

THIRTY-FIRST DAY

St. Paul, Minnesota, Monday, April 2, 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:

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

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

Prayer was offered by the chaplain, Dr. Joseph Simonson.

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

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

Mr. Sikorski introduced—

S. F. No. 1111: A bill for an act relating to search warrants; requiring a finding of reasonable possibility that evidence will be concealed or destroyed before the issuance of a search warrant for the premises of persons not suspected of criminal activity; providing for civil penalties and injunctive relief; amending Minnesota Statutes 1978, Section 626.07.

Referred to the Committee on Judiciary.

Messrs. Anderson, Dunn, Knoll and Renneke introduced—

S. F. No. 1112: A bill for an act relating to census taking; providing for the taking of special censuses by the United States bureau of the census rather than the secretary of state; providing for the approval of school district population estimates by the state demographer; providing for annual population estimates of governmental subdivisions by the state demographer and their use in the computation of tax levy limits and local government aid; abolishing the authority of the municipal board to determine the population of municipalities and towns; amending Minnesota Statutes 1978, Sections 4.12, Subdivision 7; 275.14; 275.45; 275.53; 414.01, Subdivision 14; 477A.01, Subdivision 4; and Chapter 477A, by adding a section; repealing Minnesota Statutes 1978, Sections 365.61; and 414.033, Subdivision 8.

Referred to the Committee on Governmental Operations.

Messrs. Hanson; Keefe, J.; Knutson; McCutcheon and Tennesen introduced—

S. F. No. 1113: A bill for an act relating to statute of limitations; providing a limitation on actions against land surveyors; amending Minnesota Statutes 1978, Chapter 541 by adding a section.

Referred to the Committee on Judiciary.

Mrs. Knaak introduced—

S. F. No. 1114: A bill for an act relating to the town of White Bear in Ramsey County; permitting exercise of powers relating to sewers, drains and waterworks.

Referred to the Committee on Local Government.

Messrs. Tennesen, Laufenburger and Sillers introduced—

S. F. No. 1115: A bill for an act relating to real estate; changing interest provisions payable in redemption of mortgages; amending Minnesota Statutes 1978, Section 580.23, Subdivision 1.

Referred to the Committee on Commerce.

Mr. Lessard introduced—

S. F. No. 1116: A bill for an act relating to peace officers benefits; making certain deaths by heart attack compensable; amending Minnesota Statutes 1978, Section 352E.04.

Referred to the Committee on Employment.

Mr. Davies introduced—

S. F. No. 1117: A bill for an act relating to medical malpractice; providing limited liability for health care providers who disclose medically induced injuries to their patients.

Referred to the Committee on Judiciary.

Mr. Chmielewski introduced—

S. F. No. 1118: A bill for an act relating to emergency services; authorizing the governor to declare a peacetime emergency under certain circumstances prior to federal declaration; clarifying the term "civil defense"; amending Minnesota Statutes 1978, Sections 12.03, Subdivision 4; and 12.31; repealing Minnesota Statutes 1978, Section 12.25, Subdivision 4.

Referred to the Committee on Governmental Operations.

Mrs. Staples introduced—

S. F. No. 1119: A bill for an act relating to state lands; authorizing conveyance of certain land to Independent School District No. 281.

Referred to the Committee on Local Government.

Mr. Merriam introduced—

S. F. No. 1120: A bill for an act relating to education; requiring that the district which provides the instruction to a non-resident handicapped child pay the transportation costs for the child in certain cases; requiring the state to reimburse a district for those costs within the limits provided by law; amending Minnesota Statutes 1978, Section 120.17, Subdivisions 4 and 6.

Referred to the Committee on Education.

Messrs. Jensen, Bernhagen, Menning, Renneke and Setzepfandt introduced—

S. F. No. 1121: A bill for an act relating to local government; providing emergency snow removal aid; permitting an emergency levy; appropriating money.

Referred to the Committee on Local Government.

Messrs. Peterson, Merriam, Hanson and Coleman introduced—

S. F. No. 1122: A bill for an act relating to taxation; income tax; changing certain corporate tax rates; amending Minnesota Statutes 1978, Section 290.06, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ashbach, Frederick and Mrs. Knaak introduced—

S. F. No. 1123: A bill for an act proposing an amendment to the Minnesota Constitution; adding an article to limit state expenditures.

Referred to the Committee on Finance.

Messrs. Renneke, Bernhagen, Purfeerst, Schrom and Menning introduced—

S. F. No. 1124: A bill for an act relating to education; authorizing the state board of education to enter a contract to provide certain insurance for students at the Minnesota school for the deaf and the Minnesota braille and sight-saving school; providing for the collection of certain fees and for the payment of certain costs; providing that the payment of certain costs will not make the state board or either school liable for certain injuries; amending Minnesota Statutes 1978, Section 128A.02, by adding a subdivision.

Referred to the Committee on Education.

Messrs. Renneke, Nichols, Purfeerst, Schrom and Menning introduced—

S. F. No. 1125: A bill for an act relating to eminent domain; attorney's fees on appeal; amending Minnesota Statutes 1978, Section 117.175, Subdivision 2.

Referred to the Committee on Judiciary.

Messrs. Renneke, Bernhagen, Purfeerst, Schrom and Menning introduced—

S. F. No. 1126: A bill for an act relating to taxation; income tax; requiring indication on tax return of school district in which taxpayer resides; amending Minnesota Statutes 1978, Section 290.39, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ogdahl and Keefe, J. introduced—

S. F. No. 1127: A bill for an act relating to elections; removing party designation from certain offices in cities of the first class; amending Minnesota Statutes 1978, Sections 202A.28; and 205.17, Subdivisions 1 and 3; repealing Minnesota Statutes 1978, Section 205.17, Subdivisions 2 and 4.

Referred to the Committee on Elections.

Messrs. Stokowski, Ogdahl and Strand introduced—

S. F. No. 1128: A bill for an act relating to retirement; increasing employee contributions to local police and firefighters relief associations; amending Minnesota Statutes 1978, Section 69.77, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Sikorski, Willet, Nichols, Knoll and Gunderson introduced—

S. F. No. 1129: A bill for an act relating to public welfare; modifying the definition of dependent child; amending Minnesota Statutes 1978, Section 256.12, Subdivision 14; repealing Minnesota Statutes 1978, Section 256.73, Subdivision 5.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Anderson, Solon, Merriam, Sillers and Sikorski introduced—

S. F. No. 1130: A bill for an act relating to education; providing for the removal of a secondary pupil from a class on certain grounds and for the pupil's return to class; adding one definition and modifying another; amending Minnesota Statutes 1978, Section 127.27, Subdivision 2, and by adding a subdivision; and Chapter 127, by adding a section.

Referred to the Committee on Education.

Messrs. Lewis, Nelson, Perpich and Vega introduced—

S. F. No. 1131: A bill for an act relating to crimes; authorizing counties to establish victim support funds and to provide services to victims of crime; providing for an assessment on convicted persons; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Laufenburger and Ashbach introduced—

S. F. No. 1132: A bill for an act relating to financial institutions; authorizing securities for investment of deposits of savings banks and other financial institutions and for deposit to secure deposits

of public funds; amending Minnesota Statutes 1978, Sections 50.14, Subdivision 4; and 118.01.

Referred to the Committee on Commerce.

Messrs. Renneke, Rued, Menning, Schrom and Keefe, S. introduced—

S. F. No. 1133: A bill for an act relating to public safety; providing for optional emergency telephone services in the non-metropolitan area; amending Minnesota Statutes 1978, Section 403.01, Subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. Renneke, Nichols, Purfeerst, Rued and Olhoft introduced—

S. F. No. 1134: A bill for an act relating to partition fences; exempting certain lands from the provisions of chapter 344; providing that when only one owner or occupant is benefited by a fence he shall be assigned the entire expenses of the fence; amending Minnesota Statutes 1978, Section 344.03, Subdivision 1; and Chapter 344, by adding a section.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Lewis, Olson and Mrs. Brataas introduced—

S. F. No. 1135: A bill for an act relating to community social services; establishing a formula for allocating state and federal funds to counties for the administration and provision of community social services; providing for community social service tax levies; prescribing the duties of county boards and the commissioner of public welfare; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Menning, Hanson, Willet and Renneke introduced—

S. F. No. 1136: A bill for an act relating to agriculture; regulating alien ownership of land; providing for permanent resident alien and loss of status; amending Minnesota Statutes 1978, Section 500.221, Subdivisions 1, 3, and by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Penny, Laufenburger, Sikorski and Renneke introduced—

S. F. No. 1137: A bill for an act relating to public employment labor relations; providing for student participation in collective

bargaining at certain educational institutions; amending Minnesota Statutes 1978, Section 179.61.

Referred to the Committee on Governmental Operations.

Messrs. Nichols and Menning introduced—

S. F. No. 1138: A bill for an act relating to Independent School Districts No. 408, No. 409, No. 411, No. 415, No. 418 and No. 584; providing for certain agreements between or among those districts.

Referred to the Committee on Education.

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

S. F. No. 1139: A bill for an act relating to housing; providing for an increase in the authorization for bonds and notes for the housing finance agency; appropriating money; amending Minnesota Statutes 1978, Section 462A.22, Subdivision 1.

Referred to the Committee on Energy and Housing.

Mr. Penny introduced—

S. F. No. 1140: A bill for an act relating to agriculture; providing financial assistance for an agricultural interpretive center; appropriating money.

Referred to the Committee on General Legislation and Administrative Rules.

Mrs. Staples, Messrs. Perpich, Kirchner, Chenoweth and Knutson introduced—

S. F. No. 1141: A bill for an act relating to hearing impaired persons; establishing regional service centers and advisory committees; establishing a statewide interpreter referral service; providing for a program of training and employment; prescribing duties for the commissioner of public welfare; establishing an office on hearing impairment; providing for an advisory committee for the state council for the handicapped; prescribing duties for the department of health; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Solon and Ulland, J. introduced—

S. F. No. 1142: A bill for an act relating to public welfare; adding an exclusion to the public welfare licensing act in order to allow certain persons 16 years of age or older to receive residential care in unlicensed facilities; amending Minnesota Statutes 1978, Section 245.791.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Olhoft introduced—

S. F. No. 1143: A bill for an act relating to state lands; authorizing the conveyance of certain lands in Otter Tail County to the city of Fergus Falls.

Referred to the Committee on Local Government.

Mr. Hanson introduced—

S. F. No. 1144: A bill for an act relating to public drainage systems; increasing repair authority; providing for abandonment of systems; increasing repair funds; amending Minnesota Statutes 1978, Sections 106.011, by adding a subdivision; 106.471, Subdivisions 1, 2, and 6; 106.651; and Chapter 106, by adding a section.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Ogdahl introduced—

S. F. No. 1145: A bill for an act relating to retirement; judges' retirement age and benefits; amending Minnesota Statutes 1978, Sections 490.121, Subdivision 10; and 490.124, Subdivisions 1, 2, 3, and 5, and by adding a subdivision.

Referred to the Committee on Governmental Operations.

Mr. Davies introduced—

S. F. No. 1146: A bill for an act relating to crimes; dangerous weapons; broadening definitions and clarifying provisions; prohibiting certain persons from owning, possessing or operating a machine gun or short-barreled shotgun; authorizing the commissioner of public safety to promulgate rules to implement the short-barreled shotgun law; amending Minnesota Statutes 1978, Section 609.67, Subdivisions 1, 3, 6, and by adding subdivisions.

Referred to the Committee on Judiciary.

Messrs. Peterson; Schaaf; Ueland, A.; Gearty and Jensen introduced—

S. F. No. 1147: A bill for an act relating to corporations; permitting employee contribution funds for political purposes; amending Minnesota Statutes 1978, Section 210A.34, by adding a subdivision.

Referred to the Committee on Elections.

Messrs. Anderson, Hughes and Sillers introduced—

S. F. No. 1148: A bill for an act relating to education; eliminating the computation of certain pupil units; changing a formula

for calculating a district's foundation aid; providing additional foundation aid for certain school districts; modifying certain levies; authorizing an additional levy; modifying certain statutory references because of the new levy and eliminating certain obsolete statutory references; amending Minnesota Statutes 1978, Sections 122.531, Subdivision 3; 124.17, Subdivision 1; 124.212, Subdivision 7c, and by adding a subdivision; and 275.125, Subdivision 2a, 2b, 6, 9, 11a and 15.

Referred to the Committee on Education.

Mr. Penny introduced—

S. F. No. 1149: A bill for an act relating to workers' compensation; allowing certain owners and partners of farms or businesses, and their close relatives, to elect workers' compensation coverage; amending Minnesota Statutes 1978, Section 176.012.

Referred to the Committee on Employment.

Mr. Lewis introduced—

S. F. No. 1150: A bill for an act relating to corrections; institutions under the control of the commissioner of corrections; designating them as correctional facilities according to geographical location; prescribing the title for the chief executive officer of each institution; authorizing the temporary detention of persons who trespass upon institution grounds; prescribing penalties; amending Minnesota Statutes 1978, Sections 242.41; 242.51; 243.21; 243.40; 243.48; 243.55; 243.56; 243.59; 243.75; and 243.90; repealing Minnesota Statutes 1978, Sections 243.54 and 243.92.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Stokowski introduced—

S. F. No. 1151: A bill for an act relating to retirement; Minneapolis municipal employees retirement fund; increasing the employee contribution rate; amending Minnesota Statutes 1978, Section 422A.10, Subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. Schmitz, Ashbach and Wegener introduced—

S. F. No. 1152: A bill for an act relating to weights and measures; providing for inspection of portable pitless scales used for highway and road construction materials; amending Minnesota Statutes 1978, Chapter 239, by adding a section.

Referred to the Committee on Commerce.

Messrs. Dieterich, Bernhagen, Hanson and McCutcheon introduced—

S. F. No. 1153: A bill for an act relating to taxation; income; providing an equalization credit in lieu of the homemaker credit;

allowing employed single parents to qualify for the credit; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3e.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dieterich, Bang and McCutcheon introduced—

S. F. No. 1154: A bill for an act relating to taxation; income; increasing the maximum dependent care credit and removing income limitations; amending Minnesota Statutes 1978, Section 290.067.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Hughes, Merriam and Anderson introduced—

S. F. No. 1155: A bill for an act relating to education; providing for four year averaging of declining enrollments; establishing an aid for the reduction of class size in grades kindergarten through three; allowing alternative use of the aid funds under certain conditions; requiring a separate account for the aid; requiring a report; increasing the foundation aid formula allowance for the 1979-1980 and 1980-1981 school years; decreasing the maintenance levy for the 1980-1981 school year; appropriating money; amending Minnesota Statutes 1978, Sections 124.17, Subdivision 1; and 124.212, Subdivisions 6c and 7c.

Referred to the Committee on Education.

Mr. Penny introduced—

S. F. No. 1156: A bill for an act relating to education; providing for an increased pupil unit count for certain school districts; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.

Referred to the Committee on Education.

Mr. Schaaf introduced—

S. F. No. 1157: A bill for an act relating to elections; authorizing corporations to establish political funds under certain conditions; exempting certain political funds from prohibitions against corporate political contributions; limiting solicitations by political funds established by corporations; requiring certain approval for transfer of union dues to a union political fund; establishing requirements for a negative checkoff; imposing criminal and civil penalties; amending Minnesota Statutes 1978, Sections 10A.12, by adding a subdivision; 10A.22, Subdivision 7; 210A.34, by adding a subdivision; and Chapter 10A, by adding a section.

Referred to the Committee on Elections.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received and referred to the committee indicated.

March 8, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Director of the Bureau of Mediation Services is hereby respectfully submitted to the Senate for confirmation as required by law:

Peter Obermeyer, 707 Mt. Curve Blvd., St. Paul, Ramsey County, has been appointed by me, effective March 5, 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 Files, herewith returned:

S. F. Nos. 198 and 254.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 29, 1979

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 60, 191, 214, 677, 451, 521, 713, 715 and 206.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 29, 1979

FIRST READING OF HOUSE BILLS

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

H. F. No. 60: A bill for an act relating to natural resources; modifying certain trespass laws; amending Minnesota Statutes 1978, Section 100.273, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 191: A bill for an act relating to state lands; providing for the conveyance of certain lands to the city of Hastings.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 214: 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.

H. F. No. 677: A bill for an act relating to courts; providing for the interest rate on verdicts and judgments; amending Minnesota Statutes 1978, Sections 549.09 and 550.36.

Referred to the Committee on Judiciary.

H. F. No. 451: A bill for an act relating to parking privileges for handicapped persons; defining terms; extending the uses, in relation to parking privileges, of the special license plates issued to physically handicapped persons and clarifying the meaning of unauthorized use of those plates; recognizing parking certificates, insignia or license plates issued to handicapped persons by other jurisdictions; modifying the criteria for posted signs designating handicapped parking spaces; imposing penalties; amending Minnesota Statutes 1978, Sections 168.021, Subdivisions 3 and 5, and by adding a subdivision; 169.345; and 169.346, Subdivisions 1, 2 and 3.

Referred to the Committee on Finance.

H. F. No. 521: A bill for an act relating to domestic abuse; authorizing judicial intervention to provide protection from domestic abuse; prescribing penalties.

Referred to the Committee on Judiciary.

H. F. No. 713: 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.

H. F. No. 715: 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.

H. F. No. 206: A bill for an act relating to construction contracts; requiring distribution of partial payments to subcontractors or material suppliers; requiring interest on delayed payments.

Referred to the Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Hanson moved that the Committee Reports at the Desk, with the exception of the reports on S. F. Nos. 919 and 506, be now adopted. The motion prevailed.

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

H. F. No. 167: A bill for an act relating to the city of Virginia; extending an eligibility deadline for special funding for the improvement of a segment of a certain municipal state-aid street within the city.

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. 605: A bill for an act relating to the county of Anoka; authorizing the Anoka county board of commissioners to assume the powers and duties of a human services board.

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

Page 1, line 17, delete "not more than"

Page 1, line 18, before the period insert "with the approval of the department of public welfare"

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

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

H. F. No. 297: A bill for an act relating to the city of Chisholm; exempting volunteer firefighters from civil service commission jurisdiction.

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

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

Senate Concurrent Resolution No. 6: A Senate concurrent resolution relating to transportation; urging the appropriate federal agencies to provide assistance to the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (The Milwaukee Road); affirming the consideration of affirmative action by the Minnesota legislature to provide economic and viable rail transportation service for the people of Minnesota.

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

Page 3, line 2, delete the semicolon and insert a comma

And when so amended the resolution do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

S. F. No. 750: A bill for an act relating to public welfare; increasing personal needs allowance for residents of certain facilities; restricting the use of allowances by third parties; providing for a civil action and damages; providing a penalty; amending Minnesota Statutes 1978, Section 256B.35.

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

Page 2, line 23, after "audits" insert "*at the same time as cost report audits required under section 256B.27, subdivision 2a, and at any other time but at least once every three years,*"

Page 2, line 27, before "The" insert "Subd. 5."

Page 2, line 28, after "when" insert "*the recipient or his guardian or conservator designates that person in writing to receive or expend funds on behalf of the recipient and*"

Page 2, line 29, after "certifies" insert "*in writing*"

Page 3, line 3, delete everything after "be" and insert "*sentenced*"

Page 3, line 5, after the period, insert "*To prosecute under this subdivision, the attorney general or the appropriate county attorney, acting independently or at the direction of the attorney general, may institute a criminal action. A nursing home that transfers personal needs allowance funds to a person other than the recipient in good faith and in compliance with this section shall not be held liable under this subdivision.*"

Page 3, line 12, delete everything after the period

Page 3, delete lines 13 and 14

Renumber the subdivisions in sequence

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

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

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

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

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

S. F. No. 851: A bill for an act relating to transportation; authorizing the commissioner of transportation to make grants and guarantee loans to rail users for rail facilities and equipment and certain shipping facilities, to acquire, repair and dispose of rolling stock, and to provide technical assistance to rail users; establishing a state rail bank for abandoned rail lines; establishing an advisory task force on rail service improvement; providing for interest adjustment on certain guaranteed loans; amending Minnesota Statutes 1978, Sections 222.48; 222.50, Subdivisions 3 and 6, and by adding a subdivision; 222.51; 222.53; 222.55; 222.56, Subdivision 5; 222.57; 222.58, Subdivision 2, and by adding a subdivision; and Chapter 222, by adding sections.

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

Page 2, line 17, after "allocation" insert "*and expenditure*"

Page 2, line 18, strike "to railroads" and delete "*or rail users*"

Page 2, line 18, strike "according to" and insert "*authorized under the rail service improvement program and develop*"

Page 2, line 19, strike "developed by the" and delete "*commissioner*" and insert "*for eligibility and approval of projects under the program*"

Page 3, after line 2, insert:

"Sec. 3. Minnesota Statutes 1978, Section 222.50, Subdivision 4, is amended to read:

Subd. 4. The director may negotiate and enter into contracts for the purpose of rail line rehabilitation *and for the purpose of assisting in the payment of the local share of a rehabilitation project under the federal rail service continuation program*. The participants in these contracts shall be railroads, rail users and the department, and may be political subdivisions of the state and the federal government. In such contracts, participation by all parties shall be voluntary. The director may provide a portion of the money required to carry out the terms of any such contract by expenditure from the rail service improvement account."

Page 3, lines 14 to 16, delete the underlined language

Page 3, line 21, delete "*a portion of the*" and delete "*charges as*"

Page 3, line 22, delete "*provided in section 12*" and insert "*adjustments*"

Page 4, line 2, delete "*the*" and insert "*a*"

Page 4, line 3, after "*maintain*" insert "*, manage*"

Page 4, line 4, delete the period and insert a semicolon

Page 4, after line 4, insert:

"(e) *To assist in the placement of monuments or markers necessary to indicate the boundary lines of tracts of property adjoining*

a railroad right-of-way abandoned after the effective date of this section."

Page 4, line 6, delete *"rolling stock under clause (b) or"*

Page 4, line 7, delete *"disposition of"*

Page 4, line 7, after *"right-of-way"* insert *"acquired"*

Page 4, line 8, after *"program"* insert *"or of any other property acquired pursuant to sections 222.46 to 222.62"*

Page 5, line 22, before the semicolon, insert *"and other transportation modes"*

Page 7, line 29, delete *"up to four percent"* and insert *"a percentage"*

Page 7, line 30, delete *"to the extent"*

Page 7, line 31, delete *"that"* and insert *"equal to the difference between"*

Page 7, line 31, delete *"exceeds"* and insert *"and an interest rate of"*

Page 7, line 32, after the period, insert *"The percentage paid by the commissioner shall not exceed four percent."*

Page 8, line 15, delete *"14"* and insert *"15"*

Page 8, line 30, after *"in"* insert *"any portion of"*

Page 8, line 32, after *"owners"* insert *"of the affected portion"*

Page 9, line 17, before *"The"* insert *"Subd. 3. [PROPERTY MAINTENANCE AND MANAGEMENT.]"*

Page 9, line 17, after *"maintenance"* insert *"and management"*

Page 9, line 18, delete *"included in"* and insert *"acquired under"*

Page 9, line 18, before the period, insert *"program, including control of weeds, maintenance of drainage and protection of public safety. The commissioner shall manage the property in a manner that minimizes maintenance costs and provides a benefit to the state. The commissioner may allow interim uses of the property that are consistent with this section. An interim use other than for agricultural or conservation purposes shall not be continued for more than one year unless the commissioner submits that interim use to the procedures required pursuant to subdivision 5"*

Page 9, line 19, delete *"3"* and insert *"4"*

Page 9, line 27, delete *"4"* and insert *"5"*

Page 9, line 29, delete *"3"* and insert *"4, or to continue an interim use of a right-of-way for more than one year under subdivision 3"*

Page 10, line 12, delete everything after the period

Page 10, delete line 13

Page 10, line 14, delete "and" and insert *"The commissioner shall dispose of any property for which"*

Page 10, line 14, delete *"for that"*

Page 10, line 15, delete *"property"*

Page 10, line 16, delete *"the commissioner shall"*

Page 10, delete line 17

Page 10, line 18, delete everything before the period

Page 10, line 18, delete *"If"* and insert *"The commissioner shall dispose of any property for which"*

Page 10, line 19, delete *"for a"*

Page 10, line 20, delete *"rail bank property"* and delete *"the property"* and insert *"which"*

Page 10, line 21, delete *"3"* and insert *"4"*

Page 10, line 22, after *"acquisition"* insert a period and delete the remaining language

Page 10, line 23, delete everything through the period

Page 10, after line 28, insert:

"The commissioner may require as a condition of sale to adjacent owners that the property be purchased in its entirety for resale to the individual adjacent owners."

Page 11, line 6, after *"Except"* insert *"for an officer of a state department or agency authorized by law to acquire the specific right-of-way which is the subject of the proceeding or"*

Page 11, after line 11, insert:

"Subd. 8. When an abandoned right-of-way is acquired the commissioner shall give notice of the acquisition to the owners of any structures or improvements which are located on the right-of-way. The commissioner, if requested by such an owner, shall: (a) continue in force any agreement under which those structures or improvements were located on the right-of-way; or (b) enter into new agreements or arrangements which allow the owners of the structures or improvements to acquire the property on which they are located or which allow the continued use of the structures and improvements by the owners."

Renumber the subdivisions in sequence

Page 11, line 21, before the comma, insert *"or acquisition by a state department or agency authorized by law to acquire a specific right-of-way"*

Page 11, after line 32, insert:

"Sec. 16. Minnesota Statutes 1978, Section 174.03, Subdivision 4, is amended to read:

Subd. 4. [OTHER DUTIES.] The commissioner shall:

(a) Construct and maintain transportation facilities as authorized by law;

(b) Cooperate with, and may provide technical and financial assistance to, the metropolitan council and regional development commissions in the regional transportation planning process, in accordance with mutually acceptable terms and conditions;

(c) Cooperate with and may provide planning and technical assistance upon the request of any political subdivision or other governmental agency in accordance with mutually accepted terms and conditions, except as otherwise restricted by laws; and

(d) Develop, revise and monitor a statewide rail transportation plan as part of the statewide transportation planning process, including a study and evaluation of alternative methods for insuring adequate and economical transportation of agricultural commodities, supplies and other goods to and from rural areas of the state. ~~The commissioner plan shall include in the study consideration of rail line improvement programs including those adopted or proposed in other states. Based on the study and evaluation, the commissioner shall recommend an appropriate state assistance program to the governor and the legislature no later than July 1, 1978. Upon completion of each stage of any rail improvement study conducted by a state department or agency, the information developed by the study shall be made available to the commissioner an analysis of rail lines in the state for the purpose of determining: (1) eligibility of rail lines for assistance under federal and state rail assistance programs; (2) eligibility of rail lines for inclusion in the state rail bank; and (3) the actions required by the state to insure the continuation of rail service which meets essential state needs and objectives."~~

Page 12, after line 12, insert:

"Sec. 18. Minnesota Statutes 1978, Chapter 84, is amended by adding a section to read:

[84.0274] [ACQUISITION OF RAILROAD RIGHT-OF-WAY.] *The commissioner of natural resources shall not acquire any interest in any railroad right-of-way, abandoned or otherwise, for the purpose of constructing and operating a trail unless authorized by law to acquire the specific right-of-way. Reference to a specific railroad right-of-way in the description of a trail for which the commissioner is authorized to acquire property shall constitute authorization to acquire that right-of-way. The commissioner shall not intervene in an abandonment proceeding before the interstate commerce commission on the issue of the suitability of a rail line for a public use unless authorized by law to acquire that specific right-of-way."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, after the semicolon, insert "prohibiting acquisition of railroad right-of-way for rail purposes without specific legislative authorization;"

Page 1, line 12, after "Sections" insert "174.03, Subdivision 4;"

Page 1, line 13, after "3" insert ", 4"

Page 1, line 16, after the semicolon, insert "Chapters 84, by adding a section;"

Page 1, line 16, delete "Chapter"

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

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

S. F. No. 363: A bill for an act relating to crimes; requiring reporting of firearm discharges by private security officers.

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

Page 1, line 6, delete "PRIVATE SECURITY OFFICER" and insert "SECURITY GUARD"

Page 1, line 8, delete "the" and insert " "security guard" means any person who is paid a fee, wage or salary to perform one or more of the following functions:

(a) Prevention or detection of intrusion, unauthorized entry or activity, vandalism, or trespass on private property;

(b) Prevention or detection of theft, loss, embezzlement, misappropriation, or concealment of merchandise, money, bonds, stocks, notes, or other valuable documents or papers;

(c) Control, regulation, or direction of the flow or movements of the public, whether by vehicle or otherwise, to assure protection of private property;

(d) Protection of individuals from bodily harm; or

(e) Enforcement of policies and rules of his employer related to crime reduction insofar as such enforcement falls within the scope of his duties.

The provisions of this subdivision are not intended to include within the definition of "security guard" auditors, accountants, and accounting personnel whether or not they are employees of a private firm, corporation or independent accounting firm."

Page 1, delete lines 9 to 21

Page 2, delete lines 1 to 33

Page 3, delete lines 1 to 9

Page 3, line 11, delete "private security officer" and insert "security guard"

Page 3, lines 13 and 14, delete "he resides" and insert "the discharge occurred"

Amend the title, as follows:

Page 1, line 3, delete "private security officers" and insert "security guards"

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. 567: A bill for an act relating to public buildings; authorizing expenditures for works of art; requiring part of appropriation for building construction be designated for acquisition of works of art; amending Minnesota Statutes 1978, Chapters 16, by adding a section; and 139, by adding a section.

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

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

H. F. No. 127: A bill for an act relating to the Minnesota historical society; repealing Minnesota Statutes 1978, Section 138.02.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

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

S. F. No. 499: A bill for an act relating to the Minnesota Historical Society; appropriating money for a Mississippi river historical interpretation center.

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

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

S. F. No. 741: A bill for an act relating to emergency services; authorizing the governor to declare a peacetime emergency under certain circumstances prior to federal declaration; clarifying the term "civil defense"; amending Minnesota Statutes 1978, Sections 12.03, Subdivision 4; and 12.31; repealing Minnesota Statutes 1978, Section 12.25, Subdivision 4.

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

Page 3, line 14, after "of" insert "*a peacetime*"

Page 3, line 15, after "*plan*" insert "*developed pursuant to section 12.21, subdivision 3,*"

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

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

H. F. No. 186: A bill for an act relating to metropolitan government; providing for the debt of the metropolitan transit commission; amending Minnesota Statutes 1978, Section 473.446, Subdivision 1; and Chapter 473, by adding a section; repealing Minnesota Statutes 1978, Section 473.438, Subdivisions 5 and 6.

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

Page 1, line 20, delete "*promissory notes*,"

Page 2, line 22, delete "*Promissory notes*,"

Page 2, line 24, delete "*may be purchased by the state*"

Page 2, delete lines 25 to 27

Page 2, line 32, delete "*Promissory notes*,"

Page 3, line 4, delete "*Promissory notes*,"

Page 3, line 32, delete "*promissory notes*,"

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

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

S. F. No. 437: A bill for an act relating to state property; authorizing the conveyance of certain state property in Kandiyohi County to the city of Willmar; appropriating money.

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

Page 1, line 8, delete "and upon the receipt of"

Page 1, line 9, delete "nominal consideration"

Page 1, delete all of section 3 and insert:

"Sec. 3. \$. is appropriated from the general fund to the commissioner of administration to be used for land survey costs and to make payment to the city of Willmar for general improvements of the station including a meter to determine the flow from the Willmar State Hospital. The amount to be paid to the city of Willmar shall be as agreed upon through negotiations between the commissioner of administration, the commissioner of public welfare, and the city of Willmar. The appropriation shall expire June 30, 1980."

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

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

S. F. No. 719: A bill for an act relating to education; permitting a school district to sell certain buildings at auction; setting conditions for the sale.

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

Page 1, line 14, after "class" insert "or by an area vocational-technical school student or class"

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

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

H. F. No. 87: A bill for an act relating to highways; providing for bus shelters and benches on streets and highways; authorizing road authorities to grant franchises; amending Minnesota Statutes 1978, Section 160.27, Subdivision 2.

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

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

S. F. No. 506: A bill for an act relating to alcoholic beverages; prohibiting consumption or possession in certain highway facilities; providing a penalty; amending Minnesota Statutes 1978, Section 160.27, by adding a subdivision.

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

Page 1, after line 17, insert:

"It is not a violation of this subdivision to have an alcoholic beverage in the trunk or other area of a motor vehicle in compliance with section 169.122, subdivision 3, in a rest area, wayside or tourist information center."

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

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

S. F. No. 561: A bill for an act relating to parking privileges for handicapped persons; defining terms; extending the uses, in relation to parking privileges, of the special license plates issued to physically handicapped persons and clarifying the meaning of unauthorized use of those plates; extending parking privileges to operators of transportation services for physically handicapped persons; recognizing parking certificates, insignia or license plates

issued to handicapped persons by other jurisdictions; modifying the criteria for posted signs designating handicapped parking spaces; imposing penalties; amending Minnesota Statutes 1978, Sections 168.021, Subdivisions 3 and 5, and by adding a subdivision; 169.345; and 169.346, Subdivisions 1 and 2.

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

Page 1, line 22, before "Any" insert "If"

Page 1, line 23, delete "*who displays upon the*" and insert "*parks a*"

Page 1, line 23, delete "*parked by*"

Page 1, line 24, delete "*him*" and insert "*displaying license plates described in this section*"

Page 1, line 24, after "or" insert "*accompanies a non-handicapped person who parks the vehicle*"

Page 1, line 24, delete "*the license plates specified in*"

Page 1, line 25, delete "*this section*" and insert "*, the driver*"

Page 2, line 21, delete "*In these*"

Page 2, line 22, delete "*instances, the*" and insert "A"

Page 2, line 23, after "*the*" insert "*parking*"

Page 2, line 24, after "*is*" insert "*accompanied by and*"

Page 2, line 29, strike "is"

Page 2, line 30, strike "*defined as*" and insert "*means*"

Page 2, line 30, reinstate the stricken language

Page 2, line 32, delete everything before "*rendering*" and insert "*material disability of either or both arms or legs, or who has been otherwise disabled in any manner,*"

Page 2, line 33, delete "*, dangerous or impossible*" and insert "*and burdensome*"

Page 3, lines 9 to 11, delete the underlined language

Page 3, line 25, reinstate "Physically handicapped" and before "Physically" insert "*For the purpose of this section*"

Page 3, line 26, reinstate "any person who has sustained" and before "any" insert "*means*"

Page 3, lines 27 to 29, reinstate the stricken language

Page 3, lines 29 to 33, delete the underlined language

Page 4, lines 1 to 10, delete the underlined language

Page 5, line 3, reinstate the stricken language

Page 5, line 4, delete "*a gross misdemeanor*"

Page 5, line 14, after "is" insert "a"

Page 5, line 14, strike "in a manner"

Page 5, strike line 15

Page 5, line 16, strike everything before "operating" and insert "*person as defined in section 169.345, subdivision 2, or who is accompanied by and is*"

Page 5, line 17, strike "person who is"

Page 5, line 18, strike "in this manner" and insert "person"

Page 5, line 30, delete "*which if posted after July 1, 1979*" and insert ". *The signs, as far as practicable,*"

Page 5, line 32, strike "indicating" and insert "indicate"

Page 6, line 9, after the period, insert "*A sign is effective to designate a parking space under this section regardless of whether it complies with the standards of this subdivision if the sign states that the posted space is reserved for the handicapped.*"

Amend the title as follows:

Page 1, line 7, delete everything after the semicolon

Page 1, delete line 8

Page 1, line 9, delete everything before "recognizing"

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

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

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.

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

Page 1, line 12, delete "or" and insert "and"

Page 2, line 22, delete "shall" and insert "may"

Page 2, line 23, before the semicolon, insert "*of building movers*"

Page 2, line 24, delete the comma and insert "*; and other rules as necessary to implement this section. The department shall promulgate rules establishing*"

Page 2, line 25, delete everything before the period

Page 3, line 2, delete "or otherwise"

Page 3, line 2, after "routing," insert "movement,"

Page 3, line 4, delete "or highways"

Page 3, line 5, after "or" insert "*highways within the jurisdiction of*"

Page 3, after line 7, insert:

"Subd. 6. [ENFORCEMENT POWERS; VIOLATIONS; PENALTIES.]

The enforcement powers of the department of transportation and its representatives under section 221.221, and the violations and penalty provisions of section 221.68 shall be applicable to this section."

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. 346: A bill for an act relating to Hennepin county; authorizing the county board to self insure against claims and losses; allowing conditions of commercial insurance.

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

Page 1, lines 11 and 22, delete "fortuitous"

Page 2, delete lines 9 and 10 and insert:

"Sec. 3. Laws 1971, Chapter 330, is repealed.

Sec. 4. This act is effective upon approval by the board of commissioners of Hennepin County and upon compliance with Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 5, after "insurance" insert "; repealing Laws 1971, Chapter 330"

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

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

S. F. No. 129: A bill for an act relating to reapportionment of the legislature and congressional districts; proposing an amendment to the Minnesota Constitution, Article IV, Sections 2, 3 and 4 to provide for congressional and legislative apportionments by a commission, removing the requirement that all senators be elected at the first general election following an apportionment and limiting the power of the legislature to change the number of senators and representatives; implementing the proposed amendment by providing by law for the duties, powers and operation of the commission; and repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811.

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

Delete everything after the enacting clause and insert:

"Section 1. Subdivision 1. An amendment to the Minnesota Constitution is proposed to the people as provided by subdivision 2.

Subd. 2. If the amendment is adopted, Article IV, Section 3, will read as follows:

Sec. 3. [CENSUS ENUMERATION APPORTIONMENT; CONGRESSIONAL AND LEGISLATIVE DISTRICT BOUNDARIES; SENATE DISTRICTS.] At its first session after each enumeration of the inhabitants of this state made by the authority of the United States, the legislature shall have the power to prescribe the bounds of congressional and legislative districts. *Population shall be the controlling factor in determining the bounds of legislative districts, and each district shall be within 5 percent of the average population of the districts. The power to prescribe the bounds of congressional or legislative districts, or both, may be delegated to a commission established by law. If so delegated, the decision of the commission is not subject to veto by the governor or the legislature. Section 5 of this article does not apply to a commission established under this section. The selection of members of a commission may be determined by law.* Senators shall be chosen by single districts of convenient contiguous territory. No representative district shall be divided in the formation of a senate district. The senate districts shall be numbered in a regular series.

Sec. 2. The amendment shall be submitted to the people at the 1980 general election. The question proposed shall be: "Shall the Minnesota Constitution be amended to permit the creation of a commission to establish congressional or legislative districts, or both, and to establish standards for legislative districts?"

Yes.....

No....." "

Amend the title as follows:

Delete the title in its entirety and insert

"A bill for an act relating to reapportionment of legislative and congressional districts; proposing an amendment to the Minnesota Constitution, Article IV, Section 3, to permit the creation by law of a commission to reapportion congressional or legislative districts, or both; establishing standards for legislative districts."

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

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

S. F. No. 342: A bill for an act relating to professional regulation; regulating architects, engineers, surveyors, and landscape architects; adding an additional member to the board of archi-

ecture, engineering, land surveying and landscape architecture; amending Minnesota Statutes 1978, Sections 326.02, Subdivision 4; and 326.04.

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

Page 1, line 19, delete "*any work*"

Page 1, line 20, delete "*involving*"

Page 1, line 22, after "*elevations*" delete the comma and insert "*and*"

Page 1, line 22, delete "*and*" and insert "*or*"

Page 1, line 23, delete "*within*"

Page 1, line 24, delete "*workings*"

Page 2, line 4, after "(c)" insert "*planning, designing, and*"

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

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

S. F. No. 285: A bill for an act relating to interest rates; increasing permissable finance charges for open end credit sales; amending Minnesota Statutes 1978, Section 334.16, Subdivision 1.

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

Page 2, after line 7, insert

"Sec. 2. Minnesota Statutes 1978, Section 334.16, is amended by adding a subdivision to read:

Subd. 1a. [COMPUTATION OF AVERAGE DAILY BALANCE.] If a plan, agreement or arrangement provides that if full payment is made within a certain time a finance charge will not be imposed, and if full payment is not made within that time, then the calculation of the average daily balance for the purpose of the limitation on rates imposed by subdivision 1, clause (b) shall be made by excluding from the daily balances the amount of each sale from the date of the sale until the last day of the regular billing cycle during which the sale was made. The portion of any balance arising from the sale of goods which are returned shall be excluded from the unpaid balance as of the date the goods are returned."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "permissable" and insert "permissible"

Page 1, after line 3, insert "providing for calculation of finance charges on open end credit sales;"

Page 1, line 5, before the period, insert “, and by adding a subdivision”

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

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

S. F. No. 709: A bill for an act relating to game and fish; affording protection to the badger and opossum; authorizing a season thereon; amending Minnesota Statutes 1978, Sections 100.26, Subdivision 1; and 100.27, Subdivision 3.

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

Page 2, line 26, delete the comma after “Fisher” and insert “and”

Page 2, line 26, delete “and opossum”

Amend the title as follows:

Page 1, line 3, delete “and opossum”

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

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

S. F. No. 332: A bill for an act relating to pipelines; limiting negotiation and acquisition of easements; requiring public meetings and information books for affected landowners; requiring minimum depth of cover on cultivated land; authorizing adoption of local ordinances to protect public roads and drainage facilities; authorizing counties to adopt ordinances to establish pipeline construction standards; requiring pipelines to pay inspection fees; providing for a county inspector; limiting liability for certain unintentional damage to pipelines; establishing a pipeline property tax credit; providing for reversion of certain easements and recording of survey points; imposing duties on the environmental quality board and certain county boards; providing for enforcement by injunctive relief; imposing criminal and civil penalties.

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

Page 6, line 10, after the period, insert “Where the pipeline crosses the right of way of any drainage ditch, the pipeline shall be at least six feet below the authorized depth of the ditch, unless waived in the manner provided in subdivisions 2 and 3.”

Page 7, delete lines 27 to 32

Page 8, line 8, delete “hire” and insert “designate”

Page 9, line 7, delete “Each day of”

Page 9, delete lines 8 and 9

Page 9, line 21, delete "damage" and insert "injury"

Page 9, line 22, delete everything after "pipeline"

Page 9, delete lines 23 and 24

Page 9, line 25, delete "derivative" and insert a comma

Page 11, line 29, delete "Subdivision 1"

Page 12, delete lines 8 to 16

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. 682: A bill for an act relating to game and fish; authorizing the use of handguns in taking protected and unprotected wild animals; amending Minnesota Statutes 1978, Section 100.29, Subdivisions 2 and 9.

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

Page 1, lines 11 to 16, reinstate the stricken language

Page 1, line 16, after the period, insert "*Notwithstanding the foregoing,*"

Pages 1 and 2, delete section 2

Amend the title as follows:

Page 1, line 5, delete everything after the comma and insert "Subdivision 2."

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

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

S. F. No. 165: A bill for an act relating to agriculture; establishing a swine disease research center; appropriating money.

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

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

S. F. No. 660: A bill for an act relating to corporations; altering quorum requirements; permitting loans and other transactions with officers and employees; empowering corporations to engage in cer-

tain transactions; amending Minnesota Statutes 1978, Sections 301.25, Subdivision 7; 301.32; and 301.36.

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

Page 1, delete lines 12 to 23

Page 2, delete lines 1 to 6 and insert:

"Subd. 7. [QUORUM.] Unless otherwise provided in the articles of incorporation, ~~the presence, or the bylaws specify a larger or smaller proportion, the holders of a majority of the shares entitled to vote at a meeting shall be present in person or by proxy ; of the holders of a majority of the shares entitled to vote at the meeting shall to constitute a quorum for the transaction of business at the meeting.~~ In the absence of a quorum, ~~any a meeting may be adjourned from time to time. The shareholders If a quorum is present at when a duly called or held meeting at which a quorum is present is convened, the holders present in person or by proxy may continue to transact business until adjournment, notwithstanding that the withdrawal of enough shareholders to leave a number of holders originally present in person or by proxy leaves less than a quorum.~~

Sec. 2. Minnesota Statutes 1978, Section 301.25, is amended by adding a subdivision to read:

Subd. 8. Subject to the provisions of this chapter establishing special vote requirements, the articles of incorporation or the bylaws may specify the proportions of shares or proportions of votes cast necessary to transact specified types of business at any meeting."

Page 2, line 10, delete "Any" and insert "A"

Page 2, line 11, delete "any" and insert "an"

Page 2, line 12, strike "any" and insert "an"

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

Page 2, line 15, delete "any" and insert "an"

Page 2, line 17, delete "any such" and insert "the"

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

Page 2, line 20, after "corporation" insert "and is approved by the majority of the directors"

Page 2, line 22, delete "such" and insert "the"

Page 2, line 31, delete "any" and insert "a"

Page 2, line 32, delete "any" and insert "a"

Page 3, line 4, delete "any" and insert "a"

Page 3, line 8, delete "any" and insert "part"

Page 3, line 10, delete "such" and insert "those"

Page 3, line 11, delete "such" and insert "those"

Page 3, line 14, delete "*any such*" and insert "*which*"

Page 3, line 16, strike "*any*" and insert "*a*"

Page 3, line 20, strike the first "*such*" and insert "*those*"

Page 3, line 20, strike the second "*such*" and insert "*those*"

Page 3, line 27, strike "*such*" and insert "*the*"

Page 3, line 28, strike "*such*" and insert "*the*"

Page 3, line 32, strike "*any such*" and insert "*the*"

Page 4, line 1, strike "*thereat*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after "7" insert ", and by adding a subdivision"

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

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

S. F. No. 766: A bill for an act relating to banks; authorizing the closing of loans at detached facilities; amending Minnesota Statutes 1978, Section 47.53.

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

Page 1, line 13, strike "*accepting loan applications*"

Page 1, line 13, delete the second comma

Page 1, line 14, delete "*closing*" and insert "*making*"

Amend the title as follows:

Page 1, line 2, delete "*closing*" and insert "*making*"

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

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

S. F. No. 767: A bill for an act relating to banks; authorizing detached facilities in towns where there are no banks; amending Minnesota Statutes 1978, Section 47.52.

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

Page 2, line 5, before the period insert "*; or within the premises of an airport, acquired, established, maintained or operated by a political subdivision, public corporation, authority or district in this state, which is within 25 miles of the bank's principal office measured in a straight line from the closest structures involved*"

Page 2, after line 14, insert:

"Sec. 2. Minnesota Statutes 1978, Section 48.19, Subdivision 1, is amended to read:

48.19 [LOANS ON REAL ESTATE RESTRICTED.] Subdivision 1. [RESTRICTIONS; EXCEPTION.] No bank or trust company shall make any loan upon the security of real estate unless it is a first lien thereon, except that a bank or trust company may take a junior lien: (a) upon real estate to secure a loan previously contracted; or (b) upon farm real estate to secure a loan made to a farmer who resides in a county which due to weather conditions is a declared federal disaster area at the time the loan contract is signed ; or (c) upon real estate to secure a loan if (1) the total unpaid aggregate of all loans secured by liens against the same real estate does not exceed 80 percent of its appraised value, and (2) the aggregate outstanding indebtedness on all loans made by a bank or trust company which are secured by junior liens otherwise prohibited under this section does not exceed 15 percent of the total time and savings deposits of the bank or trust company as of its most recent published statement . Before any such loans are made the value of the real estate shall be determined by an appraisal made by a committee appointed by the board of directors, which appraisal shall be made a matter of record; except that the board may accept an appraisal made by or for an agency of the United States government when such agency is guaranteeing or insuring the loan or any part thereof.

A bank may take additional liens on the same security and these shall be considered to be part of the same mortgage lien thereon providing it has been established that there are no intervening liens.

Loans in which the small business administration cooperates through agreements to participate on an immediate or deferred basis under the federal small business act or loans or obligations secured or guaranteed by the United States or any department, bureau, board, commission, or establishment of the United States, including any corporation wholly owned directly or indirectly by the United States, shall not be subject to the restrictions or limitations of this section imposed upon loans secured by real estate."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "banks" insert "and in airports"

Page 1, line 3, after the semicolon insert "permitting banks and trust companies to take junior liens under certain circumstances;"

Page 1, line 4, delete "Section" and insert "Sections"

Page 1, line 4, after "47.52" insert "; and 48.19, Subdivision 1"

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. 687: A bill for an act relating to banks and banking; regulating interest rates charged by state banks; amending Minnesota Statutes 1978, Chapter 48, by adding a section.

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

Page 1, line 10, after "*banks*" insert "*and savings banks*"

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

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

H. F. No. 360: A bill for an act relating to commerce; extending an exception for certain loans from the usury laws; amending Minnesota Statutes 1978, Section 334.01, Subdivision 2.

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. 919: A bill for an act relating to buildings; providing for the employment of building officials by certain towns; amending Minnesota Statutes 1978, Section 16.861, Subdivision 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Mr. Anderson questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S. F. No. 845: A bill for an act relating to Ramsey County; changing the day of county board meetings; amending Laws 1974, Chapter 435, Section 2.05, Subdivision 1, as amended.

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. 381: A bill for an act relating to the city of Ely; providing for the salaries of the mayor and council.

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. 871: A bill for an act relating to Anoka County; permitting redistricting of commissioner districts to seven for the 1982 election.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 638, 270, 396, 52 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
638	925			270	338
396	568			52	213

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 638 be amended as follows:

Page 8, line 14, strike "basis"

And when so amended H. F. No. 638 will be identical to S. F. No. 925, and further recommends that H. F. No. 638 be given its second reading and substituted for S. F. No. 925, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 270 be amended as follows:

Page 1, line 17, after "*substitute*" insert "*or text or text substitute*"

And when so amended H. F. No. 270 will be identical to S. F. No. 338, and further recommends that H. F. No. 270 be given its second reading and substituted for S. F. No. 338, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 396 be amended as follows:

Page 1, line 13, delete "*licensed for*" and insert "*serving*"

And when so amended H. F. No. 396 will be identical to S. F. No. 568, and further recommends that H. F. No. 396 be given its second reading and substituted for S. F. No. 568, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 52 be amended as follows:

Page 1, lines 13 and 14, reinstate the stricken language and delete "*of driver and vehicle services*"

Page 1, line 16, reinstate the stricken language

Page 2, line 1, after "*certificate*" insert "*or insignia*"

Page 2, line 2, after "*certificate*" insert "*or insignia*"

Page 2, line 13, reinstate the stricken language

Page 2, lines 20 and 21, reinstate the stricken language

Page 2, lines 21 and 22, delete the underscored language

Page 2, line 27, after "*certificate*" insert "*or insignia*"

Page 2, lines 28 and 29, strike "and punishable as" and delete the underscored language

Page 3, lines 14 and 15, reinstate the stricken language

And when so amended H. F. No. 52 will be identical to S. F. No. 213, and further recommends that H. F. No. 52 be given its second reading and substituted for S. F. No. 213, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 842, 144, 550, 876, 668, 109, 728, 607, 450, 867, 905, 708, and 467 makes the following report:

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

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

SECOND READING OF SENATE BILLS

S. F. No. 871 was read the second time.

S. F. Nos. 605, 363, 741, 719, 779, 346, 285, 709, 682, 660, 766, 767, 687, 845 and 381 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 127, 638, 270, 396 and 52 were read the second time.

H. F. Nos. 167, 297, 186, 87 and 360 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Dieterich introduced—

Senate Resolution No. 21: A Senate resolution congratulating the Saint Paul Central High School girls' basketball team on winning the Class AA state high school girls' basketball championship.

Referred to the Committee on Rules and Administration.

Mr. Ueland, A. moved that the name of Mr. Schaaf be added as co-author to S. F. No. 107. The motion prevailed.

Mr. Sikorski moved that the name of Mr. Johnson be added as co-author to S. F. No. 1097. The motion prevailed.

Mr. Anderson moved that the name of Mr. Olhoft be added as co-author to S. F. No. 1104. The motion prevailed.

Mr. Perpich moved that the name of Mr. Johnson be added as co-author to S. F. No. 1106. The motion prevailed.

CALENDAR

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 and handicapped crossings; authorizing local authorities to designate senior citizen and handicapped crossings in conformance with specifications; providing a penalty; amending Minnesota Statutes 1978, Chapter 169, 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

With the unanimous consent of the Senate, Mr. Wegener moved to amend S. F. No. 549 as follows:

Page 2, line 18, before "The" insert "*From a list of three persons submitted by each affected city council,*"

The motion prevailed. So the amendment was adopted.

S. F. No. 549 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 530: A bill for an act relating to historic sites; authorizing the Minnesota Historical Society to exchange certain state owned nonhistoric land for certain privately owned historic land.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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 51 and nays 11, as follows:

Those who voted in the affirmative were:

Ashbach	Hughes	Lessard	Pillsbury	Staples
Bang	Jensen	Lewis	Purfeerst	Tennessen
Bernhagen	Johnson	Luther	Rued	Ueland, A.
Brataas	Keefe, J.	Merriam	Schaaf	Ulland, J.
Davies	Keefe, S.	Moe	Schmitz	Vega
Dieterich	Kirchner	Nelson	Schrom	Wegener
Dunn	Kleinbaum	Nichols	Setzepfandt	Willet
Engler	Knaak	Ogdahl	Sieloff	
Frederick	Knoll	Olson	Sillers	
Gearty	Knutson	Penny	Solon	
Hanson	Laufenburger	Perpich	Spear	

Those who voted in the negative were:

Anderson	Chmielewski	Olhoff	Renneke	Strand
Benedict	McCutcheon	Peterson	Sikorski	Stumpf
Chenoweth				

So the bill passed and its title was agreed to.

H. F. No. 444: A bill for an act relating to intoxicating liquor; authorizing the city of Spring Lake Park to issue an on-sale intoxicating liquor license to a club in existence for less than 15 years.

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 34 and nays 25, as follows:

Those who voted in the affirmative were:

Bang	Lessard	Olson	Sikorski	Vega
Dieterich	Lewis	Penny	Sillers	Wegener
Gearty	Luther	Perpich	Solon	
Hanson	McCutcheon	Pillsbury	Spear	
Jensen	Merriam	Purfeerst	Staples	
Johnson	Moe	Schaaf	Stokowski	
Keefe, S.	Nelson	Schmitz	Tennessen	
Kleinbaum	Ogdahl	Setzepfandt	Ueland, A.	

Those who voted in the negative were:

Ashbach	Davies	Kirchner	Olhoft	Sieloff
Benedict	Dunn	Knaak	Peterson	Strand
Bernhagen	Frederick	Knutson	Renneke	Stumpf
Chenoweth	Hughes	Laufenburger	Rued	Ulland, J.
Chmielewski	Keefe, J.	Nichols	Schrom	Willet

So the bill passed and its title was agreed to.

S. F. No. 466: A bill for an act relating to counties; providing for the use of certain tax-forfeited lands; regulating the terms of small timber sales; amending Minnesota Statutes 1978, Section 282.04, 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Anderson, Laufenburger and Tennesen voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 483: A bill for an act relating to state parks; deleting certain land from the boundaries of Judge C. R. Magney State Park; authorizing the state to buy certain lands for the purpose of adding lands to the Judge C. R. Magney State Park; authorizing the commissioner of natural resources to acquire a conservation easement along the Brule River and Lake Superior shoreline.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 322: A bill for an act relating to guardianship; providing that a petition for guardianship may be treated as a petition for conservatorship; providing for the transfer of guardianship to conservatorship; amending Minnesota Statutes 1978, Sections 201.15; 525.551; and 525.61.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 324: A bill for an act relating to crimes; escape from custody; authorizing prosecution of persons who escape jail while serving time as a condition of probation and persons who fail to report to or return from employment while under work release programs; providing penalties; amending Minnesota Statutes 1978, Section 609.485, Subdivisions 3 and 4, and by adding a subdivision.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 362: A bill for an act relating to Hennepin County; providing for the appointment, compensation, and duties of the medical examiner; amending Laws 1963, Chapter 848, Section 1, Subdivision 2; Section 5; repealing Laws 1963, Chapter 848, Section 1, 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 56 and nays 6, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Merriam	Penny	Peterson	Strand	Willet
Nichols				

So the bill passed and its title was agreed to.

S. F. No. 117: A bill for an act relating to special acts passed in accordance with the Constitution, Article XII, Section 2; requiring local approval in certain cases; amending Minnesota Statutes 1978, Sections 645.021 and 645.023, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mrs. Brataas, Messrs. Knutson, Sikorski, Frederick and Sieloff introduced—

S. F. No. 1158: A bill for an act relating to children; requiring that adoptive parents and the adoptive child shall be made parties to certain proceedings related to terminating adoptions; prohibiting a presumption that biological parents should be favored in such proceedings; amending Minnesota Statutes 1978, Sections 259.24, Subdivision 6; and 259.25, Subdivision 2.

Referred to the Committee on Judiciary.

GENERAL ORDERS

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

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

S. F. Nos. 26, 493, 444, 622, H. F. Nos. 259 and 373, which the committee recommends to pass.

S. F. No. 394 which the committee reports progress, subject to the following motion:

Mr. Strand moved to amend S. F. No. 394 as follows:

Page 4, after line 11, insert:

"Sec. 4. Minnesota Statutes 1978, Section 24.25, Subdivision 2, is amended to read:

Subd. 2. Each application for registration shall be accompanied by an inspection fee of \$30 for each product for which registration is requested. All such registration fees collected by the commissioner shall be paid into the state treasury and be credited to the general fund. There shall also be attached to each application for registration the label or labels which are to be used upon the antifreeze and each application shall be accompanied by a properly labeled sample of the antifreeze which shall not be less than one gallon. The commissioner after examination of the label, may require submission of a properly labeled sample which shall not be less than one gallon. If after examination the commissioner finds that the sample is not adulterated or misbranded, and if it meets with the standards required by sections 24.24 to 24.31 and the rules and regulations promulgated in relation thereto, the commissioner shall issue a certificate of registration for the product. If the application is denied, the product shall not be offered for sale in this state."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "revising antifreeze registration procedures;"

Page 1, line 7, after the first semicolon, insert "24.25, subdivision 2;"

The motion prevailed. So the amendment was adopted.

S. F. No. 394 was then progressed.

S. F. No. 603, which the committee recommends to pass with the following amendment offered by Mr. Johnson:

Page 2, line 3, strike "the first term of"

Page 2, line 4, strike "court to be held at"

Page 2, lines 4 and 5, strike "at which a grand jury is in session"

The motion prevailed. So the amendment was adopted.

S. F. No. 528, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 2, line 15, delete "A filing fee is" and insert "Library and filing fees are"

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.

Mr. Hanson moved that the Senate do now adjourn until 10:00 o'clock a. m., Thursday, April 5, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate