapter 273, by adding a section; repealing Minnesota Statutes 1978, Section 272.59.

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

Page 4, line 24, delete "*on eligible farms*"

Page 4, delete lines 25 to 30 and insert "*this subdivision, "wetlands" means land which is mostly under water, produces little if any income, and has no use except for wildlife or water conservation purposes. "Wetlands" shall be land preserved in its natural condition, drainage of which would be lawful, feasible and practical and would provide land suitable for the production of livestock, dairy animals, poultry, fruit, vegetables, forage and grains, except wild rice. "Wetlands" shall include adjacent land which is not suitable for agricultural purposes due to the presence of the wetlands. Exemption of wetlands from taxation pursuant to this section shall not grant the public any additional or greater right of access to the wetlands or diminish any right of ownership to the wetlands.*"

Page 5, line 6, delete "*for every acre of such*" and insert "*in the parcel contiguous to or containing the wetlands multiplied by the number of acres of*"

Page 5, line 6, delete "*Any*"

Page 5, delete lines 7 and 8

Page 5, line 17, after the period insert "*Provided that payment to the county for lost revenue shall not be less than the revenue which would have been received in taxes if the wetlands had an assessed value of \$20 per acre.*"

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

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

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

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

Page 1, line 19, after "*organized*" insert "*track*"

Amend the title as follows:

Page 1, line 2, after "*exempting*" insert "*track*"

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. 122: A bill for an act relating to life insurance; providing for advance payment of certain benefits under policies insuring persons who are absent and presumed dead; amending Minnesota Statutes 1978, Chapter 576, by adding sections.

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

Page 2, line 7, before the period insert "*of the date, time and place of the hearing. The insurer may appear at the hearing as a party in interest*"

Page 2, line 19, after "*policy*" insert "*, the possibility of the beneficiary providing the insurer with security for any reimbursement that may be required under section 3, subdivision 2*"

Page 2, after line 20, insert:

"Payment made by the insurer under a court order shall discharge it from any liability to any party for the amounts paid."

Page 2, after line 31, insert:

"If the insurer is unable to obtain full reimbursement, the amount payable under the policy shall be reduced to the extent necessary to allow full reimbursement. Failure of the absentee and beneficiary to reimburse the insurer upon demand for payment sent by the insurer by certified mail to the last known address of the absentee and beneficiary shall be sufficient to show the insurer's inability to obtain reimbursement."

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. 159: A bill for an act relating to usury; removing the expiration date from the law authorizing flexible interest rates on home loans; amending Minnesota Statutes 1978, Section 47.20, Subdivision 4.

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

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

S. F. No. 58: A bill for an act relating to no-fault automobile insurance; increasing basic economic loss benefits; clarifying legislative intent concerning stacking of insurance policies; amending Minnesota Statutes 1978, Section 65B.44, Subdivision 1; 65B.47, by adding a subdivision; and 65B.49, Subdivisions 4 and 6.

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

Page 1, line 19, delete "\$60,000" and insert "\$50,000"

Page 1, line 21, delete "\$40,000" and insert "\$30,000"

Page 2, delete lines 5 to 13 and insert:

"Subd. 7. Unless the language of the policy provides otherwise, an insured may recover basic economic loss benefits only to the extent of coverage maintained on the motor vehicle involved in the accident. If none of the motor vehicles covered by the policy of the insured is involved in the accident, the insured may recover basic economic loss benefits only to the extent of coverage on any one of the motor vehicles with applicable coverage, unless the language of the insured's policy provides otherwise."

Page 3, delete lines 7 to 16 and insert:

"(5) Unless the language of the policy provides otherwise, an insured may recover benefits under uninsured or hit-and-run motor vehicle coverage only to the extent of coverage maintained on the motor vehicle involved in the accident. If none of the motor vehicles covered by the policy of the insured is involved in the accident, the insured may recover benefits under uninsured or hit-and-run motor vehicle coverage only to the extent of coverage on any one of the motor vehicles with applicable coverage, unless the language of the insured's policy provides otherwise."

Page 4, lines 9 to 17, delete the new language and insert:

"Unless the language of the policy provides otherwise, an insured may recover benefits under underinsured motorist coverage only to the extent of coverage maintained on the motor vehicle involved in the accident. If none of the motor vehicles covered by the policy of the insured is involved in the accident, the insured may recover benefits under underinsured motorist coverage only to the extent of coverage on any one of the motor vehicles with applicable coverage, unless the language of the insured's policy provides otherwise."

Page 4, lines 28 to 31, delete the new language

Further, amend the title as follows:

Page 1, line 6, delete "Section" and insert "Sections"

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

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

S. F. No. 386: A bill for an act relating to health; providing for special grants to provide a range of services designed to maintain physically impaired adults in their homes and communities; appropriating money; amending Minnesota Statutes 1978, Section 145.912, Subdivision 7; and Chapter 145, by adding a section.

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

Page 1, line 18, after "health" insert "and health-related supportive social service"

Page 1, line 18, after "assist" insert "elderly and adult"

Page 1, line 19, delete "adults" and insert "persons"

Page 2, line 1, before "PHYSICALLY" insert "ELDERLY AND ADULT"

Page 2, line 1, delete "ADULTS" and insert "PERSONS"

Page 2, line 2, delete "the department of"

Page 2, line 5, after "health" insert "and health-related supportive social service"

Page 2, line 5, after "assist" insert "elderly and adult"

Page 2, line 6, delete "adults" and insert "persons"

Page 2, line 10, delete "the department of"

Page 2, after line 10, insert:

"As used in this section, "elderly" means persons aged 60 or over."

Page 2, line 17, before "adult" insert "elderly and"

Page 2, line 20, after "restore" insert "elderly and adult"

Page 2, line 20, delete "adults" and insert "persons"

Page 2, line 24, before "family" insert "a"

Page 2, line 25, after "of" insert "elderly and adult"

Page 2, line 26, delete "adults" and insert "persons"

Page 2, after line 27, insert:

"Subd. 3. Local boards of health shall not use special grants to replace or substitute for services or programs otherwise funded from other local, state, or federal sources, but shall use special grants only to expand health and health-related supportive social service programs existing on the effective date of this section, or to add programs. This subdivision shall expire on July 1, 1981."

Page 2, line 28, delete "the department of"

Renumber the subdivisions in sequence

Page 2, line 33, delete "department" and insert "commissioner"

Page 3, line 3, delete "department" and insert "commissioner"

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

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred the following appointment as reported in the Journal for February 7, 1979:

**DEPARTMENT OF PERSONNEL
COMMISSIONER****Barbara Sundquist**

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. 394, 420, 493, 603, 528, 444, 925, 622 and H. F. Nos. 373, 330, 157 makes the following report:

That the above Senate Files and House 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. 361, 498, 410, 600, 122, 159 and 58 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Keefe, S. moved that the name of Mr. Olhoft be added as co-author to S. F. No. 213. The motion prevailed.

Mr. Spear moved that the name of Mr. Merriam be added as co-author to S. F. No. 752. The motion prevailed.

Mr. Luther moved that the name of Mr. Dieterich be added as co-author to S. F. No. 1014. The motion prevailed.

Mr. Schaaf introduced—

Senate Resolution No. 19: A Senate Resolution congratulating the Fridley Senior High School Wrestling Team on winning the State Class AA Wrestling Championship.

Referred to the Committee on Rules and Administration.

Mr. Schaaf introduced—

Senate Resolution No. 20: A Senate Resolution congratulating the Irondale High School Hockey Team on participating in the State Hockey Championship Tournament.

Referred to the Committee on Rules and Administration.

Mr. Lessard moved that S. F. No. 1006 be withdrawn from the Committee on Local Government and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Wegener moved that S. F. No. 1054 be withdrawn from the Committee on Local Government and re-referred to the Committee on Judiciary. The motion prevailed.

CALENDAR

H. F. No. 416: 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.

With the unanimous consent of the Senate, Mr. Luther moved to amend H. F. No. 416, as amended pursuant to Rule 49, adopted by the Senate March 19, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 179.)

Page 2, line 27, after the period, insert "*Where the property is inventory, accounts receivable or other property where separate valuation is not practicable, claimant may provide a good faith approximation of the current market value of each category of property.*"

Page 10, after line 27, insert

"Sec. 10. Minnesota Statutes 1978, Section 542.06, is amended to read:

542.06 [REPLEVIN.] Actions to recover the possession of personal property wrongfully taken shall be tried in the county in which the taking occurred, or, at ~~plaintiff's~~ *claimant's* election, in the county in which he resides; in other cases in the county in which the property is situated.

Sec. 11. Minnesota Statutes 1978, Section 546.23, is amended to read:

546.23 [VERDICT IN REPLEVIN.] In an action for the recovery of specific personal property, if the property has not been delivered to the ~~plaintiff~~ *claimant* and the jury find that he is entitled to its recovery, or if the property is not in the possession of the ~~defendant~~ *respondent*, and by his answer he claims a return thereof, and the verdict is in his favor, the jury shall assess the value of the property and the damages, if any are claimed in the complaint or answer, which the prevailing party has sustained by reason of the detention, or taking and withholding, of such property. When the verdict is in favor of the party having possession of the property its value shall not be found."

Renumber the remaining section

Underline all the new language

Amend the title as follows:

Page 1, line 4, after the second semicolon, insert "amending Minnesota Statutes 1978, Sections 542.06; and 546.23;"

The motion prevailed. So the amendment was adopted.

H. F. No. 416 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

CONSENT CALENDAR

H. F. No. 303: A bill for an act validating and legalizing certain state assignment certificates.

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:

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

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. 114, 338, 213, 538, 572, 466, 601 and H. F. No. 444, which the committee recommends to pass.

H. F. No. 201 which the committee recommends to pass, subject to the following motion:

Mr. Nichols moved that the amendment made to H. F. No. 201 by the Committee on Rules and Administration in the report adopted March 15, 1979, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

S. F. No. 340, which the committee recommends to pass with the following amendment offered by Mr. McCutcheon:

Page 3, after line 33, insert:

"Sec. 6. Minnesota Statutes 1978, Section 290.06, Subdivision 11, is amended to read:

Subd. 11. [CONTRIBUTIONS TO POLITICAL PARTIES AND CANDIDATES.] In lieu of the credit against taxable net income provided by section 290.21, subdivision 3, clause (e), a taxpayer may take a credit against the tax due under this chapter of 50 percent but not more than \$25 of his contributions to a political party and candidate. A married couple, filing jointly, may take a similar credit of not more than \$50. No credit shall be allowed under this subdivision for a contribution to any candidate, other than a candidate for elective judicial office, who has not signed an agreement to limit his campaign expenditures as provided in section 10A.32, subdivision 3b. The commissioner of revenue shall provide in the tax instruction booklet language understandable to a person of average intelligence which states that the taxpayer may only claim a credit against his tax due for contributions to candidates for (a) judicial office or (b) statewide or legislative office who have agreed to limit their expenditures. For purposes of this subdivision, "candidate" means a candidate as defined in section 10A.01, subdivision 5 *other than a county court, probate court or county municipal court judgeship*. The department of revenue shall provide on the first page of the Minnesota tax form an appropriate provision for the credit provided by this subdivision.

This credit shall be allowed only if the contribution is verified in the manner the commissioner of revenue shall prescribe."

Amend the title as follows:

Page 1, line 11, delete "and"

Page 1, line 12, after "3" insert "; and 290.06, Subdivision 11"

The motion prevailed. So the amendment was adopted.

S. F. No. 276, which the committee recommends to pass with the following amendment offered by Mr. Renneke:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1978, Chapter 62A, is amended by adding a section to read:

[62A.22] [REFUSAL TO PROVIDE COVERAGE BECAUSE OF OPTION UNDER WORKERS' COMPENSATION.] *No insurer offering an individual or group policy of accident or health coverage in this state shall refuse to provide or renew accident or*

health coverage because the insured has an option to elect coverage of workers' compensation coverage pursuant to section 176.012."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "prohibiting the refusal to cover under accident or health policy because of certain workers' compensation option;"

Page 1, line 5, after "1978," insert "Chapter 62A, by adding a section;"

The motion prevailed. So the amendment was adopted.

S. F. No. 124, which the committee recommends to pass with the following amendment offered by Mr. Olhoft:

Page 4, lines 4, 13, and 20, delete "30" and insert "50"

The motion prevailed. So the amendment was adopted.

H. F. No. 295, which the committee recommends to pass with the following amendment offered by Mr. Solon:

Amend H. F. No. 295, as amended pursuant to Rule 49, adopted by the Senate March 19, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 418.)

Page 1, line 19, delete "*perspectively*" and insert "*prospectively*"

The motion prevailed. So the amendment was adopted.

S. F. No. 470, which the committee recommends to pass with the following amendments offered by Messrs. Purfeerst and Davies:

Mr. Purfeerst moved to amend S. F. No. 470 as follows:

Page 1, line 15, after "CITIZEN" insert "AND HANDICAPPED"

Page 1, line 16, after "*designate*" insert "a"

Page 1, line 17, delete "*crossings*" and insert "*or handicapped crossing*"

Page 1, line 18, after "*of*" insert "a"

Page 1, line 18, delete "*projects and*" and insert "*project,*"

Page 1, line 19, delete "*homes*" and insert "*home, or residential care facility for handicapped persons*"

Page 1, line 22, after "*citizen*" insert "*or handicapped*"

Page 2, line 1, after "*citizen*" insert "*or handicapped*"

Page 2, line 3, delete "*senior citizen*"

Page 2, line 5, delete "*such a*" and insert "*the*"

Page 2, line 9, after "*citizen*" insert "*or handicapped*"

Page 2, line 13, after "*citizen*" insert "*or handicapped*"

Amend the title as follows:

Page 1, line 4, after "*citizen*" insert "*and handicapped*"

Page 1, line 6, after "*citizen*" insert "*and handicapped*"

Page 1, line 8, after "*citizen*" insert "*and handicapped*"

The motion prevailed. So the amendment was adopted.

Mr. Davies moved to amend S. F. No. 470 as follows:

Page 2, delete subdivision 3

Amend the title as follows:

Page 1, lines 7 and 8, delete "authorizing reduced speed zones in senior citizen crossings;"

The motion prevailed. So the amendment was adopted.

S. F. No. 549, which the committee recommends to pass with the following amendment offered by Mr. Wegener:

Page 2, line 19, delete "*member*" and insert "*resident*"

Page 2, line 20, delete "*the*" and insert "*an*"

The motion prevailed. So the amendment was adopted.

S. F. No. 530, which the committee recommends to pass with the following amendment offered by Mr. Jensen:

Page 2, line 20, delete everything before the comma and insert "the unanimous approval of the land exchange board"

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 10:00 o'clock a.m., Thursday, March 29, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate