

THIRTY-THIRD DAY

St. Paul, Minnesota, Monday, April 9, 1979

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

CALL OF THE SENATE

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

Anderson	Dieterich	Kirchner	Moe	Schrom
Ashbach	Dunn	Kleinbaum	Olson	Setzepfandt
Bang	Engler	Knaak	Penny	Sikorski
Benedict	Frederick	Knutson	Perpich	Spear
Bernhagen	Gearty	Lewis	Pillsbury	Staples
Brataas	Gunderson	Luther	Purfeerst	Stumpf
Chenoweth	Hanson	McCutcheon	Rued	Ueland, A.
Coleman	Humphrey	Menning	Schaaf	Wegener
Davies	Johnson	Merriam	Schmitz	Willet

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

Prayer was offered by the Chaplain, Rev. David Rebeck.

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

Anderson	Gearty	Lessard	Peterson	Staples
Ashbach	Gunderson	Lewis	Pillsbury	Stokowski
Bang	Hanson	Luther	Purfeerst	Strand
Benedict	Humphrey	McCutcheon	Renneke	Stumpf
Bernhagen	Jensen	Menning	Rued	Tennessen
Brataas	Johnson	Merriam	Schaaf	Ueland, A.
Chenoweth	Keefe, J.	Moe	Schmitz	Ulland, J.
Chmielewski	Keefe, S.	Nelson	Schrom	Vega
Coleman	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	

The President declared a quorum present.

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

MEMBERS EXCUSED

Mr. Hughes was excused from the Session of today. Mr. Sieloff was excused from the Session of today until 10:20 o'clock a.m.

Mrs. Staples and Mr. Humphrey were excused from the Session of today at 11:45 o'clock a.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Peterson introduced—

S. F. No. 1215: A bill for an act relating to public safety; prohibiting scuba diving during certain hours; amending Minnesota Statutes 1978, Section 361.09, Subdivision 2.

Referred to the Committee on General Legislation and Administrative Rules.

Mr. Chmielewski introduced—

S. F. No. 1216: A bill for an act relating to legal notice; authorizing supplemental publication of legal notice by radio or television broadcast.

Referred to the Committee on Judiciary.

Mr. Johnson introduced—

S. F. No. 1217: A bill for an act relating to taxation; real property; extending the homestead credit, and taconite credit to class 3a property; amending Minnesota Statutes 1978, Sections 273.13, Subdivision 5a; and 273.135, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Moe introduced—

S. F. No. 1218: A bill for an act relating to Polk County; permitting the imposition of a tax on removing gravel; providing for its administration; providing a penalty.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Kirchner, Purfeerst, Nichols and Pillsbury introduced—

S. F. No. 1219: A bill for an act relating to motor vehicles; defining motorized bicycles; amending Minnesota Statutes 1978, Sections 168.011, Subdivision 27; 169.01, Subdivision 4a; and 171.01, Subdivision 20.

Referred to the Committee on Transportation.

Messrs. Dieterich, Lessard, Sillers and Davies introduced—

S. F. No. 1220: 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.

Mr. Perpich introduced—

S. F. No. 1221: A bill for an act relating to health; providing for state aid to public and nonproprietary hospitals which convert to nursing care facilities; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Davies introduced—

S. F. No. 1222: A bill for an act relating to marriage; eliminating certain information from the marriage license application; providing that only two copies of the marriage certificate be prepared; defining terms; requiring personal service in a dissolution; providing for the court's findings in an uncontested dissolution; providing mutual restraining orders pending a dissolution; providing additional relevant factors for making custody determinations and for awarding maintenance; permitting retroactive modification of support and maintenance orders for inability to pay; amending Minnesota Statutes 1978, Sections 517.03; 517.08, Subdivision 1a; 517.10; 517.101; 518.07; 518.09; 518.10; 518.13; 518.135, Subdivision 2; 518.155; 518.156; 518.165; 518.17, Subdivision 1; 518.176; 518.54, Subdivision 5; 518.552, Subdivision 2; 518.58; 518.64, Subdivision 2; and Chapter 518, by adding a section.

Referred to the Committee on Judiciary.

Mrs. Staples introduced—

S. F. No. 1223: A bill for an act relating to children; providing for limited retention of report records relating to maltreatment of minors; amending Minnesota Statutes 1978, Section 626.556, Subdivision 11.

Referred to the Committee on Judiciary.

Mr. Lessard introduced—

S. F. No. 1224: A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in Beltrami County.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Solon introduced—

S. F. No. 1225: A bill for an act relating to health; establishing an American Indian advisory board to assist the department of public welfare in formulating policies related to chemical dependency and the abuse of alcohol and other drugs by American Indians; amending Minnesota Statutes 1978, Section 254A.03, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Keefe, J. introduced—

S. F. No. 1226: A bill for an act relating to the city of Minnetonka; volunteer firefighters service pensions; amending Laws 1975, Chapter 118, Section 1.

Referred to the Committee on Governmental Operations.

Mr. Sikorski introduced—

S. F. No. 1227: A bill for an act relating to the town of Forest Lake; exempting it from certain tax levy limitations.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Laufenburger, Kleinbaum, Mrs. Brataas and Mr. Davies introduced—

S. F. No. 1228: A bill for an act relating to fire insurance; repealing certain requirements for examination and appraisal of insured structures; repealing Minnesota Statutes 1978, Section 65A.08, Subdivision 1.

Referred to the Committee on Commerce.

Mr. Dieterich introduced—

S. F. No. 1229: A bill for an act relating to taxation; property tax refund; redefining income for purposes of the property tax refund; allowing certain claimants to elect to take the refund as a credit against income tax; providing that certain claimants may receive direct credit against property tax liability; appropriating money; amending Minnesota Statutes 1978, Sections 290A.03, Subdivision 3; 290A.06; and 290A.07, Subdivision 3; and Chapter 290A, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dieterich, Sillers and Davies introduced—

S. F. No. 1230: A bill for an act relating to real estate; setting effective dates for provisions regulating the validation of foreclosure sales; amending Minnesota Statutes 1978, Section 582.27.

Referred to the Committee on Judiciary.

Messrs. Olson, Penny, Dunn, Wegener and Jensen introduced—

S. F. No. 1231: A bill for an act relating to transportation; requiring simplified procedures and additional state assistance in applying for public transit grants; allocating certain paratransit funds for special projects in certain municipalities; allowing flexibility in expenditure of grants for special projects; amending Minnesota Statutes 1978, Sections 174.23, by adding a subdivision; and 174.25, by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. Knoll, Tennessen and Hanson introduced—

S. F. No. 1232: A bill for an act relating to housing; providing new standards and procedures for disclosing conflicts of interest for commissioners and employees of housing and redevelopment authorities; establishing penalties; amending Minnesota Statutes 1978, Chapter 462, by adding a section; repealing Minnesota Statutes 1978, Section 462.431.

Referred to the Committee on Energy and Housing.

Mr. Ogdahl introduced—

S. F. No. 1233: A bill for an act relating to housing; authorizing city housing finance programs; authorizing bond issues for them.

Referred to the Committee on Energy and Housing.

Mr. Merriam introduced—

S. F. No. 1234: A bill for an act relating to taxation; providing that property tax exemption allowed for pollution control property shall not apply to solid waste disposal sites; amending Minnesota Statutes 1978, Section 272.02, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Keefe, J.; Lewis; Schaaf and Knutson introduced—

S. F. No. 1235: A bill for an act relating to public improvements; permitting deferral of special assessments in instances of hardship; amending Minnesota Statutes 1978, Section 435.193.

Referred to the Committee on Taxes and Tax Laws.

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

S. F. No. 1236: A bill for an act relating to energy; clarifying the procedures for declaring an energy emergency; prescribing the powers of the governor and executive council in an emergency; providing for the issuance of emergency rules by the director of

the energy agency; prescribing additional elements of the energy emergency conservation and allocation plan; providing for earth sheltered construction zoning variances; prohibiting local governments from banning earth sheltered construction; requiring certain building energy reports and audits; providing for an adult and post-secondary energy education plan; limiting the time for application for certain variances; providing a method for determining certain efficiencies for air conditioners; prescribing a penalty; appropriating money; amending Minnesota Statutes 1978, Sections 12.02, Subdivision 1; 12.03, Subdivision 4, and by adding a subdivision; 12.21, Subdivisions 1 and 3; 12.28; 12.32; 116H.02, Subdivisions 3 and 5, and by adding subdivisions; 116H.08; 116H.09, Subdivisions 1, 4, and 5; 116H.11; 116H.12, Subdivisions 1a, 1b, 3a, 3b, and 10; 116H.122; 116H.123; 116H.124; 116H.126; 116H.13; 116H.15; 120.78, Subdivision 1; 325.989, by adding a subdivision; 394.25, Subdivision 3; 394.27, Subdivision 7; 462.357, Subdivisions 1 and 6; and Chapter 116H, by adding a section; repealing Minnesota Statutes 1978, Section 116H.125.

Referred to the Committee on Energy and Housing.

Mr. Hughes; Mrs. Staples; Messrs. Lewis; Keefe, J. and Kirchner introduced—

S. F. No. 1237: A bill for an act relating to children; establishing a comprehensive child protective services program; prescribing duties of the commissioner of public welfare and county welfare boards; authorizing grants for experimental programs to encourage interagency cooperation; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Hanson, Nichols, Strand and Moe introduced—

S. F. No. 1238: A bill for an act relating to public health; permitting statewide use of plastic water well casings; repealing Minnesota Statutes 1978, Section 156A.031, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Ogdahl introduced—

S. F. No. 1239: A bill for an act relating to courts; providing an additional six judges for the Hennepin County District Court; amending Minnesota Statutes 1978, Section 2.722, Subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Willet, Moe, Strand, Dunn and Gunderson introduced—

S. F. No. 1240: A bill for an act relating to natural resources; setting forth the rights of property owners whose property is purchased for conservation purposes; revising responsibilities of the

commissioner of natural resources and the commissioner of administration in property acquisition; authorizing the commissioner of natural resources, with the approval of the state executive council to convey the interests of the state in lands for the purpose of correcting boundary description errors; amending Minnesota Statutes 1978, Sections 84.0272; 85.012, Subdivision 1; 85.015, Subdivision 1; 85.021, Subdivisions 1 and 2; 104.37, Subdivision 1; and 117.232, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Knutson; Lewis; Keefe, J. and Knoll introduced—

S. F. No. 1241: A bill for an act relating to children; defining and specifying disposition of endangered children; changing procedures relative to termination of parental rights; amending Minnesota Statutes 1978, Sections 260.015, by adding a subdivision; 260.103, Subdivision 1; 260.111, Subdivision 1; 260.121, Subdivision 1; 260.131, Subdivision 1; 260.135, Subdivision 3; 260.155, Subdivision 4; 260.191, Subdivisions 1, 4, and by adding a subdivision; 260.221; 260.235; 260.255, Subdivisions 1 and 2; 260.291, Subdivision 1; 260.315; 260.35; 260.36; 260.41; 260.44; and 260.45.

Referred to the Committee on Judiciary.

Messrs. Sillers, Dieterich, Sieloff, Strand and Davies introduced—

S. F. No. 1242: A bill for an act relating to conciliation court; providing for a uniform filing fee of \$5; amending Minnesota Statutes 1978, Sections 487.31, Subdivision 1; 488A.14, Subdivisions 1 and 5; and 488A.31, Subdivisions 1 and 5.

Referred to the Committee on Judiciary.

Messrs. Hanson, Lessard, Engler, Nichols and Rued introduced—

S. F. No. 1243: A bill for an act relating to waters; limiting the rule making power of the commissioner of natural resources in regard to flood plain management; amending Minnesota Statutes 1978, Section 104.05.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Setzepfandt, Rued, Olson and Renneke introduced—

S. F. No. 1244: A bill for an act relating to agriculture; prohibiting certain garbage feeding of animals; providing a penalty; amending Minnesota Statutes 1978, Chapter 35, by adding a section.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Solon and Ulland, J. introduced—

S. F. No. 1245: A bill for an act relating to city of Duluth; providing for the management of the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Sections 2, Subdivision 2; 5, Subdivision 4; 7, as amended; and 8.

Referred to the Committee on Local Government.

Mr. Johnson introduced—

S. F. No. 1246: A bill for an act relating to game and fish; restricting the power of the commissioner of natural resources to close the season on lake trout.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Olhoft, Wegener, Strand, Moe and Peterson introduced—

S. F. No. 1247: A bill for an act relating to taxation; providing for reduction of motor vehicle excise tax when purchase price of vehicle is reduced by value of goods traded for vehicle; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Spear, Davies, Sillers and Hanson introduced—

S. F. No. 1248: A bill for an act relating to guardianship; establishing criteria for the selection of guardians and conservators; amending Minnesota Statutes 1978, Section 525.544.

Referred to the Committee on Judiciary.

Messrs. Lessard and Willet introduced—

S. F. No. 1249: A bill for an act relating to juries; requiring the department of public safety to provide jury commissioners with drivers' license lists without fee; amending Minnesota Statutes 1978, Section 593.37, by adding a subdivision.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Luther, Johnson, Chenoweth and Keefe, S. introduced—

S. F. No. 1250: A bill for an act relating to the public service commission; regulating commissioners' conflicts of interest; amending Minnesota Statutes 1978, Section 216A.035.

Referred to the Committee on Commerce.

Mr. Jensen introduced—

S. F. No. 1251: A bill for an act relating to the city of New Ulm; authorizing an increase in firefighters service pensions and death and disability benefits; amending Laws 1973, Chapter 182, Section 1, as amended.

Referred to the Committee on Governmental Operations.

Messrs. Purfeerst and Vega introduced—

S. F. No. 1252: A bill for an act relating to taxation; exempting certain amounts paid for military service from income taxation; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.06, Subdivision 12.

Referred to the Committee on Taxes and Tax Laws.

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

S. F. No. 1253: A bill for an act relating to taxation; sales; permitting a deduction for costs of collection and remittance; amending Minnesota Statutes 1978, Section 297A.26, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. McCutcheon, Spear, Stumpf, Coleman and Humphrey introduced—

S. F. No. 1254: A bill for an act relating to education; providing for scholarships for certain American students of Mexican, Puerto Rican, Cuban or Spanish ancestry; appropriating money.

Referred to the Committee on Education.

Mr. Lessard introduced—

S. F. No. 1255: A bill for an act relating to tax-forfeited land sales; increasing the interest rate on the unpaid balance of the purchase price; amending Minnesota Statutes 1978, Sections 282.01, Subdivision 4; 282.15; 282.222, Subdivision 4; 282.261; and 282.35, Subdivisions 2 and 3.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Chmielewski introduced—

S. F. No. 1256: A bill for an act relating to crimes; authorizing application for a permit to carry a pistol to be made either to the local chief of police or county sheriff; amending Minnesota Statutes 1978, Section 624.714, Subdivision 2.

Referred to the Committee on Judiciary.

Mr. Olhoft introduced—

S. F. No. 1257: A bill for an act relating to public welfare; requiring certain recipients of state aid for medical care to authorize the commissioner of public welfare to have access to their medical records for certain purposes; authorizing the commissioner to promulgate certain rules related to investigation of fraud perpetrated by health care vendors; authorizing certain sanctions against fraudulent vendors; authorizing the commissioner to institute an action to recover moneys wrongfully paid; amending Minnesota Statutes 1978, Sections 62E.53, by adding a subdivision; 62E.54, Subdivision 1; 256.01, by adding a subdivision; 256B.04, Subdivision 10; 256B.064, Subdivision 2, and by adding subdivisions; 256B.27, Subdivisions 3 and 4; 256D.03, Subdivision 3; and 256D.05, by adding a subdivision.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Merriam, McCutcheon, Peterson, Hanson and Sieloff introduced—

S. F. No. 1258: A bill for an act relating to taxation; abolishing the inheritance tax; imposing an estate tax; repealing the gift tax; amending Minnesota Statutes 1978, Sections 291.005, Subdivision 1; 291.01; 291.03; 291.05; 291.051; 291.06; 291.065; 291.07, Subdivision 1; 291.08; 291.09, Subdivisions 1, 2, 3, 4, 5, and 7, and by adding a subdivision; 291.11, Subdivision 1; 291.111, Subdivision 1; 291.132; 291.14; 291.19, Subdivisions 3 and 5; 291.20, Subdivision 1; 291.21, Subdivision 2; 291.27; 291.33, Subdivision 1; 352.15, Subdivision 1; 353.15; 354.10; 354A.11; 524.3-916; 524.3-1001; 525.091, Subdivisions 1 and 2; 525.71; 525.74; and 525.841; and Chapter 291, by adding sections; repealing Minnesota Statutes 1978, Sections 3A.08; 291.02; 291.07, Subdivisions 2 and 2a; 291.10; 291.11, Subdivisions 2, 3, 4, 5, 6, 7, 8, and 9; 291.12, Subdivision 3; 291.22; 291.23; 291.24; 291.25; 291.26; 291.29, Subdivisions 1, 2, 3 and 4; 291.30; 291.34; 291.35; 291.36; 291.37; 291.38; 291.39; 291.40; 292.01; 292.02; 292.03; 292.031; 292.04; 292.05; 292.06; 292.07; 292.08; 292.09; 292.105; 292.111; 292.112; 292.12; 292.125; 292.14; 292.15; and 525.151.

Referred to the Committee on Taxes and Tax Laws.

Mr. Knoll introduced—

S. F. No. 1259: A bill for an act relating to taxation; reducing the assessment ratio applied to seasonal recreational property; amending Minnesota Statutes 1978, Section 273.13, Subdivisions 4 and 5a.

Referred to the Committee on Taxes and Tax Laws.

Mr. Knoll introduced—

S. F. No. 1260: A bill for an act relating to banks; clarifying that certain branch banks may establish detached facilities; amending Minnesota Statutes 1978, Section 47.51.

Referred to the Committee on Commerce.

Messrs. Schaaf, Vega, Coleman, Laufenburger and Ashbach introduced—

S. F. No. 1261: A bill for an act relating to public transit; authorizing the acquisition, betterment, operation and maintenance of a people mover system in St. Paul; authorizing financial participation in its construction and operation by the metropolitan transit commission; providing for assistance by the state; appropriating money; amending Minnesota Statutes 1978, Section 473.446, Subdivision 1; repealing Laws 1977, Chapter 454, Section 45.

Referred to the Committee on Transportation.

Mr. Schaaf introduced—

S. F. No. 1262: A bill for an act relating to the operation of state government; establishing a system of periodic review of the operation of occupational licensing agencies; creating guidelines; establishing legislative review procedures; setting termination dates.

Referred to the Committee on Governmental Operations.

Mr. Schaaf introduced—

S. F. No. 1263: A bill for an act relating to public defense; establishing the board of public defense; transferring public defender responsibilities from the judicial council to the board of public defense; abolishing the judicial council; amending Minnesota Statutes 1978, Sections 611.23; 611.26, Subdivisions 1, 2, 3, 4 and 5; and Chapter 611, by adding a section; repealing Minnesota Statutes 1978, Sections 480.053; 483.01; and 483.02.

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

Mr. Schaaf introduced—

S. F. No. 1264: A bill for an act relating to the operation of state government; abolishing the board of abstractors and the board of assessors and transferring their respective powers and duties; altering the membership, regulatory powers, practices and supervision of certain boards; limiting criteria for issuing licenses; providing for registration rather than licensing of watchmakers; providing for review of certain functions of certain boards; permitting certain occupational advertising; requiring the collection of certain health manpower information; amending Minnesota Statutes 1978, Sections 125.05, Subdivision 1; 147.02, Subdivision 1; 147.021, Subdivision 1; 148.211, Subdivision 1; 148.10, Subdivision 1; 148.291, Subdivision 1; 148.57, Subdivisions 1 and 3; 148.91, Subdivision 4; 148.93; 150A.06, Subdivisions 1, 2, 2a and

4; 151.10; 153.04; 153.15; 154.05; 154.06; 154.11; 154.12; 154.22; 155.04; 155.05; 155.09, Subdivision 1; 156.02, Subdivision 1; 156.071; 156.072, Subdivision 2; 156.081, Subdivision 2; 214.01, Subdivision 3; 214.04; 214.06; 214.09, Subdivision 2; 326.10, Subdivision 1; 326.19, Subdivision 2; 326.332, Subdivision 1; 326.54; 326.546; Chapter 214, by adding sections; 270, by adding a section; and 386, by adding a section; repealing Minnesota Statutes 1978, Sections 147.11; 150A.11, Subdivision 2; 151.28; 270.41; 270.42; 270.43; 341.09; 386.61, Subdivision 3; and 386.63; and Chapter 186.

Referred to the Committee on Governmental Operations.

Mr. Humphrey introduced—

S. F. No. 1265: A bill for an act relating to education; providing for computer based education for certain schools; appropriating money.

Referred to the Committee on Education.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

March 1, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the Metropolitan Council are hereby respectfully submitted to the Senate for confirmation as required by law:

Martin N. Kellogg, 339 Mt. Curve Blvd., St. Paul, Ramsey County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

Charles L. Rafferty, 532 Jessamine Avenue, St. Paul, Ramsey County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

George C. Dahlvang, 4535 Washburn Avenue North, Minneapolis, Hennepin County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

Gladys S. Brooks, 5056 Garfield Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

Ernest A. Lindstrom, 7406 Fremont Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

Dirk deVries, 18600 Woolman Drive, Minnetonka, Hennepin County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

Marcia L. Bennett, 654 48th Avenue NE, Columbia Heights, Anoka County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

Kathleen C. Ridder, 1744 Dodd Road, St. Paul, Dakota County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Governmental Operations.)

March 26, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the State University Board are hereby respectfully submitted to the Senate for confirmation as required by law:

Paul O. Johnson, 115 Outer Drive, Le Sueur, Le Sueur County, has been appointed by me, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

Geneva M. Peterson, R.R. 3, Mora, Kanabec County, has been appointed by me, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Education.)

Sincerely,

Albert H. Quie, Governor

April 6, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the position of Executive Secretary of the State Board of Investment is hereby respectfully submitted to the Senate for confirmation as required by Minnesota Statutes, Section 11.11:

Jonathan P. White, 1485 Transit Avenue, Roseville, Ramsey County, has been appointed by the State Board of Investment, effective April 2, 1979, for an indeterminate term.

(Referred to the Committee on Governmental Operations.)

Sincerely,

Albert H. Quie, Governor

Joan Anderson Growe,
Secretary of State

Arne Carlson, State Auditor

Jim Lord, State Treasurer

Warren Spannaus,
Attorney General

April 3, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. Nos. 389, 39, and 287.

Sincerely,

Albert H. Quie, Governor

April 5, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. No. 207.

Sincerely,

Albert H. Quie, Governor

April 3, 1979

The Honorable Rod Searle
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1979 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1979	Date Filed 1979
39		14	April 3	April 3
287		15	April 3	April 3
389		16	April 3	April 3

Sincerely,

Joan Anderson Growe,
Secretary of State

April 4, 1979

The Honorable Rod Searle
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1979 Session of the State Legislature have been received

from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1979	Date Filed 1979
207		17	April 4	April 4
	416	18	April 4	April 4

Sincerely,

Joan Anderson Growe,
Secretary of State

April 5, 1979

The Honorable Rod Searle
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1979 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1979	Date Filed 1979
	303	19	April 5	April 5

Sincerely,

Joan Anderson Growe,
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 51.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 5, 1979

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

Senate Concurrent Resolution No. 9: A Senate Concurrent Resolution relating to adjournment.

Senate Concurrent Resolution No. 9 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 5, 1979

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 384, 988, 627 and 1029.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 5, 1979

FIRST READING OF HOUSE BILLS

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

H. F. No. 384: A bill for an act relating to game and fish; authorizing certain non-resident minors and spouses to be treated as Minnesota residents for the purpose of taking wild game; amending Minnesota Statutes 1978, Section 98.45, Subdivision 6.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 525, now in the Subcommittee on Bill Scheduling.

H. F. No. 988: A bill for an act relating to banks; altering certain definitions and time limits; amending Minnesota Statutes 1978, Sections 47.51; and 47.54.

Referred to the Committee on Commerce.

H. F. No. 627: A bill for an act relating to natural resources; authorizing cities to acquire conservation easements; amending Minnesota Statutes 1978, Sections 84.64, Subdivision 1; and 84.65, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 1029: A bill for an act relating to employments licensed by the state; prescribing certain duties of the board of architecture, engineering, land surveying and landscape architecture; limiting certain rule making powers of the board, and extending the time limit for the making of the rules; amending Minnesota Statutes 1978, Section 326.06.

Referred to the Committee on Commerce.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments and the reports on S. F. Nos. 802 and 188. The motion prevailed.

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

S. F. No. 477: A bill for an act relating to health; providing for health planning; requiring certificates of need for construction or modification of certain health care facilities and services and health maintenance organizations; repealing Minnesota Statutes 1978, Sections 145.71 to 145.831.

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

Page 2, line 3, delete "and health maintenance organizations"

Page 2, lines 26 to 28, delete subdivision 3

Page 2, line 29, after "all" insert "clinically related services, diagnostic, treatment, or rehabilitative, that are"

Page 2, lines 30 and 31, delete "or a health maintenance organization"

Page 3, lines 6 and 7, delete ", health maintenance organization"

Page 3, line 10, delete "\$100,000" and insert "\$150,000"

Page 3, lines 19 and 20, delete "or health maintenance organization"

Page 3, line 22, delete "\$100,000" and insert "\$150,000"

Page 3, line 33, delete "or a health maintenance organization"

Page 4, line 6, delete "or health maintenance organization"

Page 4, line 11, delete "or a health maintenance organization"

Page 4, lines 12 and 13, delete "or a health maintenance organization"

Page 4, line 14, delete "or organization"

Page 4, line 23, delete "\$100,000" and insert "\$150,000"

Page 5, after line 23, insert:

"Subd. 12. "Develop" means to undertake those activities which on their completion will result in the offer of a new institutional health service or the incurring of a financial obligation in relation to the offering of the service.

Subd. 13. "Offer" means that the health care facility holds itself out as capable of providing or as having the means for the provision of a specified health service.

Subd. 14. "Person" means an individual, a trust or estate, a partnership, a corporation (including associations, joint stock companies, and insurance companies), a state or political subdivision or instrumentality (including a municipal corporation) of the state."

Renumber the subdivisions in sequence

Page 5, line 25, after "modification" insert "or predevelopment activity"

Page 5, line 26, delete "health maintenance organization" and insert "other person"

Page 5, line 27, after "commenced" insert "or offered"

Page 5, line 29, after the period, insert "The state planning agency, as the administrative authority for the National Health Planning and Resource Development Act of 1974, 42 USC 300k et seq., shall enter into an agreement with the commissioner of health under which the commissioner shall promulgate rules governing the administration of sections 1 to 12."

Page 5, line 31, before the period, insert "or predevelopment activities and other rules necessary to implement, enforce, and administer sections 1 to 12"

Page 6, line 4, delete ", health maintenance organization,"

Page 6, line 7, delete "or health maintenance organization"

Page 7, delete line 15

Page 7, line 16, delete "items" and insert "\$150,000"

Page 8, line 8, delete "or health maintenance organization"

Page 9, line 3, delete "or health maintenance organization"

Page 10, line 12, delete "or health maintenance organization"

Page 11, line 2, delete ", health maintenance organization"

Page 11, line 7, delete ", the home" and insert a period

Page 11, delete line 8

Page 11, delete subdivision 1

Page 11, line 27, delete "Subd. 2" and insert "Subdivision 1"

Page 12, line 1, delete "factors" and insert "criteria"

Page 12, line 7, delete "the health maintenance organization or"

Page 12, lines 10 and 11, delete "and health maintenance organizations"

Page 12, line 25, before the semicolon, insert "for the provision of the services proposed to be provided and the availability of alternative uses of such resources for the provision of other health services"

Page 12, line 29, delete "or health maintenance organization"

Page 13, after line 9, insert:

"(k) The special needs and circumstances of biomedical and behavioral research projects which are designed to meet a national need and for which local conditions offer special advantages;"

Page 13, line 12, before the semicolon, insert ". If beds proposed to be converted exceed by up to 20 percent the number of long-term care beds projected as needed in the applicable health sys-

tems plan, any projected operating expense savings from converting those beds shall be given greater weight in the decision-making process than the fact that projected need for those beds would be exceeded”

Page 13, line 12, after the semicolon, delete “and”

Page 13, after line 12, insert:

“(m) In the case of a construction project: the costs and method of energy provision and the probable impact of the construction project reviewed on the costs of providing health services by the person proposing the project; and”

Reletter the clauses in sequence

Page 13, line 22, before the semicolon, insert “and notify affected persons which shall include at least the applicant and other persons subject to review, contiguous health systems agencies, the health care facilities located in the health service area and which provide institutional health services, and the rate review agency”

Page 14, line 1, delete “2” and insert “1”

Renumber the subdivisions in sequence

Page 15, line 5, delete “3” and insert “2, and the provisions of the National Health Planning and Resources Development Act, 42 USC 300k et seq.”

Page 15, line 6, delete “The health”

Page 15, delete lines 7 to 14 and insert “Within 30 days of receipt of this decision, any person may make a written request to the commissioner of health to reconsider his decision. If the commissioner determines that good cause has been shown, a new public hearing shall be held. The commissioner shall determine whether the request:

(a) Presents significant, relevant information not previously considered by the commissioner; or

(b) Demonstrates that there have been significant changes in the factors, criteria or circumstances relied upon by the commissioner in reaching his decision; or

(c) Demonstrates that the commissioner has materially failed to follow his rules in reaching his decision; or

(d) Any such other bases for a public hearing as the commissioner determines constitutes good cause. The commissioner may by rule establish procedures for the reconsideration process.

Following disposition of the reconsideration request, the health systems agency or the group, organization, association or persons submitting the application may submit to the commissioner of health a request for review of his decision within 30 days of receipt of the reconsideration decision. The request for review shall state in detail why the commissioner's decision was not supported by the record as a whole and should be changed to be consistent with the recommendation of the health systems agency. The com-

missioner of health within 10 days of receipt of the request for review shall serve a notice of and order of hearing upon the party requesting the review and the health systems agency, and shall file the entire record with the hearing examiner assigned by the chief hearing examiner. The review shall be confined to the record, oral argument, and, if requested by the hearing examiner, written briefs. The hearing for oral argument shall be scheduled within 30 days of receipt by the commissioner of health of the request for review, provided, however, that if the hearing examiner requests the submission of written briefs, the hearing shall be continued until such briefs are submitted but the continuance shall be for no more than 30 days. The burden shall be on the party requesting the review to demonstrate that the commissioner's decision was not supported by the record as a whole. The decision of the hearing examiner shall be in writing and shall be rendered within 45 days after the conclusion of the hearing. The decision of the hearing examiner shall be the final administrative decision and subject to court appeal as provided for in this section.

Subd. 3. Any persons aggrieved by the decision of the commissioner of health pursuant to subdivision 1 of this section or of the hearing examiner pursuant to subdivision 2 of this section denying a certificate of need or by the commissioner of health denying a waiver pursuant to section 4, subdivision 4, shall be entitled to judicial review in the manner provided for in sections 15.0424 to 15.0426; provided, however, that the commissioner of health may appeal the decision of the hearing examiner whenever the decision changes, modifies, or reverses the decision of the commissioner of health.

Subd. 4. In order to effectively carry out the public policy of the certificate of need law as expressed in section 1, the commissioner of health shall not be prohibited from securing a review of any final order or judgment of the district court rendered pursuant to subdivision 3 of this section but may appeal to the supreme court pursuant to section 15.0426."

Page 15, line 26, delete "MONITORING" and insert "PERIODIC REPORTS"

Page 15, lines 27 and 28, delete "or health maintenance organizations"

Page 15, line 33, delete everything after "certificate."

Page 16, delete lines 1 to 9

Page 16, line 11, delete "or health maintenance organization"

Page 16, line 14, delete "subdivision 6" and insert "subdivisions 4 and 5"

Page 16, lines 24 and 25, delete "or health maintenance organization"

Page 16, lines 26 and 27, delete "or health maintenance organization"

Page 17, line 8, delete "not"

Page 17, line 8, before "if" insert "controlled and operated as provided in sections 62D.01 to 62D.29"

Page 17, line 9, delete "does not require" and insert "requires"

Page 17, line 10, after "to" insert "predevelopment activity by or construction or modification of"

Page 17, line 19, before the semicolon, insert "et seq."

Page 18, after line 7, insert:

"In this specific instance, the state planning agency shall be exempt from utilizing the services of the hearing examiner."

Amend the title as follows:

Page 1, line 5, delete "and health maintenance organizations" and insert "; providing for membership of health systems agencies"

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

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

S. F. No. 757: A bill for an act relating to medical assistance; clarifying availability of benefits for treatment of chemical dependency in certain residential treatment programs; amending Minnesota Statutes 1978, Section 256B.02, Subdivisions 7 and 8.

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

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

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

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

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

S. F. No. 975: A bill for an act relating to cemeteries; providing for the preservation of burial grounds; imposing penalties; appropriating money; amending Minnesota Statutes 1978, Section 307.08.

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

Page 2, line 5, after "goods" insert "and artifacts"

Page 2, line 11, delete "gross"

Page 2, line 17, strike "1" and insert "2"

Page 3, delete lines 2 through 6

Page 3, line 14, delete "*rules*" and insert "*provisions*"

Page 3, delete line 33

Page 4, delete lines 1 through 5

Page 4, line 7, delete "*highways*" and insert "*transportation*"

Page 4, line 17, delete "*at*" and insert "*prior to*"

Page 4, delete lines 23 through 27

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

S. F. No. 765: A bill for an act relating to the state civil service; including veterans in the protected group for the purpose of the statewide affirmative action program; amending Minnesota Statutes 1978, Section 43.15, Subdivision 1.

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

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

S. F. No. 430: A bill for an act relating to federal money; providing for legislative review of requests to expend federal money received by state agencies; amending Minnesota Statutes 1978, Section 3.30, Subdivision 2; and Chapter 3, by adding a section.

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

Page 1, line 11, strike "*chairman*" and insert "*chairmen*"

Page 1, line 12, strike "*committee*" and insert "*committees*"

Page 1, line 12, strike "*the chairmen of the*"

Page 1, line 13, strike "*senate committee on*"

Page 1, line 13, after the comma, insert "*and governmental operations, the majority and minority leaders of the senate,*"

Page 1, lines 13 and 14, delete the new language

Page 1, line 15, strike "*chairman*" and insert "*chairmen*"

Page 1, line 15, strike "*committee*" and insert "*committees*"

Page 1, line 16, strike "*the chairman of the house committee on*"

Page 1, line 16, after "*and*" insert "*governmental operations, and the speaker and minority leader of the house, or their designees,*"

Page 1, lines 17 and 18, delete the new language

Page 3, line 30, delete "promptly" and insert "within 30 days"

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

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

S. F. No. 30: A bill for an act relating to administrative rules; providing for the effect of the failure of the legislature to enact a bill repealing a suspended rule; amending Minnesota Statutes 1978, Section 3.965, 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 re-referred

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

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

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

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

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

Page 2, delete lines 22 to 29 and insert:

"[169.885] [FERTILIZER APPLICATORS.] *Subdivision 1. [WIDTH.] The total outside width of a fertilizer applicator operated on any street or highway shall not exceed 12 feet.*

Subd. 2. [BRAKES AND LIGHTS.] A fertilizer applicator shall be equipped with brakes capable of stopping the applicator within the brake performance requirements of section 169.67, subdivision 5, under all conditions of loading. At all times when a fertilizer applicator is operated on a street or highway it shall display two simultaneously flashing amber lamps to the front and two simultaneously flashing amber lamps to the rear of the vehicle. The lamps at each end of the vehicle shall be mounted at the same level and shall be as widely spaced laterally as practicable. When lighted

the lamps shall be visible from a distance of not less than 500 feet under normal atmospheric conditions at night."

Page 2, line 30, delete "2" and insert "3"

Page 2, line 30, delete "180" and insert "240"

Page 2, line 32, delete "prescribing" and insert "*which allow the safe operation of fertilizer applicators, including loaded applicators, on the public streets and highways. The rules shall include*"

Page 2, line 32, delete ". The"

Page 2, line 33, delete "rules shall be"

Page 3, line 4, after the period insert "*The maximum weights allowed under the rules may include weight categories that allow operation of a partially loaded fertilizer applicator up to 50 miles from the retail fertilizer distributor from which the load is carried.*"

Page 3, after line 6, insert:

"No person shall operate a fertilizer applicator upon a street or highway in violation of the rules adopted by the commissioner pursuant to this subdivision."

Page 3, delete lines 7 to 33 and insert:

"Subd. 4. [ANNUAL PERMIT.] No person shall drive or move a fertilizer applicator on any street or highway without a permit issued by the commissioner. The commissioner may issue an annual permit to the owner of a fertilizer applicator. The fee for an annual permit shall be \$50.

Subd. 5. [SPECIAL PERMITS.] The commissioner and local authorities for streets and highways under their respective jurisdictions may grant special permits in the manner provided in section 169.86 to allow a fertilizer applicator to operate in excess of a weight limit or restriction established under section 169.87.

Sec. 5. [TEMPORARY POLICY.] Immediately after this section is effective, the commissioner of transportation shall adopt a policy that allows the safe operation of fertilizer applicators, including loaded applicators, on the public streets and highways subject to limitations of the type required in section 4, subdivision 3. This policy shall be effective until rules are adopted pursuant to section 4, subdivision 3. The adoption of this policy shall not be subject to the procedures of Minnesota Statutes, Chapter 15.

Sec. 6. [EFFECTIVE DATE.] This act is effective the day after final enactment."

Amend the title as follows:

Page 1, line 5, delete "weight" and insert "width and braking and lighting requirements"

Page 1, line 5, delete "loaded"

Page 1, line 7, delete "temporary and permanent"

Page 1, line 7, after "rules" insert "providing maximum weights and other safety standards and to adopt a temporary policy on fertilizer applicator operation"

Page 1, line 7, delete "a"

Page 1, line 8, delete "penalty" and insert "penalties"

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

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

S. F. No. 481: A bill for an act relating to transportation; appropriating money to the department of transportation for the purpose of providing operating subsidies for Medicine Lake transit service.

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

Page 1, line 12, after the period, insert "This appropriation is available to subsidize operations from February 1, 1979, to June 30, 1979; however for service rendered from April 9, 1979, to June 30, 1979, the subsidy shall be paid only for service that meets the regular route service standards for private operators in the metropolitan area, as submitted by the commissioner of transportation to the legislature on April 5, 1979."

Amend the title as follows:

Page 1, line 5, before the period insert "under certain conditions"

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

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

S. F. No. 478: A bill for an act relating to town roads; providing for the establishment of certain cartways, and authorizing the expenditure of town road and bridge funds under certain conditions; amending Minnesota Statutes 1978, Section 164.08, Subdivision 2.

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

Page 1, line 22, delete everything after the period

Page 1, delete line 23

Page 2, line 1, delete "cartway,"

Page 2, line 8, delete the period and insert "*, subject to the provisions of section 164.10. After the cartway has been constructed, the town board, or the county board in the case of unorganized territory, may by resolution designate the cartway as a private driveway. In this case, after the effective date of the resolution*"

no town road and bridge funds shall be expended for maintenance of the driveway."

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

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

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

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

Page 2, line 1, delete "*and/or*" and insert "*or*"

Page 2, line 1, after "*treatment*" insert "*or both*"

Page 2, line 9, after "*planning*" insert "*and documentation*"

Page 2, line 9, before "*tests*" insert "*appropriate*"

Page 2, line 10, delete "*referrals*" and insert "*orders*"

Page 2, line 11, delete "*or dentists*"

Page 2, delete subdivision 3

Page 2, line 29, delete "*and physical therapist assistants*"

Page 2, line 32, strike "*one*" and insert "*two*"

Page 2, line 33, strike "*doctor*" and insert "*doctors*"

Page 2, line 33, strike everything after "*medicine*"

Page 3, line 1, strike "*medicine, and one*" and insert "*and surgery, one being a*"

Page 3, line 3, after "*one*" insert "*aide or assistant to a*"

Page 3, line 4, delete "*assistant*"

Page 4, lines 16 and 17, delete "*Subdivision 1. [PHYSICAL THERAPIST.]*"

Page 4, line 19, delete "*of \$20*" and insert "*in the amount set by the board*"

Page 5, delete subdivision 2

Page 5, line 16, delete "*or as a physical therapist assistant*"

Page 5, line 20, delete "*or a physical therapist assistant*"

Page 5, line 23, delete "*or physical therapist assistant*"

Page 5, line 24, delete everything after "*registered*" and insert a period

Page 5, delete lines 25 to 30

Page 6, line 13, delete "*of \$20*" and insert "*in the amount set by the board*"

Page 6, line 16, delete the colon and "(1)"

Page 6, lines 17 and 18, delete "*or as a physical therapist assistant*"

Page 6, lines 26 and 27, delete "*or to a physical therapist assistant*"

Page 6, line 32, strike the comma

Page 7, line 3, strike "of"

Page 7, line 3, delete "\$20" and insert "*in the amount set by the board*"

Page 7, line 12, after "*therapist*" insert a period

Page 7, delete line 13

Page 7, line 15, after "*issue*" insert "*a certificate of*"

Page 7, line 23, delete "*and physical therapist assistant*"

Page 7, line 26, strike "of"

Page 7, line 26, delete "\$10" and insert "*in the amount set by the board*"

Page 7, line 31, strike "of" and delete "\$10"

Page 8, lines 10 and 11, delete the underlined language

Page 8, line 25, after the period insert "*The board shall set by rule the amounts of the application fee and the annual registration fee.*"

Page 8, lines 30 and 31, delete "*or physical therapist assistant*"

Page 8, line 33, delete the underlined language

Page 9, line 9, delete everything after "*state*"

Page 9, lines 10 and 11, delete the underlined language

Page 9, line 21, delete the underlined language

Page 9, lines 22 and 23, delete "*or physical therapist assistant*"

Page 9, line 23, delete "of"

Page 9, line 31, delete "*Been grossly negligent*" and insert "*Gross negligence*"

Page 9, lines 32 and 33, delete "*or a physical therapist assistant*" and insert a semicolon

Page 9, before the old period insert

"(i) *Treating human ailments by physical therapy except by*

the order of a person licensed in this state to practice medicine and surgery and whose license is in good standing;

(j) Treating human ailments other than by physical therapy unless duly licensed or registered to do so under the laws of this state;

(k) Inappropriate delegation to or inadequate supervision of a physical therapist assistant or aide; and

(l) Treating human ailments other than by performing physical therapy procedures unless duly licensed or registered to do so under the laws of this state"

Page 10, lines 2 and 3, delete "*or a physical therapist assistant*"

Page 10, lines 4 to 15, delete the underlined language

Page 10, lines 21 and 22, delete "*or act as a physical therapist assistant*"

Page 10, line 23, delete "*or physical therapist assistant,*"

Page 10, line 27, reinstate the comma

Page 10, lines 27 and 28 delete "*or physical therapist assistant,*"

Page 10, lines 29 to 32, delete the underlined language

Page 10, line 33, delete "*Physical Therapist Assistant,*"

Page 11, line 1, delete the underlined language

Page 11, line 2, delete "*, P.T.T.A., 'R.P.T.A.,' and 'or L.P.T.A.,'*"

Page 11, lines 4 and 5, delete the underlined language

Page 11, line 5, reinstate the stricken word "*a*"

Page 11, lines 6 and 7, delete the underlined language

Page 11, line 9, delete "*shall constitute*" and insert "*is*"

Page 11, line 12, delete "*or physical therapist assistant*"

Page 11, delete subdivision 3

Page 11, after line 31, insert:

"Sec. 11. Minnesota Statutes 1978, Chapter 148, is amended by adding a section to read:

[148.706] [SUPERVISION OF ASSISTANTS.] *Every physical therapist who uses the services of an assistant or aide for the purpose of assisting in the practice of physical therapy is responsible for functions performed by the assistant or aide while engaged in such assistance. The physical therapist shall permit the assistant or aide to perform only those functions which he is authorized by rule to delegate to a physical therapist assistant or aide and shall provide supervision as specified."*

Page 12, line 17, reinstate the stricken language and delete "*sections 148.65 to*"

Page 12, line 17, strike "shall be" and insert "is"

Page 12, lines 25 and 26, delete "or as a physical therapist assistant"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "occupations" and insert "occupation"

Page 1, lines 3 and 4, delete "and physical therapist assistant"

Page 1, line 7, delete "a section" and insert "sections"

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

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

S. F. No. 364: A bill for an act relating to peace officers; requiring uniform colors for law enforcement motor vehicles and uniforms of peace officers and private security officers; amending Minnesota Statutes 1978, Section 169.98.

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

Delete everything after the enacting clause and insert:

"Section 1. [626.88] [UNIFORMS; PEACE OFFICERS, SECURITY GUARDS; COLOR.] *Subdivision 1. [DEFINITIONS.] (a) For the purposes of this section, the following terms have the meanings given them.*

(b) "Peace officer" means an employee of a political subdivision or state law enforcement agency who is charged with the prevention and detection of crime and the enforcement of the general criminal laws of the state and who has full power of arrest, and shall also include Minnesota highway patrolmen, state conservation officers, park police, and University of Minnesota police officers.

(c) "Security guard" means any person who is paid a fee, wage or salary to perform one or more of the following functions:

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

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

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

(4) Protection of individuals from bodily harm; or

(5) 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.

Subd. 2. [UNIFORMS.] Uniforms for peace officers shall be of a uniform color throughout the state as provided herein. The uniforms of peace officers from each type of law enforcement agency specified herein shall be of a basic distinctive color. Uniforms for:

(a) Municipal peace officers, including University of Minnesota peace officers, and peace officers assigned to patrol duties in parks, shall be blue;

(b) Peace officers who are members of the county sheriffs' office shall be brown;

(c) Highway patrolmen shall be maroon;

(d) Conservation officers shall be green.

The uniforms of security guards may be any color other than those specified for peace officers.

This subdivision shall apply to uniforms purchased subsequent to August 1, 1979.

Sec. 2. Minnesota Statutes 1978, Section 169.98, is amended to read:

169.98 [POLICE OR PATROL VEHICLES; SECURITY GUARD VEHICLES; MARKINGS AND COLORS.] *Subdivision 1. Except as provided in this subdivision 2, all motor vehicles which are primarily used in the enforcement of highway traffic regulations by the highway patrol or for general uniform patrol assignment by any municipal police department, highway patrol, or peace officer other law enforcement agency, except conservation officers, shall have basic uniform colors and markings as provided herein. Motor vehicles of:*

(a) Municipal police departments, including the University of Minnesota police department and park police units, shall be blue;

(b) The highway patrol shall be maroon; and

(c) The county sheriffs' office shall be brown.

The commissioner of public safety by rule or regulation shall establish uniform colorings and markings for such motor vehicles which colors and markings shall be both distinctive and contrasting in appearance so as to distinguish such motor vehicles from other motor vehicles and make them easily identifiable.

The identity of the governmental unit operating the vehicle shall be displayed on both front door panels and on the rear of the vehicle. The identity may be in the form of a shield or emblem, or may be the word "police", "sheriff", or the words "state patrol" or "con-

servation officer", as appropriate; with letters not less than two and one-half inches high, one inch wide and of a three-eighths inch brush stroke. The identity shall be of a color contrasting with the background color so that the motor vehicle is easily identifiable as belonging to a specific type of law enforcement agency.

Subd. 2. The commissioner of public safety may authorize the use of specially marked highway patrol vehicles, that have only a marking composed of a shield on the right door with the words inscribed thereon "Minnesota Highway State Patrol" for primary use in the enforcement of highway traffic regulations when in his judgment the use of specially marked highway patrol vehicles will contribute to the safety of the traveling public. The number of such specially marked highway patrol vehicles used in the enforcement of highway traffic regulations shall not exceed 10 percent of the total number of highway patrol vehicles used in traffic law enforcement. All specially marked highway patrol vehicles shall be operated by uniformed members of the highway patrol and so equipped and operated as to clearly indicate to the driver of a car which is signaled to stop that the specially marked highway patrol vehicle is being operated by the highway patrol.

Subd. 3. All motor vehicles which are used by security guards in the course of their employment may have any color other than those specified in subdivision 1 for law enforcement vehicles. The identity of the security service shall be displayed on the motor vehicle as required for law enforcement vehicles.

Subd. 2. 4. Subdivision 1 Subdivisions 1 to 3 shall apply to those motor vehicles used primarily in traffic law enforcement purchased subsequent to the effective date of Laws 1959, Chapter 554 and also subsequent to the effective date of any rules and regulations that the commissioner of public safety shall establish pursuant to the purposes set forth in subdivision 1 August 1, 1979."

Amend the title as follows:

Page 1, line 4, delete "private"

Page 1, line 5, delete "officers" and insert "guards"

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. 350: A bill for an act relating to state parks; removing certain lands from within the boundaries of Split Rock Lighthouse State Park.

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

Page 1, after line 11, insert:

"Sec. 2. Subdivision 1. The following described land in Lake County is added to Split Rock Lighthouse State Park:

The Northwest Quarter of Section 6, Township 54 North, Range 8 West. All of Section 1, and the North Half of the Northwest Quarter, Southeast Quarter of the Northwest Quarter, West Half of the Northeast Quarter, and the Northeast Quarter of the Northeast Quarter of Section 12, Township 54 North, Range 9 West.

Subd. 2. Within three years after the effective date of this act, the commissioner shall offer for sale in the manner provided by law or declare surplus for sale in the manner provided by law lands in no case to exceed 1,200 acres in total area, all located in Lake County, to offset the removal from the tax rolls of those private lands acquired for state parks. The commissioner shall consult with the Lake County board before offering lands for sale or declaring lands surplus.

Sec. 3. Subdivision 1. The following area is deleted from Judge C. R. Magney State Park:

That portion of land known as Naniboujou Lodge defined as being bounded on the North by Trunk Highway No. 61 as it is now located and constructed, on the West by the Brule (Arrowhead) River, on the South and Southeast by Lake Superior, on the East by a line formed by producing the West boundary line of Lot 1, Subdivision B, southerly to Lake Superior and northerly to the aforesaid Trunk Highway in Government Lot 1, Section 34, and Government Lots 1 and 2, Section 27, Township 62 North, Range 3 East of the Fourth Principal Meridian in Cook County, Minnesota.

Subd. 2. If the land described in subdivision 1 or any part thereof is offered to the state, the commissioner of natural resources may purchase said lands and when acquired the park boundary shall be extended to include said lands.

Subd. 3. The department of natural resources may accept by gift or purchase a conservation easement along the Brule River stream bank and the Lake Superior shoreline. Funds allocated for park and recreation purposes may be used for this purpose.

Sec. 4. [AFTON STATE PARK.] The following described land in Washington County is added to Afton State Park:

That part of the South Half of the Northwest Quarter of Section 10, Township 27 North, Range 20 West, lying easterly of the following described line: Commencing at the Northwest Corner of said South Half of the Northwest Quarter; thence on an assumed bearing of North 88 degrees 32 feet 11 inches East, 1855.97 feet along the North line of said South Half of the Northwest Quarter to the point of beginning; thence South three degrees 21 feet 55 inches East, 1315 feet, more or less, to the South line of said South Half of the Northwest Quarter and there terminating.

Sec. 5. This act is effective the day following final enactment."

Amend the title as follows:

Page 1, line 4, after "Park" insert "and Judge C. R. Magney

State Park; adding lands to the boundaries of Split Rock Lighthouse State Park and Afton State Park"

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. 525: A bill for an act relating to game and fish; authorizing resident deer or bear licenses for certain non-resident minors; amending Minnesota Statutes 1978, Section 98.45, by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 98.45, Subdivision 6, is amended to read:

Subd. 6. An alien ~~wife or husband spouse~~ *or a non-resident child under the age of 21* of a resident of this state may take, buy, sell, transport, or possess wild animals as a resident. Any other alien who has made a declaration of intention to become a citizen of the United States in accordance with the statutes of the United States relating to the naturalization of aliens, and who is qualified as a resident of the state except for citizenship, may take, buy, sell, transport, or possess wild animals as a resident."

Amend the title as follows:

Page 1, line 2, delete "resident"

Page 1, line 3, delete everything before "certain"

Page 1, line 4, after "minors" insert "to be treated as Minnesota residents for the purpose of taking wild game"

Page 1, line 5, delete "by adding a subdivision" and insert "Subdivision 6"

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. 188: A bill for an act relating to noise pollution; exempting certain existing skeet, trap and shooting sports clubs from noise standards of the pollution control agency; amending Minnesota Statutes 1978, Section 116.07, by adding a subdivision.

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

Page 1, line 12, delete "*the pollution control*" and insert "*any state*"

Page 1, line 15, delete everything after "clubs" and insert a period

Page 1, delete lines 16 and 17

Amend the title as follows:

Page 1, line 2, delete "certain"

Page 1, line 3, delete "existing"

Page 1, line 4, delete "the pollution control" and insert "any state"

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

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for March 1, 1979:

DEPARTMENT OF NATURAL RESOURCES COMMISSIONER

Joseph N. Alexander

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

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

Mr. Davies from the Committee on Judiciary, to which were referred the following appointments as reported in the Journal for January 8, 1979:

BOARD ON JUDICIAL STANDARDS

David Coleman
Juanita Young

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

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

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

H. F. Nos. 486 and 568 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.
486	159				
568	605				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 486 be amended as follows:

Page 3, delete lines 25 to 33

Page 4, delete lines 1 to 33

Page 5, delete lines 1 to 33

Page 6, delete lines 1 to 33

Page 7, delete lines 1 to 11

Amend the title in line 5, by deleting "Subdivisions 4, 6 and 9" and inserting "Subdivision 4"

And when so amended H. F. No. 486 will be identical to S. F. No. 159, and further recommends that H. F. No. 486 be given its second reading and substituted for S. F. No. 159, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 568 be amended as follows:

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

Page 1, line 18, after "board" insert "with the approval of the department of public welfare"

Page 2, lines 1 and 2, delete "and with written notice to each state agency that will be affected"

And when so amended H. F. No. 568 will be identical to S. F. No. 605, and further recommends that H. F. No. 568 be given its second reading and substituted for S. F. No. 605, 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. 741, 835, 980, 491, 846, 866, 186, 712, 759, 839, 884, 681, 737, and 544 and H. F. Nos. 610 and 395 makes the following report:

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

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

SECOND READING OF SENATE BILLS

S. F. Nos. 477, 757, 30, 478, 364, 350 and 525 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. 486 and 568 were read the second time.

H. F. No. 145 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

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

Mr. Johnson moved that the name of Mr. Solon be added as co-author to S. F. No. 1168. The motion prevailed.

Mr. Hanson moved that the name of Mr. Olhoft be added as co-author to S. F. No. 1185. The motion prevailed.

Mr. Lewis moved that the names of Mrs. Staples and Mr. Humphrey be added as co-authors to S. F. No. 1110. The motion prevailed.

CALENDAR

H. F. No. 52: A bill for an act relating to physically handicapped persons; providing parking privileges for the physically handicapped; authorizing parking privileges for operators of vehicles used in transporting the physically handicapped; amending Minnesota Statutes 1978, Sections 169.345, Subdivisions 3 and 4; and 169.346, 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	Frederick	Laufenburger	Penny	Solon
Ashbach	Gearty	Lessard	Perpich	Staples
Bang	Gunderson	Lewis	Peterson	Stokowski
Benedict	Hanson	Luther	Pillsbury	Strand
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stumpf
Brataas	Jensen	Menning	Renneke	Tennessee
Chenoweth	Johnson	Merriam	Rued	Ueland, A.
Chmielewski	Keefe, S.	Moe	Schaaf	Ulland, J.
Coleman	Kirchner	Nelson	Schmitz	Vega
Davies	Kleinbaum	Nichols	Schrom	Wegener
Dieterich	Knaak	Ogdahl	Setzepfandt	Willet
Dunn	Knoll	Olhoft	Sikorski	
Engler	Knutson	Olson	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 26: A bill for an act relating to the city of Moorhead; authorizing a housing finance program and providing for the issuance of revenue bonds to finance the program.

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 44 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Pillsbury	Staples
Ashbach	Hanson	Lewis	Renneke	Stokowski
Bang	Humphrey	Moe	Rued	Strand
Bernhagen	Johnson	Nelson	Schaaf	Stumpf
Brataas	Keefe, J.	Nichols	Schrom	Ueland, A.
Chmielewski	Keefe, S.	Olson	Sieloff	Ulland, J.
Coleman	Kleinbaum	Penny	Sikorski	Vega
Dieterich	Knaak	Perpich	Sillers	Willet
Engler	Knoll	Peterson	Spear	

Those who voted in the negative were:

Benedict	Frederick	McCutcheon	Ogdahl	Setzepfandt
Chenoweth	Gunderson	Menning	Olhoff	Tennessen
Davies	Luther	Merriam	Schmitz	Wegener
Dunn				

So the bill passed and its title was agreed to.

H. F. No. 270: A bill for an act relating to education; changing definition of textbook to include certain text substitutes; amending Minnesota Statutes 1978, Section 123.932, Subdivision 1b.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 6, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ashbach	Davies	Frederick	Knutson	Nichols
Brataas				

So the bill passed and its title was agreed to.

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

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

So the bill passed and its title was agreed to.

S. F. No. 493: A bill for an act relating to elections; providing for the tabulation and announcement of votes cast on electronic voting systems; amending Minnesota Statutes 1978, Section 206.185, Subdivision 5, 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 528: A bill for an act relating to courts; conforming civil fees collected by the Hennepin county municipal court with the district court; amending Minnesota Statutes 1978, Section 488A.03, Subdivision 11.

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 444: A bill for an act relating to fences; providing for the compensation of fence viewers; amending Minnesota Statutes 1978, Section 344.18.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Davies	Frederick	Humphrey
Bang	Chenoweth	Dieterich	Gearty	Jensen
Benedict	Chmielewski	Dunn	Gunderson	Johnson
Bernhagen	Coleman	Engler	Hanson	Keefe, J.

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

So the bill passed and its title was agreed to.

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

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 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Peterson, Schrom and Willet voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 373: A bill for an act relating to agriculture; allowing food products grown, processed or manufactured in Minnesota to be so labeled; amending Minnesota Statutes 1978, Chapter 17, 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 47 and nays 18, as follows:

Those who voted in the affirmative were:

Benedict	Hanson	Luther	Peterson	Spear
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stokowski
Chenoweth	Jensen	Menning	Renneke	Strand
Chmielewski	Johnson	Merriam	Rued	Stumpf
Davies	Keefe, S.	Moe	Schaaf	Vega
Dieterich	Kirchner	Nelson	Schmitz	Wegener
Dunn	Kleinbaum	Nichols	Schrom	Willet
Engler	Laufenburger	Olhoff	Setzepfandt	
Gearty	Lessard	Olson	Sikorski	
Gunderson	Lewis	Penny	Solon	

Those who voted in the negative were:

Anderson	Frederick	Knutson	Sieloff	Ueland, A.
Ashbach	Keefe, J.	Ogdahl	Sillers	Ulland, J.
Bang	Knaak	Perpich	Staples	
Brataas	Knoll	Pillsbury	Tennessen	

So the bill passed and its title was agreed to.

CONSENT CALENDAR

S. F. No. 871: A bill for an act relating to Anoka County; permitting redistricting of commissioner districts to seven for the 1982 election.

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 4, as follows:

Those who voted in the affirmative were:

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

Mr. Benedict; Mrs. Brataas; Messrs. Keefe, J. and Peterson voted in the negative.

So the bill passed and its title was agreed to.

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

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S. F. Nos. 420, 498, 58, 600, 842, 144, H. F. Nos. 396, 638, 330 and 157 which the committee recommends to pass.

S. F. No. 122, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 1, line 13, delete "*absentee's life*"

Page 1, line 13, after "*policy*" insert "*on the life of an absentee*"

Page 1, line 18, after the period, insert "*Beneficiary*" under this section includes an heir at law of the person whose life is insured if the policy is payable to his estate."

Page 2, line 1, delete "*absentee's life*"

Page 2, line 2, before the period, insert "*on the life of an absentee*"

Page 2, line 20, delete "*certainty*" and insert "*likelihood*"

The motion prevailed. So the amendment was adopted.

S. F. No. 410 which the committee reports progress, subject to the following motion:

Mr. Davies moved to amend S. F. No. 410 as follows:

Page 1, line 22, delete "*their*" and insert "*the*"

Page 1, line 22, after "*respective*" insert "*district and county*"

Page 2, after line 6, insert:

"The additional citizen member shall be appointed to fill the term of the first vacancy of a municipal or county court representative."

The motion prevailed. So the amendment was adopted.

S. F. No. 410 was then progressed.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 7:00 o'clock p.m., Wednesday, April 11, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate