

### THIRTY-NINTH DAY

St. Paul, Minnesota, Saturday, April 21, 1979

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

#### CALL OF THE SENATE

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

Ashbach	Engler	Knaak	Purfeerst	Staples
Bang	Frederick	Laufenburger	Rued	Stokowski
Brataas	Gearty	Lessard	Schaaf	Stumpf
Chmielewski	Hanson	Luther	Schmitz	Ueland, A.
Coleman	Johnson	Menning	Setzepfandt	Vega
Davies	Keefe, S.	Moe	Sikorski	Willet
Dieterich	Kirchner	Nelson	Sillers	
Dunn	Kleinbaum	Ogdahl	Solon	

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

Prayer was offered by the Chaplain, Rev. Robert E. Keane.

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

Ashbach	Frederick	Knutson	Penny	Solon
Bang	Gearty	Laufenburger	Perpich	Spear
Bernhagen	Hanson	Lessard	Purfeerst	Staples
Brataas	Hughes	Luther	Renneke	Stokowski
Chenoweth	Johnson	McCutcheon	Rued	Strand
Chmielewski	Keefe, J.	Menning	Schaaf	Stumpf
Coleman	Keefe, S.	Merriam	Schmitz	Ueland, A.
Davies	Kirchner	Moe	Setzepfandt	Vega
Dieterich	Kleinbaum	Nelson	Sieloff	Willet
Dunn	Knaak	Ogdahl	Sikorski	
Engler	Knoll	Olhoff	Sillers	

The President declared a quorum present.

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

#### MEMBERS EXCUSED

Messrs. Anderson, Benedict, Gunderson, Humphrey, Lewis, Nichols, Olson, Peterson, Pillsbury, Schrom, Tennessen, and Wegener were excused from the Session of today. Mr. Lessard was excused from the Session of today from 12:30 to 1:30 o'clock p.m.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Mrs. Knaak, Messrs. Rued and Engler introduced—

S. F. No. 1448: A bill for an act relating to insurance; placing certain restrictions on life insurance policies designed to protect certain interests arising out of business relationships; amending Minnesota Statutes 1978, Chapter 61A, by adding a section.

Referred to the Committee on Commerce.

Mr. Solon introduced—

S. F. No. 1449: A bill for an act relating to St. Louis County; providing authority to negotiate public employees wages; amending Laws 1941, Chapter 423, Section 5, as amended.

Referred to the Committee on Employment.

Mr. Solon introduced—

S. F. No. 1450: A bill for an act relating to crimes; requiring the state to pay all costs and expenses in criminal cases where a change of venue has been ordered; appropriating money; amending Minnesota Statutes 1978, Section 627.02.

Referred to the Committee on Judiciary.

Messrs. Olhoft, Johnson, Jensen, Hanson and Stokowski introduced—

S. F. No. 1451: A bill for an act relating to taxation; income tax and property tax refund; clarifying political checkoff provisions; providing that farm loss modification is adjustment to gross income; clarifying elections and filing dates; allowing the commissioner to publish lists; providing penalties; clarifying audit procedures; amending Minnesota Statutes 1978, Sections 10A.31, Subdivision 1; 290.01, Subdivision 20; 290.032, Subdivision 4; 290.17, Subdivision 1; 290.41, Subdivision 2; 290.42; 290.49, Subdivision 10; 290.56, Subdivision 2; 290.61; 290.92, Subdivision 23; 290A.03, Subdivisions 3, 8, and 13; 290A.06; and 290A.11, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bang, Jensen and Johnson introduced—

S. F. No. 1452: A bill for an act relating to financial institutions; permitting banks and trust companies to take junior liens under certain circumstances; amending Minnesota Statutes 1978, Section 48.19, Subdivision 1.

Referred to the Committee on Commerce.

Messrs. Bang, Jensen, Davies and Johnson introduced—

S. F. No. 1453: A bill for an act relating to financial institutions; providing intervals for examination of institutions by state or federal agencies; amending Minnesota Statutes 1978, Section 46.04.

Referred to the Committee on Commerce.

Mr. Vega introduced—

S. F. No. 1454: A bill for an act relating to the city of South St. Paul; permitting certain methods of financing equipment purchases.

Referred to the Committee on Local Government.

Messrs. Sieloff, Frederick, Bernhagen, Bang and Sillers introduced—

S. F. No. 1455: A bill for an act relating to taxation; changing computation of the homestead base value; increasing the homestead credits; increasing the state paid agricultural credit; increasing the maximum property tax refund; providing an additional credit for certain homeowners; appropriating money; amending Minnesota Statutes 1978, Sections 273.122, Subdivision 2; 273.13, Subdivisions 6, 6a, 7 and 14a; 273.132; 290A.03, Subdivisions 11 and 13; 290A.04, Subdivisions 2, 2a, 2b, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 273.122, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Johnson and Perpich introduced—

S. F. No. 1456: A bill for an act relating to mines and mining; regulating blasting; establishing air overpressure and ground vibration standards.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Laufenburger, Frederick, Vega, Peterson and Ashbach introduced—

S. F. No. 1457: A bill for an act relating to transportation; providing for a transportation board; providing for transfer of certain duties, powers and functions of the public service commission and the commissioner of transportation to the transportation regulation board; regulating railroads and other common carriers of persons or property for hire; providing penalties; appropriating funds; amending Minnesota Statutes 1978, Sections 15A.081, Subdivision 1; 174.02, Subdivision 4; 174.03, Subdivision 2; 174.10, Subdivi-

sions 1, 3, 4; 218.011, Subdivision 7; 218.021; 218.025; 218.031, Subdivisions 1, 6, 8, 10; 218.041; 218.071; 219.03; 219.14; 219.23; 219.24; 219.25; 219.27; 219.28; 219.383; 219.39; 219.40; 219.41; 219.42; 219.43; 219.46. Subdivision 7; 219.47; 219.51; 219.52; 219.54; 219.55; 219.562, Subdivision 3; 219.65; 219.681; 219.70; 219.71; 219.741; 219.85; 219.86; 219.87; 221.011, Subdivisions 2b, 15, 22; 221.021; 221.031, Subdivision 1; 221.041; 221.051; 221.061; 221.071; 221.081; 221.101; 221.121; 221.131; 221.141, Subdivision 2; 221.151; 221.161; 221.171; 221.181; 221.221; 221.261; 221.271; 221.281; 221.291, Subdivision 1; 221.293; 221.295; 221.296, Subdivisions 2, 3, 4, 8; 221.55; 221.68; repealing Minnesota Statutes 1978, Section 219.742.

Referred to the Committee on Transportation.

Messrs. McCutcheon, Nichols and Stumpf introduced—

S. F. No. 1458: A bill for an act relating to education; establishing a categorical aid formula for English as a second language programs; appropriating money; amending Minnesota Statutes 1978, Chapter 124, by adding a section.

Referred to the Committee on Education.

Mr. Chmielewski introduced—

S. F. No. 1459: A bill for an act relating to the Minnesota housing finance agency; establishing a veterans' homeownership assistance program; providing for an increase in the authorization for agency bonds and notes; appropriating money; amending Minnesota Statutes 1978, Sections 462A.03, by adding subdivisions; 462A.05, by adding a subdivision; and 462A.22, Subdivision 1.

Referred to the Committee on Veterans' Affairs.

Messrs. Chmielewski, Olson and Schrom introduced—

S. F. No. 1460: A bill for an act relating to gambling; raising the compensation allowed persons conducting a bingo occasion; amending Minnesota Statutes 1978, Section 349.17, Subdivision 1.

Referred to the Committee on General Legislation and Administrative Rules.

Mr. Johnson introduced—

S. F. No. 1461: A bill for an act relating to taxation; extending the time for claiming credits against the tax on taconite and iron sulphides; amending Minnesota Statutes 1978, Section 298.24, Subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Johnson and Perpich introduced—

S. F. No. 1462: A bill for an act relating to workers' compensation; changing amount of certain attorney's fees; requiring employer to pay certain travel expenses, attorney's fees and payments to social security; requiring annual free chest x-rays; changing time for notice of certain injuries; increasing certain penalties; requiring notice to collective bargaining representatives of employee reassignment; amending Minnesota Statutes 1978, Sections 176.081, Subdivision 7; 176.101, by adding a subdivision; 176.141; 176.221, Subdivision 3; 176.225, Subdivision 1; 176.511, Subdivisions 3 and 5; 182.653, Subdivision 2; and Chapter 176, by adding sections.

Referred to the Committee on Employment.

Messrs. Pillsbury and Davies introduced—

S. F. No. 1463: A bill for an act relating to marriage; changing liability of spouses for certain debts and expenses; amending Minnesota Statutes 1978, Section 519.05.

Referred to the Committee on Judiciary.

Messrs. Pillsbury and Davies introduced—

S. F. No. 1464: A bill for an act relating to crimes; prohibiting non-support of spouse and children; providing penalties; amending Minnesota Statutes 1978, Section 609.375, Subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Willet, Johnson, Chmielewski, Peterson and Dunn introduced—

S. F. No. 1465: A bill for an act relating to pollution; authorizing water pollution control fund grants for certain wastewater treatment projects; providing for use of state and federal funds in certain proportions; authorizing issuance of Minnesota state water pollution control bonds; appropriating money; amending Minnesota Statutes 1978, Section 116.18, Subdivisions 1 and 4.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Johnson, Humphrey, Willet, Dunn and Anderson introduced—

S. F. No. 1466: A bill for an act relating to energy; establishing and empowering a commission on nuclear power; appropriating funds.

Referred to the Committee on Energy and Housing.

Messrs. Sillers and Knutson introduced—

S. F. No. 1467: A bill for an act relating to education; authorizing a district in statutory operating debt to transfer annually certain funds from one account to another; extending the time by which the clerk of an independent school district must file a report with the board; authorizing the state auditor to examine that report at district expense; authorizing the payment of claims against a school district prior to board approval under certain conditions; providing for termination of state aid for extraordinary tax delinquency and for advances outstanding at the time of termination; eliminating certain requirements relating to the adoption, sale and exchange of textbooks; amending Minnesota Statutes 1978, Sections 121.912, by adding a subdivision; 123.34, Subdivision 8; 123.35, by adding a subdivision; 124.241, Subdivision 4, and by adding a subdivision; repealing Minnesota Statutes 1978, Sections 126.16 and 126.18.

Referred to the Committee on Education.

Messrs. Wegener, Purfeerst, Anderson and Dunn introduced—

S. F. No. 1468: A bill for an act relating to education; changing the applicability of certain provisions relating to equipment of a school bus, use of the equipment, compliance with certain rules of the state board of education and loading and unloading of school children; requiring unobstructed aisles and exits in school buses; regulating the pulling of trailers by school buses; eliminating provisions dealing with the maximum speed and color of a school bus; amending Minnesota Statutes 1978, Section 169.44, Subdivisions 1 and 2, and by adding subdivisions; repealing Minnesota Statutes 1978, Section 169.44, Subdivisions 5 and 7.

Referred to the Committee on Transportation.

Mr. Ueland, A. introduced—

S. F. No. 1469: A bill for an act relating to commerce; protecting employed persons; providing for the filing of economic impact statements; prohibiting certain officials from enforcing rules under certain circumstances; granting powers to the governor; appropriating money.

Referred to the Committee on Employment.

Messrs. Solon and Benedict introduced—

S. F. No. 1470: A bill for an act relating to commerce; providing for a rate of interest on business or agricultural loans; amending Minnesota Statutes 1978, Section 334.011, Subdivision 1.

Referred to the Committee on Commerce.

Mr. Solon introduced—

S. F. No. 1471: A bill for an act relating to local government; regulating elections in the city of Duluth and Independent School District 709; setting the filing dates in local primary elections back four weeks to allow the city additional time to prepare.

Referred to the Committee on Elections.

Messrs. Pillsbury; Frederick; Keefe, S.; Schaaf and Ueland, A. introduced—

S. F. No. 1472: A bill for an act relating to elections; regulating public financing of election campaigns; requiring loan repayments in an election year to be counted against certain contribution and approved expenditure limits; removing obsolete provisions; amending Minnesota Statutes 1978, Section 10A.32, Subdivision 3.

Referred to the Committee on Elections.

Mr. Sikorski introduced—

S. F. No. 1473: A bill for an act relating to retirement; mandatory retirement age for corrections officers; optional extensions; social security offset; amending Minnesota Statutes 1978, Section 43.051, Subdivision 3; repealing Minnesota Statutes 1978, Section 352.93, Subdivision 3.

Referred to the Committee on Governmental Operations.

Messrs. Hanson, Schaaf and Keefe, J. introduced—

S. F. No. 1474: A bill for an act relating to the administration of criminal justice; establishing special inquiry judges and special inquiry judge proceedings; providing for the power to subpoena witnesses; establishing procedures for proceedings; providing for the use of evidence obtained at proceedings.

Referred to the Committee on Judiciary.

Messrs. Keefe, S.; Schaaf; Dieterich and Ogdahl introduced—

S. F. No. 1475: A bill for an act relating to retirement; providing for the merging of the Minneapolis municipal employees retirement fund into the public employees retirement association; providing an appropriation; amending Minnesota Statutes 1978, Chapters 353, by adding sections; and 355, by adding a section; repealing Minnesota Statutes 1978, Chapter 422A.

Referred to the Committee on Governmental Operations.

Mr. Bang, Mrs. Brataas, Messrs. Knutson, Laufenburger and Kleinbaum introduced—

S. F. No. 1476: A bill for an act relating to banks; authorizing certain additional facilities for banks; amending Minnesota Statutes 1978, Section 47.52.

Referred to the Committee on Commerce.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

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

April 17, 1979

The Honorable Edward J. Gearty  
President of the Senate

Dear Sir:

This is to inform you that Jim Bormann, 1415 Brenner Pass, Golden Valley, Hennepin County, has resigned from the Cable Communications Board.

I, therefore, respectfully request that the name of Mr. Bormann be removed from Senate consideration.

(Referred to the Committee on Commerce.)

Sincerely,

Albert H. Quie, Governor

April 18, 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
72		29	April 18	April 18
530		30	April 18	April 18
	52	31	April 18	April 18
	127	32	April 18	April 18
	259	33	April 18	April 18
	270	34	April 18	April 18
	295	35	April 18	April 18
	373	36	April 18	April 18
51		37	April 18	April 18

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 Files, herewith returned: S. F. Nos. 52, 63 and 122.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned April 19, 1979

Mr. President:

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

S. F. No. 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.

Senate File No. 606 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned April 19, 1979

**CONCURRENCE AND REPASSAGE**

Mr. Gearty moved that the Senate concur in the amendments by the House to S. F. No. 606 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 606: A bill for an act relating to the operation of state government; publication of the Minnesota Statutes, Supplement and Session Laws by the revisor; correcting certain obsolete provisions; clarifying certain provisions; providing for correction of an erroneous reference with respect to actions for unlawful removal or exclusion; amending Minnesota Statutes 1978, Sections 482.09; 482.11; 487.17; 488A.01, Subdivision 5; 488A.18, Subdivision 6; 648.31, Subdivision 1; 648.32; 648.40; and 648.41, Subdivision 1.

Was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Coleman	Frederick	Keefe, J.	Knoll
Bang	Davies	Gearty	Keefe, S.	Knutson
Bernhagen	Dieterich	Hanson	Kirchner	Laufenburger
Brataas	Dunn	Hughes	Kleinbaum	Lessard
Chmielewski	Engler	Johnson	Knaak	Luther

McCutcheon	Penny	Schmitz	Spear	Ueland, A.
Menning	Purfeerst	Setzepfandt	Staples	Ulland, J.
Moe	Renneke	Sikorski	Stokowski	Vega
Nelson	Rued	Sillers	Strand	Willet
Ogdahl	Schaaf	Solon	Stumpf	

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

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

House Concurrent Resolution No. 5: A House concurrent resolution relating to violence and vandalism in Stearns and Pope Counties along the route of a new powerline.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted April 19, 1979

Mr. Coleman moved that House Concurrent Resolution No. 5 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 183, 222, 282, 361, 475, 198, 294, 519, 659, 711, 644, 177 and 260.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted April 19, 1979

#### FIRST READING OF HOUSE BILLS

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

H. F. No. 183: A bill for an act relating to pollution control; authorizing the pollution control agency to assist small businesses; amending Minnesota Statutes 1978, Section 115.03, by adding subdivisions; and 474.03.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 222: A bill for an act relating to the public service commission and public service department; regulating commissioners' and employees' conflicts of interest; amending Minnesota Statutes 1978, Section 216A.035.

Referred to the Committee on Commerce.

H. F. No. 282: A bill for an act relating to game and fish; establishing a procedure for selection of applicants for licenses to

take wild turkeys; providing a penalty; amending Minnesota Statutes 1978, Section 100.271.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 361: A bill for an act relating to public contracts; providing for progress payments; authorizing alternative means of securing full performance; amending Minnesota Statutes 1978, Sections 161.322; 162.04; 162.10; and 429.041, Subdivision 6.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 555, now in the Subcommittee on Bill Scheduling.

H. F. No. 475: A bill for an act relating to hospitals; requiring adoption of federal medicare standards for hospital licensing; regulating hospital inspections; providing for licensing of hospitals accredited by the joint commission on hospital accreditation; amending Minnesota Statutes 1978, Sections 144.55; and 144.50, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

H. F. No. 198: A bill for an act relating to tort liability; requiring political subdivisions to indemnify officers and employees for certain judgments and settlements; amending Minnesota Statutes 1978, Section 466.07, by adding a subdivision.

Referred to the Committee on Judiciary.

H. F. No. 294: A bill for an act relating to private passenger vehicle insurance; prohibiting certain premium increases attributable to relatives living in the same household; amending Minnesota Statutes 1978, Chapter 65B, by adding a section.

Referred to the Committee on Commerce.

H. F. No. 519: A bill for an act relating to motor vehicles; limiting the authority of the registrar of motor vehicles to refuse to issue certificates of title in certain circumstances; amending Minnesota Statutes 1978, Sections 168A.23, by adding a subdivision; and 297B.06.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 509 now on General Orders.

H. F. No. 659: A bill for an act relating to local government; providing for facilities of the jointly owned airport of the city of Brainerd and Crow Wing County; authorizing the issuance of bonds to finance the acquisition and betterment of airport facilities; repealing Laws 1965, Chapter 152.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 839 now on General Orders.

H. F. No. 711: A bill for an act relating to highway traffic regulations; authorizing physician's trained mobile intensive care paramedics to withdraw blood for the purpose of determining the presence of alcohol or controlled substances under the implied consent law; amending Minnesota Statutes 1978, Section 169.123, Subdivision 3.

Referred to the Committee on Health, Welfare and Corrections.

H. F. No. 644: A bill for an act relating to health; prohibiting applicants for certain dental licenses who fail a clinical examination twice from further taking the examination without additional education and training; requiring the board of dentistry to promulgate rules establishing requirements for this education and training; requiring licensed dentists, dental hygienists and registered dental assistants to inform the board of dentistry when changing addresses; setting standards for the names under which dentists may practice; authorizing the board of dentistry to promulgate rules governing advertising by dentists; authorizing the board of medical examiners to promulgate rules governing advertising by physicians; establishing penalties; amending Minnesota Statutes 1978, Chapter 147, by adding a section; Sections 150A.06, Subdivisions 1, 2 and 2a; 150A.09, Subdivision 3; and 150A.11, Subdivisions 1 and 2.

Referred to the Committee on Health, Welfare and Corrections.

H. F. No. 177: A bill for an act relating to taxation; providing for an ad valorem tax on railroads in lieu of the gross earnings tax; amending Minnesota Statutes 1978, Chapter 270, by adding sections; Sections 272.02, Subdivision 1; and 295.02; repealing Minnesota Statutes 1978, Sections 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; and 295.14.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 260: 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; repealing Minnesota Statutes 1978, Sections 145.71 to 145.831.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 477 now on General Orders.

#### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

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 partici-

pation 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.

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

Delete everything after the enacting clause and insert:

*"Section 1. [DEFINITIONS.] Subdivision 1. "City" means the city of St. Paul in Ramsey County acting through the city council or any agency, authority or corporation established by or with the approval of the city, acting through its governing body, to implement any of the provisions of this act.*

*Subd. 2. "Commission" means the metropolitan transit commission created by Minnesota Statutes, Section 473.404, having jurisdiction over the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.*

*Subd. 3. "People mover system" or "system" means all property, real and personal, and all contract rights, determined to be necessary or desirable for the acquisition, betterment, operation and maintenance of a transit system, including a fixed guideway, designed to serve the main commercial area of the city of St. Paul and the area of the city surrounding it, as determined by the board.*

*Subd. 4. "Transit system" has the meaning given in Minnesota Statutes, Section 473.121.*

*Subd. 5. "Acquisition" and "betterment" have the meanings given in Minnesota Statutes, Section 475.51.*

*Subd. 6. "Vehicle system" means the transit cars, the guideway, the guideway columns, the guideway electrification, the control system, the communication system, the platform doors, the maintenance and control center equipment, and other similar necessary components of the selected vehicle system.*

*Subd. 7. "Capitol area" has the meaning given in Minnesota Statutes, Section 15.50.*

*Subd. 8. The "joint management board" or "board" means the board created under section 2.*

*Subd. 9. "Revenue service" means days the system is actually operating and available for use by the general public.*

*Sec. 2. [JOINT MANAGEMENT BOARD; IMPLEMENTATION AUTHORITY.] The city and the commission shall enter into a written joint powers agreement establishing a joint management board to manage and supervise the people mover system. The board shall have the powers and responsibilities provided for in this act and in the agreement. The board shall be composed of seven members. Two shall be members of the commission appointed by the chairman of the commission with the approval of the commission. Not more than one of these members shall be a resident of the city of St. Paul. Two members of the St. Paul*

city council and two members representing property owners in the area served by the people mover shall be appointed by and serve at the pleasure of the mayor of the city of St. Paul and shall be confirmed by the council. Notwithstanding the provisions of section 471.59, subdivision 2, the seventh member and chairman of the board shall be appointed by the chairman of the metropolitan council established by Minnesota Statutes, Section 473.123 and shall not be a resident of the city of St. Paul. The city and the commission acting together, pursuant to the joint powers agreement or any amendment thereof, may exercise all powers conferred upon either or both of them by law or charter, to provide for the acquisition, betterment, operation, maintenance and promotion of a people mover system. The board shall be the recipient of any capital or operating assistance grants provided by the federal government for the acquisition, betterment, operation, maintenance or promotion of the people mover system. The commission shall agree as part of the joint powers agreement to issue bonds as needed for the system as provided in section 7. The joint powers agreement shall include an agreement providing for coordination of the people mover system with transit service operated by the commission to encourage and enhance ridership on both systems and a parking, traffic and pedestrian management plan to improve and facilitate access to the people mover system, including construction of fringe parking facilities and skyways. By December 15, 1980, the board shall report to the legislature on the joint powers agreement, the activities conducted pursuant to it and to this act, and any additional legislation that may be necessary or appropriate. In addition to filing copies of the report as provided in section 3.195, the board shall provide an oral presentation to the appropriate standing committees of the legislature.

**Sec. 3. [METROPOLITAN COUNCIL REVIEW AND RECOMMENDATION.]** The metropolitan council established by Minnesota Statutes, Section 473.123, in making its review under Minnesota Statutes, Section 473.171, of the application for federal grant in connection with the people mover system as a matter of metropolitan significance, shall conduct a public hearing upon such application and the program proposed thereby within 30 days of submission of the application to the council. Not less than 14 days before the hearing the council shall publish notice thereof in a newspaper having general circulation in the metropolitan area, stating the date, time and place of hearing, and the place where the application may be examined by any interested person. Within 14 days after the hearing the council shall make its recommendation upon the application and cause notice of the same to be published in the same manner as the hearing notice.

**Sec. 4. [EQUIPMENT PURCHASE.]** Subdivision 1. **[REQUEST FOR PROPOSALS.]** Notwithstanding the provisions of Minnesota Statutes, Sections 471.345 and 471.35 or any other provision of law or charter, a contract for purchase of a vehicle system comprising part of the people mover system shall be awarded to the bidder whose proposal is determined to be most favorable on the basis of specifications which shall include the following con-

siderations: the cost of the vehicle system; its cost consequence for other system elements; the operating and maintenance cost of the vehicle system; its visual, aesthetic, environmental, noise and energy impact; the supplier's plan for winter operation; the capacity of the vehicle system to meet the functional and physical specifications of the contract documents; the ability of the bidder to perform design, furnishing, installing and testing services for all system elements and for construction coordination; and ability of the bidder to meet requirements imposed as contract conditions in any grant contract entered into with the federal government. Bids may not be solicited without approval by the board of the functional and physical specifications proposed for the vehicle system purchase contract. Eligible bidders shall be limited to suppliers who have provided people mover systems which have successfully served the public.

Subd. 2. [CONTRACT AWARD.] Contracts for equipment purchase and for construction may not be awarded without approval of the board. The purchase contract for the vehicle system shall require the supplier to assure that the system operates within the specifications of the contract and to maintain the vehicle system for a five year period of revenue operation at a fixed base price with escalation clauses. The five year period shall be extended for the period of time equal to the time when the system is not in service because of a failure of the system to perform according to the specifications of the contract. The contract shall contain a provision permitting termination of the operation and maintenance portion of the contract by the board at the end of any year of revenue operation.

Subd. 3. [CERTIFICATION.] No revenue operation of the people mover system shall begin without federal certification of operating acceptability, signed by the administrator of the urban mass transportation administration, stating that the system or the part proposed to be operated has been fully tested and is ready for year-around revenue operation. The purchase contract for the vehicle system shall so provide.

Sec. 5. [SYSTEM COSTS; SPECIAL ASSESSMENT.] The people mover system and related access facilities are determined to be local improvements within the meaning of the Minnesota Constitution, Article X, the city's charter, and Minnesota Statutes, Chapters 429 and 430. Accordingly, the costs of acquisition, construction, reconstruction, extension, operation, maintenance and promotion of the people mover system and such facilities whether paid or to be paid by the city or the commission, may be specially assessed against property determined to be specially benefited thereby, to the extent of and in proportion to the benefits. The special assessment shall be levied by the city pursuant to its charter, chapter 429 or 430, and the collections thereof may be pledged to the payment of the costs.

Sec. 6. [ACCESS FACILITIES.] By December 15, 1980 the board, the commission and the city shall report to the legislature on their plans for improving and facilitating access to the people

mover system from other modes of transportation. In addition to filing copies of the reports as provided in section 3.195, the board, the city and the commission shall provide oral presentations of the reports to the appropriate standing committees of the legislature. The commission, subject to the approval of the board, shall produce a plan for managing the relationship between transit vehicles and the people mover to enhance ridership, revenue and patron satisfaction on both systems. The city, subject to the approval of the board, shall produce parking and traffic and pedestrian management plans, including plans for the construction of fringe parking ramps or lots and skyways to improve and facilitate access to the system. The parking plans shall identify the specific locations and capacities of the proposed facilities, along with preliminary design, engineering, and traffic management studies. The plans shall include a development program with a schedule for the development of such facilities and a detailed financial plan demonstrating financial capability for a prospective five year period to support the capital, operating, maintenance and promotional costs of the parking and other access facilities.

Sec. 7. [BONDS OF COMMISSION.] Notwithstanding the limitations contained in Minnesota Statutes, Sections 473.401 to 473.451, and in addition to all other powers conferred upon it by law, the commission by resolution may issue its bonds or other obligations in an aggregate principal amount, not exceeding \$9,000,000, for the purpose of acquisition and betterment of the people mover system. The proceeds of the obligations shall be expended as provided in the joint powers agreement. Proceeds of the obligations which are not needed for acquisition and betterment of the people mover system shall be expended to pay the operating deficit of the people mover system pursuant to section 9. No bonds shall be issued under this subdivision until the commission determines that agreements have been executed between the authority that will let the construction contract for the people mover system and the appropriate labor organizations and construction contractor organizations which provide that no labor strike or management lockout will halt, delay or impede construction.

Sec. 8. [FARE AND TRANSFER POLICIES.] Subdivision 1. [REDUCED OR SOCIAL FARES.] Fares charged during non-peak hours for elderly and handicapped riders shall not exceed one-half of the peak hour fares for the general public. The board may charge the social fares provided in Minnesota Statutes, Section 473.408, Subdivision 3, during non-peak hours. The board shall determine the peak and non-peak hours of the people mover system for purposes of the reduced fares provided in this subdivision. Reduced or social fares charged by the board shall be reimbursed by the Minnesota department of transportation as provided in Minnesota Statutes, Section 174.24, Subdivision 4.

Subd. 2. [TRANSFER POLICY.] All fares charged to riders of the people mover system who transfer from the system to transit service provided by the commission shall be paid to the commission. No additional fare shall be charged to any rider who transfers



to the people mover system from transit service provided by the commission.

Sec. 9. [OPERATING DEFICIT; DETERMINATION AND PAYMENT.] Subdivision 1. Any operating deficit of the people mover system shall be paid as provided in this section and section 10.

Subd. 2. For the purposes of this section and section 10, "operating deficit" means that portion of the costs of operating, maintaining and promoting the people mover system during the period of revenue service which exceeds the amount received from revenues of the system, reimbursement for reduced or social fares, federal operating assistance and other sources exclusive of payments by the city, the commission and owners of benefited properties as provided in this section and section 10.

Subd. 3. As soon as practicable before the start of revenue service, the board shall:

(a) Establish an operating deficit account for the deposit of all money required to be paid pursuant to this section by the city, the commission and owners of benefited properties and for the payment of the operating deficit;

(b) Determine the estimated operating deficit for the calendar year in which revenue service is expected to begin and for the first year of revenue service;

(c) Determine the amount of the share required from the city, the commission and the owners of benefited properties to pay the estimated operating deficit as provided in section 10. If the system is expected to be in revenue service for only a portion of the first calendar year of revenue service, the shares shall be prorated according to the percentage of the year the system is expected to be in revenue service; and

(d) Establish procedures which assure that an amount equal to the estimated operating deficit as determined under clause (b) is paid to the operating deficit account by the city and the commission not later than the first day of revenue service and that additional amounts will be paid by the city and the commission if necessary to pay the actual operating deficit through the end of the first full calendar year of revenue service. The amounts which the city and commission may be required to pay pursuant to this clause are not limited to the amounts provided in section 10.

The city shall levy assessments on benefited properties pursuant to section 5 in the amount the board determines is required from the owners of the properties to pay the estimated operating deficit as determined under clause (c) of this subdivision. These assessments shall be levied at the earliest possible time consistent with the provisions of section 5.

Subd. 4. Not later than July 1 of the first full calendar year of revenue service and at one year intervals thereafter the board shall:

(a) Determine the actual operating deficit for the preceding calendar year;

(b) Determine the amounts paid into the operating deficit account during the preceding calendar year by the city, the commission and owners of benefited properties. Deductions and additions carried over from another year shall be included in payments made during the year subject to the determination;

(c) Determine the amounts which are required from the city, the commission and owners of benefited properties to pay the operating deficit for the preceding calendar year pursuant to section 10;

(d) Determine whether the city, the commission or owners of benefited properties have paid to the operating deficit account during the preceding calendar year an amount that is more or less than that required under clause (c) of this subdivision and deduct the excess from or add the deficiency to the required payment by that party for the following calendar year;

(e) Determine the estimated operating deficit for the following calendar year and the amounts which are required from the city, the commission and owners of benefited properties to pay that estimated operating deficit pursuant to section 10;

(f) Establish a schedule of payments by the city and the commission for the following calendar year which assures the payment of the estimated operating deficit in a timely manner; and

(g) Report its findings and determinations to the city and the commission.

For the purpose of the determination made in the first full calendar year of revenue service, the preceding calendar year is deemed to include all preceding calendar years in which an operating deficit was incurred or payments were made by the city, the commission and owners of benefited property.

Subd. 5. At the earliest possible time after receiving a report of the board as provided in subdivision 4, the city shall levy assessments for the amount determined by the board to be required from owners of benefited properties to pay the estimated operating deficit less any amount previously assessed which was not due and payable before the close of the previous year. The assessments shall be levied pursuant to section 5.

Subd. 6. The city and the commission shall pay the amounts determined by the board to be required from them to pay the estimated operating deficit according to the schedule established by the board.

#### Sec. 10. [OPERATING DEFICIT SHARING FORMULA.]

Subdivision 1. The city, the commission and the owners of benefited properties shall share in the payment of the operating deficit according to the provisions of subdivisions 2 to 5.

Subd. 2. Owners of benefited properties shall pay the first \$300,000 of any operating deficit for any year of revenue service, subject

to escalation as provided in subdivision 5. Payments shall be pursuant to assessments levied by the city pursuant to section 5.

Subd. 3. If the operating deficit for any year exceeds the amount required to be paid pursuant to subdivision 2, the city, the commission and owners of benefited properties shall each pay one-third of the remaining portion up to a maximum of \$500,000, subject to escalation as provided in subdivision 5. Payments by owners of benefited properties shall be pursuant to assessments levied by the city pursuant to section 5.

Subd. 4. If the operating deficit for any year exceeds the amounts required to be paid pursuant to subdivisions 2 and 3, the city shall pay the additional amount.

Subd. 5. The maximum payments provided in subdivisions 2 and 3 shall be increased beginning July 1, 1978, to the close of the first year of revenue service by an amount equal to the local consumer price index not to exceed eight percent, compounded annually. After the first year of revenue service, the amount calculated under the preceding sentence shall be increased by the actual rate of inflation of the cost of operating and maintaining the people mover system, compounded annually.

Sec. 11. [CAPITOL AREA FACILITIES; STATE OWNED PROPERTY.] Subdivision 1. Construction of the people mover system within the capitol area shall be exempt from the provision of Minnesota Statutes 1978, Section 15.50, Subdivision 2, Clause (e), requiring design competition except that capitol station west shall be subject to an invited competition as defined in part II, 6, c(2) of the American Institute of Architecture document number 6-J332, issued November, 1976, sponsored and conducted by the capitol area architectural and planning board upon guidelines and criteria as determined by agreement of the commission and the board. System improvements within the capitol area shall be in conformity with the comprehensive use plan for the capitol area and subject to the approval of the board.

Subd. 2. The commissioner of administration on behalf of the state may grant to the city or the commission, without compensation, easements for the construction, location and operation of the people mover system upon state owned property. The commissioner of administration and the urban mass transportation administration shall establish the value of easements and related access facilities in the capitol area which will be required for the people mover and which are eligible in lieu of cash as local contributions to the capital cost of the people mover project. The value of these easements and facilities shall be applied to the commission's share of the local contributions.

Subd. 3. In lieu of the special assessment by the city of state owned property specially benefited by the location or operation of the people mover system, the commissioner of administration on behalf of the state may enter into an agreement with the board assuming responsibility for the payment of the annual cost of operation and maintenance of any people mover system station

*and related access facilities located in the capitol area or a state owned office building.*

*Subd. 4. There is annually appropriated to the commissioner of administration for the fiscal year ending June 30, 1984, and each fiscal year thereafter, from the general fund, a sum sufficient to pay all costs of the people mover system agreed to be paid by the commissioner pursuant to subdivision 3.*

**Sec. 12. Minnesota Statutes 1978, Section 473.446, Subdivision 1, is amended to read:**

**473.446 [TRANSIT TAX LEVIES.] Subdivision 1. [AMOUNT.]** For the purposes of sections 473.401 to 473.451 and the metropolitan transit system, the metropolitan transit commission shall levy each year upon all taxable property within the metropolitan transit taxing district, defined herein, a transit tax consisting of:

(a) An amount equal to 1.72 mills times the assessed value of all such property, the proceeds of which shall be used for payment of the expenses of operating regular route bus service;

(b) An additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of its certificates of indebtedness and other obligations outstanding on July 1, 1977, to which property taxes under this section have been pledged; and

(c) An additional amount necessary to provide full and timely payment of bonds in the principal amount of \$9,000,000 which the commission is authorized to sell for the purpose of purchasing buses and related equipment, and constructing maintenance and other buildings, bus shelters and road related improvements; and

(d) An additional amount necessary to provide for the full and timely payment of bonds or other obligations in an aggregate principal amount not exceeding the amount authorized under section 7 for the purpose of acquisition and betterment of the people mover system.

**Sec. 13. [JUDICIAL PROCEEDINGS; TIME TO COMMENCE.]** No action shall be commenced or maintained, nor defense interposed in an eminent domain proceeding, questioning the public purpose, propriety of expenditure of public funds, or validity of any law authorizing the acquisition, betterment, operation, maintenance or financing of the people mover system, except by lawsuit commenced in the district court of Ramsey County within 90 days of the date of publication of the metropolitan council recommendation given pursuant to section 3, or within 90 days of the date of written notice mailed to persons whose property may be taken by subsequent proceedings in eminent domain for the people mover system or right of way. Such action timely commenced by any taxpayer, any person whose property is or may be taken or interfered with by reason of the proposed implementation of the people mover system, or other person with standing, shall be maintained in the manner provided by law, including Minnesota

*Statutes, Chapter 562. Nothing in this subdivision nor notice given pursuant thereto shall be construed as a taking of private property, nor as limiting a property owner's right to just compensation for the taking of private property to be litigated in proceedings in eminent domain subsequently instituted under charter or Minnesota Statutes, Chapter 117, for such taking and assessment and award of damages.*

Sec. 14. [REPEALER.] *Laws 1977, Chapter 454, Section 45, is repealed.*

Sec. 15. [EFFECTIVE DATE.] *This act is effective upon approval by resolution of the St. Paul city council and by resolution of the metropolitan transit commission. The resolutions shall be adopted after published notice to the public and public hearing."*

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

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

S. F. No. 1210: A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in Beltrami County.

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

Page 1, line 18, delete "and"

Page 1, delete lines 19 to 21 and insert:

"(c) Lot 9, Block 1, Rosemilne Addition;

(d) East one half of that part of vacated Milne Avenue, Rosemilne Addition which lies easterly of and adjacent to the extended lot lines of Lots 4, 5, 6, 7, 8, 9, and the North half of 10, Block 1, Rosemilne Addition; and

(e) West one half of that part of vacated Milne Avenue, Rosemilne Addition, which lies easterly of and adjacent to Lot 9, Block 1, Rosemilne Addition."

Page 2, delete line 1

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. 1288: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey certain lands in Kittson County, under certain conditions, to the Galilee Bible Camp.

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

Page 2, line 10, before the period, insert "and the West 738.44 feet of the North 40 feet of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$ ), Section Thirty-three (33), Township One Hundred Sixty-one (161) North, Range Forty-six (46) west, Kittson County, Minnesota, containing 0.7 acres. The state reserves an easement for the purpose of constructing and maintaining a recreational trail over that part of the above premises described as follows: The East 78.44 feet of the West 738.44 feet of the North 40 feet of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$ ), Section Thirty-three (33), Township One Hundred Sixty-one (161) North, Range Forty-six (46) West"

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. 844: A bill for an act relating to welfare; providing state aid through matching grants from the department of public welfare to counties for certain semi-independent living services programs; requiring counties to monitor the services; requiring bonds for private providers of the services; directing the commissioner of public welfare to promulgate rules to implement administration of the grant program; appropriating money.

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

Page 2, line 11, after "retarded" insert "and is identified by the commissioner as in need of semi-independent living services"

Page 2, line 13, after "Subdivision 1." insert "The commissioner shall establish an experimental program to assist counties in providing semi-independent living services for adult mentally retarded persons."

Page 2, line 26, after "security" insert a comma

Page 2, line 31, after the period, insert "The rules shall require the collection of data and periodic reports as the commissioner deems necessary to demonstrate the effectiveness of the programs in reducing the cost of care and in assisting mentally retarded adults to acquire independent living skills."

Page 2, line 32, delete everything after "4."

Page 2, delete line 33

Page 3, delete lines 1 to 3

Page 3, line 4, delete "in accordance with the approved plans and budgets."

Page 3, line 7, delete "and if funds are not" and insert a period

Page 3, delete lines 8 to 10

Page 3, line 11, delete "to other counties."

Page 3, after line 25, insert:

"Subd. 6. The commissioner shall report to the legislature no later than January 15, 1981, on the effectiveness of the experimental program and his recommendations regarding making this program an integral part of the community social services administered by counties. The experimental program shall expire no later than June 30, 1981."

Page 3, line 33, delete "welfare agency" and insert "board" and after "shall" insert "designate an agency to"

Page 4, line 7, delete "welfare"

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. 701: A bill for an act relating to health; requiring physicians to give certain advice to their pregnant patients who are 40 years old or older; amending Minnesota Statutes 1978, Chapter 145, by adding a section.

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

Page 1, delete line 14

Page 1, line 15, after "availability" insert "and risks"

Page 1, line 16, delete the period, and insert "; and"

Page 1, after line 16, insert:

*"(c) Any other medical tests available, and their risks, for detection of chromosomal abnormalities."*

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

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

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

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

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

S. F. No. 830: A bill for an act relating to education; requiring the commissioner of education and the higher education coor-

minating board to review a new program for an area vocational-technical institute within a time limit; amending Minnesota Statutes 1978, Chapter 121, by adding a section; and Section 136A.04.

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

Page 1, line 12, delete "*commissioner of*" and insert "*state board for vocational*"

Page 1, line 18, delete "*commissioner*" and insert "*board*"

Page 1, after line 19, insert:

*"Upon receipt of the plan or proposal the board shall transmit a copy to the higher education coordinating board."*

Page 1, line 21, delete "*commissioner*" and insert "*board*"

Page 1, line 23, after "*institute*" insert "*and the higher education coordinating board*"

Page 2, line 3, delete "*commissioner*" and insert "*board*"

Page 2, line 5, delete "*and all necessary information*"

Page 4, line 5, after "*of*" insert "*approval of*"

Page 4, line 6, delete "*commissioner of*" and insert "*state board for vocational*"

Amend the title as follows:

Page 1, line 2, delete "*commissioner*" and insert "*state board for vocational*"

Page 1, line 3, delete "*of*"

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

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

S. F. No. 333: A bill for an act relating to education; adding a member to the council on quality education, expanding its purpose, extending eligibility for developing proposals; providing for non-public school administrative unit representation at organizational meetings of educational cooperative service units, for participation in their programs, the composition of their governing boards and advisory councils and for their annual reports; changing the name of the advisory task force on nonpublic schools and extending its term; amending Minnesota Statutes 1978, Sections 3.924, Subdivision 1; 3.925; 3.926, Subdivision 1; 123.58, Subdivisions 2, 4, 5, 6, 7, and 8; and Laws 1976, Chapter 271, Section 8, Subdivision 1, as amended.

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 123.58, Subdivision 2, is amended to read:

Subd. 2. [ESTABLISHMENT OF EDUCATIONAL COOPERATIVE SERVICE UNITS.] (a) In furtherance of this policy, ten educational cooperative service units are designated. Each unit, should it become operational, shall be termed an educational cooperative service unit, hereafter designated as an ECSU. Geographical boundaries for each ECSU shall coincide with those identified in governor's executive orders 8, dated September 1, 1971, and 59, dated May 29, 1973, issued pursuant to the regional development act of 1969, Minnesota Statutes, Sections 462.381 to 462.397, with the following exceptions:

(i) Development regions one and two shall be combined to form a single ECSU;

(ii) Development regions six east and six west shall be combined to form a single ECSU;

(iii) Development regions seven east and seven west shall be combined to form a single ECSU.

The ECSU shall cooperate with the regional development commission for the region with which its boundaries coincide but shall not be responsible to nor governed by that regional development commission.

(b) The geographic location of the central administrative office of a school district shall determine the membership of the total school district in a particular ECSU. Existing school district boundaries shall not be altered as a result of this section.

(c) Two or more identified ECSU units may, upon approval by a majority of school boards of participating school districts in each affected ECSU, be combined and administered as a single ECSU unit but state assistance shall be allocated on the basis of two or more ECSU units.

(d) The initial organization of each ECSU may occur only upon petition to the state board of education by a majority of all school districts in an ECSU. The state board of education shall, upon receipt of this petition, invite representation from all public school districts *and shall encourage the participation of nonpublic school administrative units to the extent allowed by law* in an ECSU at a regional meeting. The state board of education shall then assist in the necessary organizational activities for establishment of an ECSU pursuant to the requirements of this section.

Sec. 2. Minnesota Statutes 1978, Section 123.58, Subdivision 4, is amended to read:

Subd. 4. [MEMBERSHIP AND PARTICIPATION.] Full membership in an ECSU shall be limited to public school districts of the state but non-voting associate memberships shall be available to non-public school administrative units within the ECSU. Participation in programs and services provided by the ECSU shall be discretionary and no school district shall be compelled to par-

ticipate in these services under authority of this section, except that all school districts whose central administrative offices are within that ECSU whose boundaries coincide with those of development region 11 shall participate in the planning and planning research functions of that ECSU. No planning or planning research decision of that ECSU shall be binding on these region 11 districts. Non-public school students and personnel ~~may~~ *are encouraged to* participate in programs and services to the extent allowed by law.

Sec. 3. Minnesota Statutes 1978, Section 123.58, Subdivision 5, is amended to read:

Subd. 5. [GOVERNING BOARD.] (a) The care, management, and control of an ECSU shall be vested in a board of directors composed of not less than six nor more than 15 members. Members of the ECSU board of directors shall be current members of school boards of participating public school districts. Election to the ECSU board of directors shall be by vote of all current school board members of participating public school districts with each school board member having one vote.

(b) At the initial election, not less than six nor more than 15 members shall be elected at large from the ECSU, one-third of the members for a one year term from July 1 next following the election, one-third of the members for a two year term, and one-third of the members for a three year term, to serve until a successor is elected and qualifies; provided that if the number of members is not evenly divisible by three, the membership will be as evenly distributed as possible among one, two, and three year terms with the remaining members serving the three year term. Elections shall occur after the third Tuesday in May but not later than June 15, or within 90 days following the filing of the initial petition with the state board of education. Thereafter, members shall be elected to serve a term of three years beginning on July 1 next following the election.

(c) Notwithstanding any contrary provisions in (a) and (b), the school boards of districts within that ECSU whose boundaries coincide with those of development region 11 may form a representative assembly composed of one current school board member from each district. The care, management, and control of that ECSU shall be vested in the representative assembly if one is formed. The representative assembly shall elect an executive committee of not less than six nor more than 15 members to terms as provided in clause (b) to have those powers and to carry out those duties delegated to it by the representative assembly. In the election of its executive committee, the representative assembly shall establish such electoral districts as necessary to ensure proportional representation based on school enrollments within the ECSU. The provisions of clauses (d), (e), (f) and (g) of this subdivision shall apply to the executive committee of this ECSU.

(d) A vacancy on the board which results in an unexpired term shall be filled by appointment by the board of directors until such vacancy can be filled at the next annual election.

(e) The first meeting of the ECSU board shall be at a time mutually agreed upon by board members. At this meeting, the ECSU board shall choose its officers and conduct any other necessary organizational business. The ECSU board may, in its discretion, appoint up to three superintendents of school districts within the ECSU as ex officio, non-voting members of the board and shall encourage the advisory participation of administrators of nonpublic school administrative units within the ECSU to the extent allowed by law.

(f) The officers of the ECSU board shall be a chairman, vice chairman, clerk and treasurer, no two of whom when possible shall be from the same school district.

(g) A member of the ECSU board shall have the same liability applicable to a member of an independent school board.

Sec. 4. Minnesota Statutes 1978, Section 123.58, Subdivision 6, is amended to read:

Subd. 6. [DUTIES AND POWERS OF ECSU BOARD OF DIRECTORS.] The board of directors shall have authority to maintain and operate an ECSU. Subject to the availability of necessary resources, the powers and duties of this board shall include the following:

(a) The board of directors shall submit within 90 days after the filing of the initial petition with the state board of education and by June 1 of each year thereafter to the state board of education and to each participating school district an annual plan which describes the objectives and procedures to be implemented in assisting in resolution of the educational needs of the ECSU.

(b) The ECSU board of directors may provide adequate office, service center, and administrative facilities by lease, purchase, gift, or otherwise, subject to the review of the state board of education as to the adequacy of the facilities proposed.

(c) The ECSU board of directors may employ a central administrative staff and other personnel as necessary to provide and support the agreed upon programs and services. The board may discharge staff and personnel pursuant to provisions of law applicable to independent school districts. ECSU staff and personnel may participate in retirement programs and any other programs available to public school staff and personnel.

(d) The ECSU board of directors may appoint special advisory committees composed of superintendents, central office personnel, building principals, teachers, parents and lay persons.

(e) The ECSU board of directors may employ service area personnel pursuant to licensure standards developed by the state board of education and the board of teaching.

(f) The ECSU board of directors may enter into contracts with school boards of local districts including school districts outside the ECSU area.

(g) The ECSU board of directors may enter into contracts with other public and private agencies and institutions which may include, but are not limited to, contracts with Minnesota institutions of higher education to provide administrative staff and other personnel as necessary to furnish and support the agreed upon programs and services.

(h) The ECSU board of directors shall exercise all powers and carry out all duties delegated to it by participating local school districts under provisions of the ECSU bylaws. The ECSU board of directors shall be governed, when not otherwise provided, by the provisions of law applicable to independent school districts of the state.

(i) The ECSU board of directors shall submit an annual evaluation report of the effectiveness of programs and services to the school districts *and nonpublic school administrative units* within the ECSU and the state board of education by September 1 of each year following the school year in which the program and services were provided.

(j) The ECSU board is encouraged to establish cooperative, working relationships with post-secondary educational institutions in the state.

Sec. 5. Minnesota Statutes 1978, Section 123.58, Subdivision 7, is amended to read:

Subd. 7. [APPOINTMENT OF AN ADVISORY COUNCIL.] There shall be an advisory council selected to give advice and counsel to the ECSU board of directors. This council shall be composed of superintendents, central office personnel, principals, teachers, parents, and lay persons. *Nonpublic school administrative units are encouraged to participate on the council to the extent allowed by law.* A plan detailing procedures for selection of membership in this council shall be submitted by the ECSU board of directors to the state board of education.

Sec. 6. Minnesota Statutes 1978, Section 123.58, Subdivision 8, is amended to read:

Subd. 8. [EDUCATIONAL PROGRAMS AND SERVICES.] Pursuant to subdivision 6, and rules and regulations of the state board of education, the board of directors of each operational ECSU shall submit annually a plan to the *public* school districts within the ECSU, *the nonpublic school administrative units*, and the state board of education. The plan shall identify the programs and services which are suggested for implementation by the ECSU during the following school year and shall contain components of long range planning determined by the ECSU in cooperation with the state board of education and other appropriate agencies. The state board of education may review and recommend modification of the proposed plan and conduct ongoing program reviews. These programs and services may include, but are not limited to, the following areas:

(a) Administrative services and purchasing

- (b) Curriculum development
- (c) Data processing
- (d) Educational television
- (e) Evaluation and research
- (f) In-service training
- (g) Media centers
- (h) Publication and dissemination of materials
- (i) Pupil personnel services
- (j) Regional planning, joint use of facilities, and flexible and year-round school scheduling
- (k) Secondary, post-secondary, community, adult, and adult vocational education
- (l) Individualized instruction and services, including services for students with special talents and special needs
- (m) Teacher personnel services
- (n) Vocational rehabilitation
- (o) Health, diagnostic, and child development services and centers
- (p) Leadership or direction in early childhood and family education
- (q) Community services
- (r) Shared time programs.

Sec. 7. Laws 1976, Chapter 271, Section 8, Subdivision 1, as amended by Laws 1977, Chapter 447, Article 7, Section 31, is amended to read:

Sec. 8. [COMMITTEE ON NONPUBLIC SCHOOLS.] Subdivision 1. The governor shall appoint a five member advisory task force committee on nonpublic schools within 30 days of the effective date of this section. The five members shall be representative of the various areas of the state and shall be knowledgeable about nonpublic schools. The task force shall expire May 15, 1978, and The compensation, removal of members and , filling of vacancies and expiration date shall be as provided in Minnesota Statutes, Section 15.059.

Sec. 8. *If a part of this act is invalid, all valid parts of this act that are severable from the invalid part remain in effect.*

Sec. 9. *Section 7 is effective May 15, 1979."*

Delete the title and insert:

"A bill for an act relating to education; providing for nonpublic school administrative unit representation at organizational meetings of educational cooperative service units, for participation in

their programs, the composition of their governing boards and advisory councils and for their annual reports; changing the name of the advisory task force on nonpublic schools and extending its term; amending Minnesota Statutes 1978, Section 123.58, Subdivisions 2, 4, 5, 6, 7, and 8; and Laws 1976, Chapter 271, Section 8, Subdivision 1, as amended."

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

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

S. F. No. 1180: A bill for an act relating to Independent School District No. 786, Bertha-Hewitt; exempting it from certain requirements for obtaining one capital loan from the equalization aid review committee; setting a limit for that loan.

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

Page 2, line 1, delete "loan"

Page 2, line 1, after "approval" insert "of the bond issue by the voters"

Page 2, line 5, after "approval" insert "of the bond issue by the voters"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 352: A bill for an act relating to labor; increasing the minimum wage; reducing the time after which overtime pay is required; amending Minnesota Statutes 1978, Sections 177.24, Subdivision 1; and 177.25, Subdivision 1.

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

Page 1, line 16, delete "*June 1, 1979*" and insert "*January 1, 1980*"

Page 1, line 17, delete "*June 1, 1980*" and insert "*January 1, 1981*"

Page 1, line 18, delete "*June 1, 1981*" and insert "*January 1, 1982*"

Page 1, line 20, delete "\$2.75" and insert "\$2.61"

Page 1, line 20, delete "*June 1, 1979, \$2.95*" and insert "*January 1, 1980, \$2.79*"

Page 1, line 21, delete "*June 1, 1980*" and insert "*January 1, 1981*"

Page 1, line 21, delete "\$3.18" and insert "\$3.02"

Page 1, line 22, delete "June 1, 1981" and insert "January 1, 1982"

Pages 1 and 2, delete sections 2 and 3

Amend the title as follows:

Page 1, delete line 3

Page 1, line 4, delete "required;"

Page 1, line 5, delete "Sections" and insert "Section"

Page 1, line 5, delete "; and 177.25," and insert a period

Page 1, delete line 6

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

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

S. F. No. 205: A bill for an act relating to taxation; income tax; providing a residential energy credit; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

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

Page 1, line 13, delete ", and a credit of ten percent of the"

Delete lines 14 to 17

Page 1, line 19, before the period, insert "if the expenditures are eligible for the federal residential energy conservation credit"

Page 1, line 20, delete "terms" and insert "term"

Page 1, line 21, delete "and "renewable energy source"

Page 1, line 21, delete "expenditure" "

Page 1, line 22, delete "meanings given them" and insert "meaning given"

Page 2, line 6, delete "or renewable energy source expenditures"

Page 2, line 7, delete "each kind of" and insert "an"

Page 2, line 9, delete "of that kind"

Page 2, line 20, after "The" insert "residential energy conservation"

Page 2, line 21, after "44C" insert "(c) (1), (3), (4), (7) C and D; and (8);"

Page 2, line 21, after "(3)" and before "and" delete the comma and insert a semicolon

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

S. F. No. 555: A bill for an act relating to public contracts; providing for progress payments; authorizing alternative means of securing full performance; amending Minnesota Statutes 1978, Sections 162.04; and 162.10.

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

Page 2, lines 10 and 16, after "contract" insert "*for a public improvement*"

Page 2, line 21, delete everything after the period

Page 2, delete lines 22 to 33

Page 3, delete lines 1 to 12

Page 3, lines 18 and 19, delete "*public contracting agency*" and insert "*appropriate local or state financial officer*"

Page 4, after line 17, insert:

"Sec. 4. Minnesota Statutes 1978, Section 161.322, is amended to read:

161.322 [PAYMENT OF INTEREST TO CONTRACTORS.]  
When any contract for the construction, improvement, or repair of any trunk highway has been entered into by the commissioner of transportation of the state of Minnesota, and the work provided for in the contract has been in all things completed to the satisfaction of the commissioner or his agent except for the release of sureties, in accordance with the contract, by the person with whom the commissioner has contracted, herein termed the contractor, unless final estimate for the work is made within 90 days after the contractor has so completed the work, he shall be entitled to receive interest at the rate of ~~four percent per annum~~ *equal to the monthly index of long term United States bond yields for the month prior to the month in which this obligation is incurred plus an additional one percent per annum* from the date of the expiration of that 90 day period upon all amounts finally determined to be due him which were not paid prior to the expiration of that period, to be paid in the same manner as, and at the time of, the final payment under the contract. The 90 day requirement, and the interest provisions provided for herein, shall not apply if delay is caused by the contractor; nor shall the 90 day requirement apply to contracts over ~~one~~ *two* million dollars if the contract provides specifically for a different period of time in which to make such final estimate."

Page 4, lines 25 to 33, reinstate the stricken language

Page 4, lines 26 and 30, strike "90" and insert "95"

Page 5, lines 1 to 18, reinstate the stricken language

Page 5, line 18, delete the underscored language and insert "*, or if the delay is caused by the contractor*"



Page 5, lines 26 to 33, reinstate the stricken language

Page 5, lines 27 and 31, strike "90" and insert "95"

Page 6, lines 1 to 19, reinstate the stricken language

Page 6, line 19, delete the underscored language and insert "*, or if the delay is caused by the contractor*"

Page 6, after line 19, insert:

"Sec. 7. Minnesota Statutes 1978, Section 429.041, Subdivision 6, is amended to read:

Subd. 6. [PERCENTAGE PAYMENT ON ENGINEER'S ESTIMATE.] In case the contractor properly performs the work, the council shall, from month to month before completion of the work, pay him not to exceed 90 95 percent of the amount already earned under the contract, upon the estimate of the engineer or other competent person selected by the council, and the contract shall so provide, and shall further agree that when the work is 90 95 percent or more completed upon the recommendation of the engineer such portions of the retained price shall be released as the governing body of the municipality determines are not required to be retained to protect the municipality's interest in satisfactory completion of the contract. Failure to pay any amount due and payable under the terms of the contract within 30 days of a monthly estimate or 90 days after the final estimate of the amount earned shall obligate the municipality to pay to the contractor simple interest on the past due amount at an annual rate equal to the monthly index of long term United States bond yields for the month prior to the month in which this obligation is incurred plus an additional one percent per annum. Interest shall not be imposed with respect to any amount which a municipality may legally withhold as a result of breach of contract or other contractual claim *or if the delay is caused by the contractor*.

Sec. 8. [15.74] *Sections 1 to 3 shall apply to all public contracts except those contracts in which receipt of federal financing is conditioned on adherence to terms and conditions prescribed by a federal agency which are inconsistent with this act."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after "Sections" insert "161.322;"

Page 1, line 5, delete "and"

Page 1, line 5, before the period, insert "; and 429.041, Subdivision 6"

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

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

S. F. No. 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.

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

Page 1, line 19, after "5a." insert "*A member of a labor organization may prohibit the transfer of any of his dues to the organization's political fund.*"

Page 1, line 22, delete "*in writing*"

Page 3, line 1, delete "*given to*" and insert "*notified*"

Page 3, line 2, delete "*written notice*"

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. 1295: A bill for an act relating to contracts; making certain contracts unenforceable unless in writing.

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

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

S. F. No. 1160: A bill for an act relating to veterans; creating a tuition exemption program for certain veterans.

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

Page 2, after line 27, insert:

"Sec. 2. [APPROPRIATION.] The sum of \$. . . . . is appropriated to the commissioner of veterans' affairs from the general fund for the purposes of section 1 for the period ending June 30, 1981."

Amend the title as follows:

Page 1, line 3, after "veterans" insert "; appropriating money"

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. 1387: A bill for an act relating to state government; modifying the duties of certain state officers and departments; eliminating certain conflicting or obsolete provisions superseded by other provisions of law; eliminating the agricultural slogan and printing requirements relating thereto; modifying the general services and computer services revolving funds and the motorpool revolving account; changing procedures for disposal of certain old buildings; changing certain definitions; establishing procedures for approval of certain revised planning costs; clarifying mailing requirements for certain vehicles; extending use of state employee commuter vans; incorporating provisions of certain reorganization orders; appropriating money; amending Minnesota Statutes 1978, Sections 4.31, Subdivision 1; 15.052, Subdivision 6; 16.02, Subdivisions 10, 14, 18, and by adding a subdivision; 16.05; 16.098, Subdivision 9; 16.24; 16.243; 16.28; 16.77; 16.80, Subdivision 1; 16.82, Subdivision 1; 16.822, Subdivisions 5 and 9; 16.826, by adding a subdivision; 16.866, Subdivision 1; 16A.126; 43.17, Subdivision 4a; 84.084; 144.08; 155.18, Subdivision 1h; 161.06, Subdivision 1; 168.012, Subdivision 1; 176.541, Subdivision 6; 177.28, Subdivision 6; 181A.09, Subdivision 3; 190.095, Subdivision 2; 239.52; 260.311, Subdivision 4; 268.06, Subdivision 26; 268.12, Subdivision 5; 268.15, Subdivision 2; 282.38, Subdivision 1; 290.59; 296.01, by adding a subdivision; 296.04; 296.25, Subdivision 1; 296.27; 296.28; 298.22, Subdivision 1; 299C.08; 352.03, Subdivision 6; 352.04, Subdivision 5; 354.06, Subdivision 2a; 360.015, Subdivision 16; 362.125; 574.04; and Chapter 16A, by adding a section; and Laws 1976, Chapter 233, Section 14; repealing Minnesota Statutes 1978, Sections 1.39; 10.31; 10.38; 16.096; 16.51; 16.52; 16.53; 16.56; 93.45; 136.85; 155.18, Subdivision 2; 296.07; and 299A.01, Subdivision 5.

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

Page 7, line 24, strike “, subject to the approval”

Page 7, strike line 25

Page 7, line 26, strike “Minnesota;”

Page 7, line 28, strike “, with the approval of the commissioner of”

Page 7, line 29, delete “finance” and strike the comma

Page 7, line 32, strike “, with the”

Page 7, line 33, strike “approval of the commissioner of”

Page 7, line 33, delete “personnel” and strike the comma

Page 22, after line 10, insert:

“Section 1. Minnesota Statutes 1978, Section 15.0412, Subdivision 2, is amended to read:

Subd. 2. To assist interested persons dealing with it, each agency shall, in a manner prescribed by the commissioner of administration, prepare a description of its organization, stating the process whereby the public may obtain information or make submissions or requests. The commissioner of administration shall annually publish these descriptions at least in every even-numbered year commencing in 1980 in a guidebook of state agencies. Notice of the publication of the guidebook shall be published in the state register."

Page 24, after line 23, insert:

"Sec. 7. Minnesota Statutes 1978, Section 16.125, is amended to read:

**16.125 [TRANSFER OF PERSONNEL, POWERS, DUTIES.]**  
 Subdivision 1. The commissioner of administration, in order to improve efficiency or avoid duplication, may transfer personnel, powers, or duties, or any combination of them, from a department or agency to another department or agency that has been in existence for at least one year prior to the date of transfer. A transfer must have received receive the prior approval of the governor. The commissioner of administration shall no later than January 15 of each odd numbered year submit to the legislature a bill making all statutory changes required by reorganization orders and ratifying all other reorganization orders affecting state law issued by the commissioner during the preceding two calendar year years. If the bill or some part of it is not enacted into law by the end of the regular legislative session in the even numbered year after the bill is required to be submitted, the reorganizations or appropriate part of them shall be deemed disapproved and shall be of no effect, and the commissioner shall not thereafter issue a reorganization order accomplishing the same result.

Subd. 2. A transfer made pursuant to subdivision 1 shall be in the form of a reorganization order. A reorganization order shall be filed with the secretary of state, shall be uniform in format and shall be numbered consecutively. An order shall be effective upon filing with the secretary of state and shall remain in effect until amended or superseded. Copies of the filed order shall be delivered promptly by the commissioner to the secretary of the senate and the chief clerk of the house. A reorganization order which transfers all or substantially all of the powers or duties or personnel of a department, the energy agency, the housing finance agency or the pollution control agency shall not be effective until ratified by concurrent resolution or enacted into law.

Subd. 3. The commissioner of finance shall determine the what fractional part of the appropriation to the transferor department or agency from which the personnel, power, or duty is transferred represented by that is attributable to the transferred personnel, power, or duty, and that part of the appropriation is hereby reappropriated to the transferee department or agency."

Page 32, line 18, delete "five" and insert "ten"

Page 34, line 15, delete "due to new"

Page 34, line 16, delete "*programs*"

Renumber the sections of Article II in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "providing for legislative review of reorganization orders;"

Page 1, line 18, after the semicolon, insert "15.0412, Subdivision 2;"

Page 1, line 21, after "9;" insert "16.125;"

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. 326: A bill for an act relating to retirement; providing a retirement allowance for members of the legislature after eight years of service; amending Minnesota Statutes 1978, Section 3A.02, Subdivision 1.

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

Page 1, line 13, reinstate "without"

Page 1, line 13, after the stricken word "application" insert "*applying the provisions*"

Page 1, line 13, reinstate "of section 3A.10,"

Page 1, line 14, reinstate "subdivision 2,"

Page 1, line 14, strike "four"

Page 1, line 15, strike "regular" and insert "*eight annual*"

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. 1189: A bill for an act relating to labor; public employment labor relations; clarifying definition of essential employee; amending Minnesota Statutes 1978, Section 179.63, Subdivision 11.

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

Page 1, line 15, after "*officers,*" insert "*highway patrolmen,*"

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

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

S. F. No. 1190: A bill for an act relating to the city of Cloquet; appropriating money to reimburse the city for costs incurred by the Cloquet fire department in responding to a trunk highway emergency fire call.

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

Page 1, line 15, delete "The purpose"

Page 1, delete lines 16 to 19

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. 560: A bill for an act relating to education; establishing a scholarship program for financially disadvantaged students; appropriating money; amending Minnesota Statutes 1978, Chapter 124, by adding a section.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 124, is amended by adding a section to read:

[124.481] [ASSISTANCE FOR THE FINANCIALLY DISADVANTAGED.] *Subdivision 1. [PURPOSE.] It is in the interest of the state of Minnesota that every resident, regardless of financial means, has the opportunity to acquire the necessary skills, training and education to be gainfully employed to that person's full potential. The purpose of this section is to assist the person who desires to obtain certain additional skills, training or education but who lacks the financial means.*

*Subd. 2. [JOB AND CAREER TRAINING GRANTS.] The state board of education may, on the basis of criteria recommended by the council established by subdivision 3, award a job and career training grant to a Minnesota resident who needs financial assistance and for whom other funds are not available, are insufficient or have been exhausted. The job and career training grant shall be used for specialized education in preparation for entry into a business, technical or vocational school or job training program, including prevocational programs, preapprenticeship training programs and English language programs, or for attendance at a business, technical or vocational school or any other job or career training program. A job and career training grant shall be used only at a school or for a program approved by the state board. Job and career training grants shall be used to pay for tuition, room and board, incidental fees, books, supplies, transportation or other expenses for which payment is authorized by the state board. No student shall receive a job and career training grant under this section for more than one year.*

**Subd. 3. [ADVISORY COUNCIL.]** *There is hereby created an advisory council on job and career training grants for the financially disadvantaged. The council shall be composed of five individuals knowledgeable about the needs and concerns of financially disadvantaged students. The members shall include a representative of the American Indian community, a representative of the black community, a representative of the Hispanic community and two other citizens, all of whom shall have extensive experience in or knowledge about job and career training and placement. The members shall be appointed by the state board of education after consultation with major organizations within the state representing the American Indian community, the black community, and the Hispanic community. The council shall make recommendations to the state board for the establishment of rules and guidelines on: (a) the criteria for eligibility for a job and career training grant; (b) the amount and type of each grant; (c) the recipients of the grants; (d) programs and schools for or at which grants may be spent; and (e) the purposes for which grants may be spent. The terms, compensation and removal of members shall be governed by Minnesota Statutes, Section 15.059.*

**Subd. 4. [REPORT TO THE GOVERNOR AND LEGISLATURE.]** *The state board shall evaluate the job and career training grants program and shall by January 15, 1981, and every two years thereafter, by January 15 of the reporting year, report its findings to the governor and the legislature. The report shall include a statement of the number of students who have received grants, the type of education for which the grants were awarded, the amounts of the grants and other information which would assist the governor and the legislature in evaluating the job and career training grants program.*

**Sec. 2.** *The sum of \$1,000,000 is appropriated from the general fund to the state board of education for the purposes of section 1 and shall be available until June 30, 1981. Of this amount, \$..... shall be available for the year ending June 30, 1980, for the employment of one professional and one clerical employee beyond the existing complement of the department of education; \$..... shall be available for the year ending June 30, 1981, for the employment of one professional and one clerical employee beyond the existing complement of the department of education; and \$..... shall be available until June 30, 1981, for the payment of other necessary expenses incurred in the administration of section 124.481."*

Amend the title by striking it and inserting:

"A bill for an act relating to education; establishing a job and career training grant program for financially disadvantaged students; appropriating money; amending Minnesota Statutes 1978, Chapter 124, by adding a section."

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

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

S. F. No. 947: A bill for an act relating to the city of Duluth; fixing the expiration of a city sales tax; removing a report requirement; amending Laws 1977, Chapter 438, Section 2; repealing Laws 1977, Chapter 438, Section 1, Subdivision 3.

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

Page 1, line 15, delete "15" and insert "31"

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

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

S. F. No. 49: A bill for an act relating to taxation; authorizing the establishment of individual housing accounts; providing that contributions to an account which are used exclusively in connection with the purchase of a first principal residence are deductible; providing tax penalties; amending Minnesota Statutes 1978, Section 290.09, 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 48.159, is amended to read:

48.159 [LIMITED TRUSTEESHIP.] *Subdivision 1.* A commercial bank, upon approval by the commissioner of banks of an application in the prescribed form filed with him together with a filing fee of \$100, shall have the power to act as trustee or custodian within the contemplation of the federal self-employed individuals tax retirement act of 1962, as amended and shall have the power to act as trustee or custodian within the contemplation of the federal employee retirement income security act of 1974, as amended, to establish an individual retirement account. The funds shall be invested only in savings or time deposits in the bank in amounts fully insured by federal deposit insurance. Funds held in the fiduciary capacity may be commingled for purposes of investment, but individual records shall be maintained by the fiduciary for each participant and show in detail all transactions engaged in under authority of this section. In passing upon applications, the commissioner shall take into consideration the investment policies, amount, type, and adequacy of reserves, fidelity bonds, and legally required deposits of the applicant, and other pertinent facts and circumstances, and may grant or refuse the application accordingly.

*Subd. 2.* Upon application to and approval by the commissioner, a commercial bank shall have the power to act as trustee of individual housing accounts established pursuant to the provisions of section 290.09, subdivision 30.



Sec. 2. Minnesota Statutes 1978, Section 50.157, is amended to read:

50.157 [LIMITED TRUSTEESHIP.] *Subdivision 1.* A savings bank shall have the power to act as trustee or custodian within the contemplation of the federal self-employed individuals tax retirement act of 1962, as amended, and also within the contemplation of the employee retirement income security act of 1974, as amended. The trustee or custodian may accept such trust funds provided such funds are invested only in savings accounts or deposits in such bank or in obligations or securities issued by such bank. All funds held in such fiduciary capacity may be commingled for appropriate purposes of investment, but individual records shall be maintained by the fiduciary for each participant and shall show in proper detail all transactions engaged in under authority of this section.

*Subd. 2.* Upon application to and approval by the commissioner, a savings bank shall have the power to act as trustee of individual housing accounts established pursuant to the provisions of section 290.09, subdivision 30.

Sec. 3. Minnesota Statutes 1978, Section 51A.21, is amended by adding a subdivision to read:

*Subd. 16a.* Upon application to and approval by the commissioner, to act as trustee of individual housing accounts established pursuant to the provisions of section 290.09, subdivision 30.

Sec. 4. Minnesota Statutes 1978, Chapter 52, is amended by adding a section to read:

[52.136] [INDIVIDUAL HOUSING ACCOUNTS.] *Upon application to and approval by the commissioner of banks, a credit union shall have the power to act as trustee of individual housing accounts established pursuant to the provisions of section 290.09, subdivision 30.*

Sec. 5. Minnesota Statutes 1978, Section 290.09, is amended by adding a subdivision to read:

*Subd. 30. [INDIVIDUAL HOUSING ACCOUNTS.] (a) There shall be allowed as a deduction the amount, not to exceed \$2,500, paid in cash during the taxable year by an individual taxpayer to an individual housing account established for his benefit to provide funding for the purchase of his first principal residence, together with all interest paid or accrued within the taxable year on the account. In the case of a married couple filing separate returns or filing separately on a combined return, the sum of the deductions allowable to each of them for the taxable year may not exceed \$2,500. No deduction may be taken for an amount on deposit in the account for less than six months before withdrawal. Any amount deposited earlier than six months before the close of the taxpayer's taxable year may be taken as a deduction only for the next succeeding taxable year.*

*The amount allowable as a deduction under this subdivision to an individual for all taxable years may not exceed \$10,000. In the*

case of a married individual, the \$10,000 amount shall be reduced by an amount equal to the sum of the amounts allowed as deductions pursuant to this subdivision for all taxable years to his spouse.

(b) For purposes of this subdivision, the term "individual housing account" means a trust created or organized in Minnesota for the exclusive benefit of an individual, or, in the case of a married individual, for the exclusive benefit of the individual and his spouse jointly, but only if the written governing instrument creating the trust meets the following requirements:

(1) Contributions will not be accepted for the taxable year in excess of \$2,500 or in excess of \$10,000 for all taxable years, exclusive of interest paid or accrued.

(2) The trustee is a financial institution, as defined in section 47.015, or a credit union, chartered or supervised under federal or state law, whose accounts are insured by the Federal Deposit Insurance Corporation, the Federal Savings and Loan Insurance Corporation, the National Credit Union Administration or any agency of this state or any federal agency established for the purpose of insuring accounts in these financial institutions. The financial institution must actively make residential real estate mortgage loans in Minnesota.

(3) The assets of the trust shall be invested only in savings or time deposits in amounts fully insured as prescribed in paragraph (2). Funds held in the trust may be commingled for purposes of investment, but individual records shall be maintained by the trustee for each individual housing account holder which show all transactions in detail.

(4) The entire interest of an individual or married couple for whose benefit the trust is maintained will be distributed to him, or them, not later than 120 months after the date on which the first contribution is made to the trust.

(5) Except as provided in clause (c) (2) or clause (d) in the case of a disability or death the trustee will distribute no part of the funds in the account unless it: (a) verifies that the money is to be used for the purchase of a residence located in Minnesota, and it provides that the instrument of payment is payable to the mortgagor, construction contractor, or other vendor of the property purchased; or (b) withholds an amount equal to ten percent of the amount withdrawn from the account and remits this amount to the commissioner of revenue within ten days after the date of the withdrawal. The amount so withheld shall be applied to the liability of the taxpayer under clauses (c) (1) and (d).

(c) (1) Except as otherwise provided in this clause, any amount paid or distributed out of an individual housing account shall be included in gross income by the payee or distributee for the taxable year in which the payment or distribution is received, unless the amount is used exclusively in connection with the first purchase of a principal residence in Minnesota for the payee or distributee.

(2) Paragraph (1) shall not apply to the distribution of any contribution paid during a taxable year to an individual housing account to the extent that the contribution exceeds the amount allowable as a deduction under this subdivision if:

(A) The distribution is received on or before the day prescribed by law including extensions of time for filing such individual's return for the taxable year;

(B) No deduction is allowed under this subdivision with respect to the excess contribution; and

(C) The distribution is accompanied by the amount of net income attributable to the excess contribution. This net income shall be included in the gross income of the individual for the taxable year in which it is received.

(3) The transfer of an individual's interest in an individual housing account to his former spouse under a dissolution of marriage decree or under a written instrument incident to a dissolution of marriage is not to be considered a taxable transfer made by the individual and the interest, at the time of the transfer, is to be treated as an individual housing account of the transferee, and not of the transferor. After the transfer, the account is to be treated, for purposes of this subdivision, as maintained for the benefit of the spouse.

(d) If a distribution from an individual housing account to an individual for whose benefit the account was established is made and not used in connection with the first purchase of a principal residence in Minnesota for the individual, the tax liability of the individual under chapter 290 for the taxable year in which the distribution is received shall be increased by an amount equal to ten percent of the amount of the distribution which is includable in his gross income for the taxable year. If, during any taxable year, the individual uses the account or any portion thereof as security for a loan, the portion so used is treated as distributed to that individual. No such liability shall be imposed if the payment or distribution is attributable to the taxpayer dying or becoming disabled as provided in section 290A.03, subdivision 10. An individual shall not be considered to be disabled unless he furnishes proof of the disability in the form and manner as the commissioner of revenue may require. Upon the death of an individual for whose benefit the account had been established, the funds in the account shall be payable to the estate of the individual, provided that, if the account was held jointly by the decedent and a spouse of the decedent, the account shall remain as the individual housing account of the surviving spouse.

(e) The trustee of an individual housing account shall make reports regarding the account to the commissioner of revenue and to the individual for whom the account is maintained with respect to contributions, distributions, and other matters as the commissioner may require under rules. The reports required by this clause shall be filed at a time and in a manner as may be required by the rules. A person who fails to file a required report will be subject

*to a penalty of \$10 to be paid to the commissioner of revenue for each instance of failure to file.*

*(f) For purposes of this clause, in the case of an individual housing account, the term "excess contributions" means the amount by which the amount contributed for the taxable year to the account exceeds the amount allowable as a deduction under clause (b) (1) for the taxable year. For purposes of this clause, any contribution which is distributed out of the individual housing account and a distribution to which clause (d) (2) applies shall be treated as an amount not contributed.*

*There is imposed for each taxable year a tax not to exceed six percent of the value of the amount of the excess contributions to an individual's individual housing account.*

Sec. 6. Minnesota Statutes 1978, Section 290.17, Subdivision 2, is amended to read:

Subd. 2. [OTHER TAXPAYERS.] In the case of taxpayers not subject to the provisions of subdivision 1, items of gross income shall be assigned to this state or other states or countries in accordance with the following principles:

(1) The entire income of all resident or domestic taxpayers from compensation for labor or personal services, or from a business consisting principally of the performance of personal or professional services, shall be assigned to this state, and the income of nonresident taxpayers from such sources shall be assigned to this state if, and to the extent that, the labor or services are performed within it; all other income from such sources shall be treated as income from sources without this state;

(2) Income from the operation of a farm shall be assigned to this state if the farm is located within this state and to other states only if the farm is not located in this state. Income and gains received from tangible property not employed in the business of the recipient of such income or gains, and from tangible property employed in the business of such recipient if such business consists principally of the holding of such property and the collection of the income and gains therefrom, shall be assigned to this state if such property has a situs within it, and to other states only if it has no situs in this state. Income or gains from intangible personal property not employed in the business of the recipient of such income or gains, and from intangible personal property employed in the business of such recipient if such business consists principally of the holding of such property and the collection of the income and gains therefrom, wherever held, whether in trust, or otherwise, shall be assigned to this state if the recipient thereof is domiciled within this state; income or gains from intangible personal property wherever held, whether in trust or otherwise shall be assigned to this state if the recipient of such income or gains is domiciled within this state, or if the grantor of any trust is domiciled within this state and such income or gains would be taxable to such grantor under sections 290.28 or 290.29;

(3) Income derived from carrying on a trade or business, including in the case of a business owned by natural persons the income imputable to the owner for his services and the use of his property therein, shall be assigned to this state if the trade or business is conducted wholly within this state, and to other states if conducted wholly without this state. This provision shall not apply to business income subject to the provisions of clause (1);

(4) When a trade or business is carried on partly within and partly without this state, the entire income derived from such trade or business, including income from intangible property employed in such business and including, in the case of a business owned by natural persons, the income imputable to the owner for his services and the use of his property therein, shall be governed, except as otherwise provided in sections 290.35 and 290.36, by the provisions of section 290.19, notwithstanding any provisions of this section to the contrary. This shall not apply to business income subject to the provisions of clause (1). For the purposes of this clause, a trade or business located in Minnesota is carried on partly within and partly without this state if tangible personal property is sold by such trade or business and delivered or shipped to a purchaser located outside the state of Minnesota.

In determining whether or not intangible property is employed in a unitary business carried on partly within and partly without this state so that income derived therefrom is subject to apportionment under section 290.19 the following rules and guidelines shall apply.

(a) Intangible property is employed in a business if the business entity owning intangible property holds it as a means of furthering the business operation of which a part is located within the territorial confines of this state.

(b) Where a business operation conducted in Minnesota, is owned by a business entity which carries on business activity outside of the state different in kind from that conducted within this state, and such other business is conducted entirely outside the state, it will be presumed that the two business operations are unitary in nature, interrelated, connected and interdependent unless it can be shown to the contrary.

(5) *In the case of a nonresident who is liable for payment of a penalty for having withdrawn funds from an individual housing account established pursuant to section 290.09, subdivision 30, the amount so withdrawn shall be an item of income assignable to this state, and the penalty tax of ten percent shall remain an additional liability of that taxpayer.*

(6) All other items of gross income shall be assigned to the taxpayer's domicile.

Sec. 7. *Section 5 may be cited as the "Young Family Housing Act".*

Sec. 8. *This act is effective for the taxable years beginning after December 31, 1978.*"

Amend the title as follows:

Page 1, line 8, delete "Section" and insert "Sections 48.159; 50.157; 51A.21, by adding a subdivision;"

Page 1, line 9, after "subdivision" insert "and 290.17, Subdivision 2; and Chapter 52, by adding a section"

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

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

S. F. No. 1309: A bill for an act relating to local government; providing that mileage allowances be set locally; amending Minnesota Statutes 1978, Section 471.665.

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

Page 1, line 7, after "471.665," insert "Subdivision 1,"

Pages 1 and 2, delete subdivisions 2 and 3

Amend the title as follows:

Page 1, line 4, before the period, insert ", Subdivision 1"

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. 1213: A bill for an act relating to collection and dissemination of data; classifying data; extending the period of time during which emergency classifications of data may be made; clarifying the duties of the responsible authority; providing remedies; amending Minnesota Statutes 1978, Sections 15.162, Subdivisions 1 and 2a, and by adding a subdivision; 15.163; and 15.1642, Subdivisions 3 and 5; 15.166; and Chapter 15, by adding sections; repealing Minnesota Statutes 1978, Sections 15.1641; 15.1642, Subdivision 4; and 15.169.

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

Page 1, line 19, delete "8 to 10" and insert "10 to 12"

Page 2, line 12, strike "an emergency" and insert "a temporary"

Page 2, line 25, strike "On or"

Page 2, line 26, strike "before August 1, 1976,"

Page 3, line 26, after "1975," insert "and which have not been treated as public data,"

Page 4, line 11, after the period insert *"Informed consent shall not be deemed to have been given by an individual subject of the data by the signing of any statement authorizing any person or agency to disclose information about him or her to an insurer or its authorized representative, unless the statement is:*

*(1) In plain language;*

*(2) Dated;*

*(3) Specific as to the persons and agencies he or she is authorizing to disclose information about him or her who are known at the time the authorization is signed, and general as to others whose specific identity is not known at the time the authorization is signed;*

*(4) Specific as to the nature of the information he or she is authorizing to be disclosed;*

*(5) Specific as to the persons or agencies to whom he or she is authorizing information to be disclosed;*

*(6) Specific as to the purpose(s) for which the information may be used by any of the parties named in clause (5), both at the time of the disclosure and at any time in the future;*

*(7) Specific as to its expiration date which should be for a reasonable period of time, not to exceed one year, and in the case of life insurance or noncancelable or guaranteed renewable health insurance, two years after the date of the policy."*

Page 4, line 19, delete "8" and insert "10"

Page 4, line 24, delete "8 to 10" and insert "10 to 12"

Page 5, after line 15, insert:

"Sec. 5. Minnesota Statutes 1978, Section 15.1642, Subdivision 1, is amended to read:

15.1642 [TEMPORARY CLASSIFICATION.] Subdivision 1. [APPLICATION.] The responsible authority of a state agency, political subdivision or statewide system may apply to the commissioner for permission to classify data or types of data on individuals as private or confidential, for its own use and for the use of other similar agencies, political subdivisions or statewide systems on an emergency a temporary basis until a proposed statute can be acted upon by the legislature. The application for emergency temporary classification is public.

Upon the filing of an application for emergency temporary classification, the data which is the subject of the application shall be deemed to be classified as set forth in the application for a period of 30 days, or until the application is disapproved or granted by the commissioner, whichever is earlier.

Sec. 6. Minnesota Statutes 1978, Section 15.1642, Subdivision 2, is amended to read:

Subd. 2. [CONTENTS OF APPLICATION.] An application for ~~emergency~~ temporary classification shall include and the applicant shall have the burden of clearly establishing at least the following information:

(a) That no statute currently exists which either allows or forbids classification as private or confidential;

(b) That data similar to that for which the ~~emergency~~ temporary classification is sought has been treated as either private or confidential by other state agencies or political subdivisions, and by the public or that release of the data would constitute an unwarranted intrusion into an individual's personal privacy, or render unworkable a program authorized by law; and

(c) That a compelling need exists for immediate ~~emergency~~ temporary classification, which if not granted could adversely affect the public interest or the health, safety, well being or reputation of the data subject."

Page 5, line 19, strike "emergency" and insert "temporary"

Page 5, line 29, strike "emergency" and insert "temporary"

Page 6, line 14, strike "emergency" and insert "temporary"

Page 6, delete lines 27 to 31 and insert:

"Subd. 5. [EXPIRATION OF EMERGENCY CLASSIFICATION.] *Emergency classifications granted before the effective date of this act are redesignated as temporary classifications. All ~~emergency~~ temporary classifications granted under this section prior to the effective date of this act and still in effect shall expire on July 31, 1979 1980. No ~~emergency~~ classifications shall be granted after July 31, 1979. On or before January 15 of each year, the commissioner shall submit all temporary classifications granted in the prior year in bill form for legislative consideration. For purposes of this section, all temporary classifications granted prior to December 1, 1979, shall be treated as if they were granted in 1979. Unless enacted by law, each temporary classification so submitted shall expire one year after being granted and may not be renewed.*"

Page 7, line 4, delete "8" and insert "10"

Page 7, line 5, delete "10" and insert "12"

Page 7, line 16, delete "8 to 10" and insert "10 to 12"

Page 7, line 20, delete "8 to 10" and insert "10 to 12"

Page 7, line 24, delete "8 to 10" and insert "10 to 12"

Page 8, line 1, delete "8 to 10" and insert "10 to 12"

Page 8, line 7, after the headnote insert "(a) 'Directory information' means name of the patient, date admitted, general condition, and date released."

Page 8, line 7, delete "(a)" and insert "(b)"

Page 8, line 9, delete "medical"



Page 8, line 10, delete "(b)" and insert "(c)"

Page 8, line 13, delete "(c)" and insert "(d)"

Page 9, delete lines 18 to 21 and insert:

*"Subd. 4. [LICENSING DATA.] All data pertaining to persons licensed or registered under the authority of the commissioner of public welfare, except for personal and financial data submitted by applicants and licensees under the home day care program and the family foster care program, is public data. Personal and financial data on home day care program and family foster care program applicants and licensees is private data pursuant to section 15.162, subdivision 5a."*

Page 9, line 31, after the period, insert:

*"Subd. 6."*

Page 10, line 1, delete "6" and insert "7"

Page 10, line 2, delete "state"

Page 10, after line 8, insert:

*"Directory information about an emergency patient which is public under this subdivision shall not be released until a reasonable effort is made to notify the next of kin. Although an individual has requested that directory information be private, the hospital may release directory information to a law enforcement agency pursuant to a lawful investigation pertaining to that individual."*

Page 10, line 9, delete "7" and insert "8"

Page 10, line 24, after "benefits," insert *"the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;"*

Page 12, line 25, delete "1232g (6) (1) (I)" and insert "1232g (b) (1) (I)"

Page 12, line 28, after "(b) (4) (B)," insert "(b) (1) (B),"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, after "Subdivisions" insert "1, 2,"

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. 1078: A bill for an act relating to the state board of the arts; providing public television assistance; appropriating money.

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

Page 1, line 6, delete "state board" and insert "department"

Page 1, line 7, delete "the arts" and insert "administration"

Page 1, line 8, delete "\$67,000" and insert "\$42,000"

Amend the title as follows:

Page 1, line 2, delete "state board of the arts" and insert "department of administration"

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

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

S. F. No. 940: A bill for an act relating to highways; allowing private landowners to install drainage tiles along and across highway right-of-way under certain conditions; prescribing a penalty; amending Minnesota Statutes 1978, Section 160.20, by adding a subdivision.

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

Page 1, line 16, delete everything after "right-of-way"

Page 1, line 17, delete everything before the period and insert "*along the general course of the natural drainageway, provided further that there will be no diversion of drainage waters away from the natural receiving drainageway immediately downstream from the highway*"

Page 2, after line 24, insert:

*"(f) The road authority having jurisdiction will issue no permit for installation of new drainage tile which facilitate the drainage of public waters unless a permit has first been issued by the commissioner of natural resources pursuant to section 105.42."*

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. 791: A bill for an act relating to waters; requiring executive council designation of wild and scenic rivers; authorizing legislative review of the designation of wild and scenic rivers; permitting county administration of certain areas within the wild and scenic rivers system; providing for informational meetings prior to adoption of management plans; assisting local governments in preparation and administration of required ordinances; restricting acquisition of lands by the state; protecting landowners rights; amending Minnesota Statutes 1978, Sections 104.34; 104.35, Subdivisions 1, 2 and 3; 104.36, by adding a sub-

division; and 104.37, Subdivision 1; repealing Minnesota Statutes 1978, Sections 104.35, Subdivision 4; and 104.39.

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

Page 1, after line 18, insert:

"Section 1. Minnesota Statutes 1978, Section 104.31, is amended to read:

104.31 [SCENIC RIVERS ACT.] Sections 104.31 to 104.40 may be cited as the "Minnesota wild and scenic rivers act."

Sec. 2. Minnesota Statutes 1978, Section 104.33, Subdivision 1, is amended to read:

104.33 [SYSTEM; CRITERIA FOR INCLUSION.] Subdivision 1. The whole or a segment of any river and its adjacent lands in this state that possesses outstanding scenic, recreational, natural, historical, scientific, or similar values shall be eligible for inclusion within the Minnesota wild and scenic rivers system. "River" means a flowing body of water such as a stream or a segment or tributary thereof, and may include lakes through which the river or stream flows."

Page 1, line 23, strike "wild and"

Page 2, line 21, delete "*wild and*"

Page 2, line 25, after "*administer*" insert "*its land use controls for*"

Page 3, line 4, strike "wild and"

Page 5, line 2, after "*shall*" insert "*not*"

Page 5, line 3, delete "*when*" and insert "*unless*"

Page 5, line 4, delete "*or upon the expiration of*" and insert "*within*"

Page 5, line 4, delete "*if the*"

Page 5, delete line 5

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

Page 6, line 7, delete "*wild and*"

Page 6, line 10, after the period, insert "*The ten percent limitation applies only to land specifically acquired for the scenic rivers program.*"

Page 6, line 24, delete "*wild and*"

Page 6, after line 26, insert:

"Sec. 9. Minnesota Statutes 1978, Section 104.40, is amended to read:

104.40 [CONFLICT WITH OTHER LAWS.] Each river in the wild and scenic rivers system shall be subject to the provisions of

sections 104.31 to 104.40, provided that in case of conflict with some other law of this state the more protective provision shall apply."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "wild and"

Page 1, line 4, delete "wild and"

Page 1, line 6, delete "wild and"

Page 1, line 12, after "Sections" insert "104.31; 104.33, Subdivision 1;"

Page 1, line 14, delete "and"

Page 1, line 14, after the second semicolon insert "and 104.40;"

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

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

S. F. No. 376: A bill for an act relating to county and county regional jails; providing for establishment and use of county jails and county regional jails and the financing thereof by county contributions and bonds and municipal revenue bonds and leases; amending Minnesota Statutes 1978, Sections 474.01, Subdivisions 7a and 8, and by adding a subdivision; 474.02, by adding a subdivision; 641.23; 641.24; 641.262, Subdivision 1; 641.263, Subdivision 2; 641.264, Subdivision 1; 641.265; and 642.04.

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

Page 8, after line 19, insert:

"Sec. 12. [APPROPRIATION.] *The sum of \$3,000,000 is appropriated from the general fund to the department of corrections for the biennium ending June 30, 1981, for the purposes enumerated in Minnesota Statutes, Section 241.022.*"

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "appropriating money;"

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. 1391: A bill for an act relating to the city of Currie in Murray County; authorizing the city to convey lands to a private individual, group or corporation.

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

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

S. F. No. 1388: A bill for an act relating to Hennepin County; establishing an unclassified civil service position of chief civil deputy sheriff; amending Laws 1965, Chapter 855, Section 7, Subdivision 2, as amended.

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

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

S. F. No. 1299: A bill for an act relating to sheriffs; requiring licensure within one year of assuming office; amending Minnesota Statutes 1978, Section 387.01.

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. 824: A bill for an act relating to local government; limiting spending for certain cemeteries; amending Minnesota Statutes 1978, Section 471.24; repealing Minnesota Statutes 1978, Section 471.25.

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

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.

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

Page 3, line 13, after "or" delete the comma and after "who" insert a comma

Page 3, line 14, delete "engages in any conduct prohibited by law" and insert "introduces or attempts to introduce contraband prohibited by section 243.55 or anything usable in making an escape, or assaults or attempts to assault an officer or employee of the facility,"

Page 5, delete lines 14 through 17

Page 5, line 23, delete "*director*" and insert "*chief executive officer of the facility*"

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. 1051: A bill for an act relating to welfare; excluding educational grants and loans from income when determining the amount of assistance granted under aid to families with dependent children; amending Minnesota Statutes 1978, Section 256.74, Subdivision 1.

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

Mr. Laufenburger from the Committee on Employment, to which was referred

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

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

Page 1, line 9, after "considering" insert "locating,"

Page 1, line 9, delete "expansion" and insert "expanding,"

Page 1, line 10, delete "relocation" and insert "relocating"

Page 1, line 18, after "are" insert "locating,"

Page 1, line 18, after "expanding" insert a comma

Page 2, line 11, after "it" insert "creates new jobs or substantially"

Page 2, line 11, delete "by at"

Page 2, line 12, delete "least ten full-time positions"

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. 1037: A bill for an act relating to traffic regulation; allowing an authorized emergency vehicle to use an oscillating white light; amending Minnesota Statutes 1978, Section 169.55, Subdivision 1.

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. 1177: A bill for an act relating to state parks; specifying use of money for access road to St. Croix Wild River state park in Chisago County; amending Laws 1973, Chapter 567, Section 8.

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. 1072: A bill for an act relating to motor vehicles; establishing gross weight limitations on certain highways for certain vehicles and combinations of vehicles; providing an exception; providing for the enforcement of weight limitations and providing penalties; authorizing the employment of certain personnel in the unclassified service to enforce certain motor vehicle and traffic laws, and prescribing the conditions of employment; amending Minnesota Statutes 1978, Sections 168.013, Subdivision 3; 169.03, Subdivision 6; 169.83, Subdivision 2; 169.832, Subdivision 2, and by adding a subdivision; 169.85; and 299D.06.

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

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

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

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

S. F. No. 1301: A bill for an act relating to hospitals; providing exemption from rate review for certain hospitals; amending Minnesota Statutes 1978, Chapter 144, by adding a section.

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

Page 1, line 11, delete "*annually*"

Page 1, line 13, before "*charges*" insert "*gross acute care*"

Page 1, line 14, delete "*revenues*" and insert "*gross acute care charges*"

Page 1, line 14, delete "*75 percent of*"

Page 1, line 16, delete the comma and insert a period

Page 1, delete line 17

Page 1, line 18, before "If" insert "*As part of the income statement in its annual financial report required by section 144.698, each hospital shall include a separate statement of its total hospital gross acute care charges.*"

Page 1, line 19, delete "75 percent of"

Page 1, line 20, delete "retrospective"

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. 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.

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

Page 2, line 4, after "system" insert "*or affect public waters*"

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. 302: A bill for an act relating to flood plain management; authorizing counties within the southern Minnesota river basin area II to levy an additional tax for flood control, improved water quality and erosion and sediment control; amending Minnesota Statutes 1978, Section 275.50, Subdivision 5.

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

S. F. No. 1273: A bill for an act relating to natural resources; authorizing the commissioner to utilize volunteer services; amending Minnesota Statutes 1978, Chapter 84, by adding a section; and Section 176.011, Subdivision 9; repealing Minnesota Statutes 1978, Section 85.041.

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

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



S. F. No. 519: A bill for an act relating to shade tree disease control; authorizing grants for municipal shade tree removal and reforestation programs; appropriating money; amending Minnesota Statutes 1978, Sections 18.023, Subdivisions 1 and 3a; and 275.50, Subdivision 6.

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

Page 2, line 32, after "property" insert "*and the planting of any species of tree or shrub*"

Page 4, line 33, after the period insert "*The governing body of any municipality which receives a reforestation grant pursuant to this section shall appoint up to seven residents of the municipality or designate an existing municipal board or committee to serve as a reforestation advisory committee to advise the governing body of the municipality in the administration of the reforestation program.*"

Page 5, line 30, reinstate the stricken language

Page 5, line 31, after the stricken "1978" insert "1980"

Page 5, line 31, reinstate ", payable in"

Page 5, line 31, after the stricken "1979" insert "1981"

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. 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.

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

Page 1, line 22, delete everything after the period

Page 2, delete lines 1 to 4 and insert "*Notwithstanding the provisions of any rules promulgated pursuant to this section establishing a flood protection level higher than the elevation of the regional flood, a local governmental unit may elect to adopt and enforce a flood protection level at the elevation of the regional flood in its flood plain ordinance.*"

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. 895: A bill for an act relating to intoxicating liquor; hours for Sunday sale; amending Minnesota Statutes 1978, Section 340.14, Subdivision 5.

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

Page 1, line 16, reinstate the stricken language and delete the new language

Page 1, line 18, after the period insert *"If the governing body of the municipality issuing the license adopts an ordinance authorizing the earlier sale, the licensees may serve intoxicating liquors between the hours of 10 o'clock a.m. and 12 o'clock midnight on Sundays in conjunction with the serving of food."*

Page 2, line 19, strike "360.101" and insert "473.601"

Page 2, line 19, strike "360.125" and insert "473.624"

Page 2, line 23, strike "360.126" and insert "473.625"

Page 2, line 23, strike "360.132" and insert "473.641"

Amend the title as follows:

Page 1, line 2, after the semicolon insert "permitting earlier"

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. 744: A bill for an act relating to automobile insurance; regulating damage appraisals, adjustments and related repair practices; prohibiting certain acts by insurers, adjusters and appraisers; amending Minnesota Statutes 1978, Chapter 72B, by adding sections.

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

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1978, Section 72B.02, is amended by adding a subdivision to read:

*Subd. 13. "Appraiser identification" means a writing including the appraiser's name, place of business, business telephone number and the name of the insurer or other business entity employing the appraiser, if any."*

Page 1, line 13, delete "the"

Page 1, delete line 14

Page 1, line 15, delete "commissioner of insurance" and insert "appraiser identification"

Page 2, line 2, delete "license number,"

Page 2, line 17, delete "telephone" and insert "any oral or written communication"

Page 2, delete subdivision 6

Renumber the subdivisions in sequence

Page 3, line 6, delete everything after "(a)"

Page 3, line 7, delete everything before "limit"

Page 3, line 16, delete "third party"

Page 3, line 17, after the semicolon insert "or"

Page 3, delete lines 18 to 22

Reletter the clauses in sequence

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after "1978," insert "Section 72B.02, by adding a subdivision; and"

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. 1040: A bill for an act relating to insurance; authorizing use of facsimile signatures on certain insurance policies; amending Minnesota Statutes 1978, Sections 60A.08, Subdivision 5; and 65A.01, by adding a subdivision.

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

Page 1, line 11, strike "its" and insert "insurance"

Page 1, line 13, strike "its" and insert "the"

Page 1, line 14, after "directors" insert "of the insurer"

Page 1, line 14, delete "Any" and strike "of"

Page 1, line 15, strike "a"

Page 1, line 15, strike "signature" and insert "signatures"

Page 1, delete the new language on lines 19 to 23

Page 2, line 6, delete "if a sample of the facsimile signature" and insert a period

Page 2, delete lines 7 to 9

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

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

S. F. No. 1010: A bill for an act relating to elections; regulating the financing of political campaigns and disclosure of economic interests by certain candidates and elected officials in Hennepin county and certain adjoining municipalities and school districts; imposing duties on the ethical practices board, county election officials, city clerks and school district administrators; superseding other special laws, home rule charters and local ordinances; imposing late filing fees and criminal penalties; repealing Laws 1977, Chapter 131.

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

Page 1, line 17, delete "17" and insert "18"

Page 1, line 17, delete "govern" and insert "apply to"

Page 1, delete lines 18 to 23 and insert "campaigns for county elections in Hennepin County and for city and school district elections in home rule charter cities, statutory cities and school districts located wholly or partially within Hennepin County and having a population of 5,000 or more in Hennepin County, and to disclosure of economic interests by candidates and elected public officials of those jurisdictions. The provisions of Minnesota Statutes, Sections 210A.22 to 210A.33 do not apply to the financing of campaigns for elections subject to the provisions of sections 1 to 18."

Page 1, line 25, delete "17" and insert "18"

Page 2, line 24, before the period, insert "and having a population of 5,000 or more in Hennepin County"

Page 2, line 26, before the period, insert "and having a population of 5,000 or more in Hennepin County"

Page 3, line 16, before the period, insert "and having a population of 5,000 or more in Hennepin County"

Page 3, line 20, delete "a county, city or school district" and insert "any"

Page 3, line 20, delete "in Hennepin"

Page 3, delete lines 21 and 22

Page 3, line 23, delete "county"

Page 3, line 28, delete the colon

Page 3, line 29, delete "(a)" and delete "county"

Page 3, line 30, delete "in that" and insert "for Hennepin"

Page 3, line 30, delete ", with" and insert a period

Page 3, delete lines 31 to 33

Page 4, delete lines 1 to 3

Page 4, line 17, delete "county, city or school district" and delete "in Hennepin"

Page 4, delete lines 18 and 19

Page 4, line 20, delete "county"

Page 4, line 27, delete "county, city or school district"

Page 4, delete lines 28 and 29

Page 4, line 30, delete everything before the period

Page 4, line 33, delete "governed by the provisions of sections"

Page 5, line 1, delete "1 to 17"

Page 5, lines 10 and 11, delete "governed by the provisions of sections 1 to 17"

Page 5, lines 23 and 24, delete "governed by the provisions of sections 1 to 17"

Page 5, lines 24 and 25, delete "as defined in section 2, subdivision 10,"

Page 5, line 29, delete ", as defined in section 2, subdivision 14,"

Page 6, line 18, delete "governed by the provisions of sections 1 to 17"

Page 6, lines 29 and 30, delete "governed by the provisions of sections 1 to 17"

Page 6, line 30, delete "appropriate"

Page 7, lines 24 and 25, delete "governed by the provisions of sections 1 to 17"

Page 8, line 2, delete "governed by the provisions of sections 1 to 17"

Page 8, lines 7 and 8, delete "governed by the provisions of sections 1 to 17"

Page 8, line 22, delete "with whom the committee is registered"

Page 9, line 4, delete "begining" and insert "beginning"

Page 10, after line 11, insert:

"Subd. 3. Expenditures by a political party as defined in Minnesota Statutes, Section 200.02, Subdivision 7, or a substate unit of such a party, for the preparation, display and distribution of an official party sample ballot containing the names of three or more individuals whose names are to appear on the ballot shall not be considered contributions or expenditures on behalf of any candidate."

Renumber the subdivisions in sequence

Page 10, lines 13 and 14, delete "governed by the provisions of sections 1 to 17"

Page 11, lines 11 and 12, delete "governed by the provisions of sections 1 to 17"

Page 11, line 17, delete "17" and insert "8"

Page 11, line 21, after "individual" insert a comma

Page 12, line 1, before "misdemeanor" insert "petty"

Page 12, line 26, delete "appropriate"

Page 12, line 32, delete "appropriate"

Page 13, line 14, delete "is valued" and insert "has a market value"

Page 13, line 14, delete the semicolon and insert "as shown on the real estate tax statement for the property"

Page 13, line 21, delete "is"

Page 13, line 22, delete "valued" and insert "has a market value"

Page 13, line 22, after "\$2,500" insert "as shown on the real estate tax statement for the property"

Page 14, after line 5, insert:

"Subd. 2. The filing officer shall promptly transmit to the appropriate city or school district a copy of each statement and report filed by a candidate for city or school district office, a political committee or fund that discloses contributions or expenditures to influence a city or school district election or an elected city or school district official."

Page 14, line 9, delete "appropriate"

Page 14, line 26, delete "appropriate"

Page 15, line 19, delete "county or" and insert "Hennepin"

Page 15, lines 20 and 21, delete "of the county in which his office is located"

Page 15, line 22, delete "4" and insert "5"

Page 15, line 23, delete everything after "of"

Page 15, line 24, delete "officer" and insert "Hennepin County"

Page 15, line 25, after "individual" insert "other than a county official or candidate for county office"

Page 15, line 27, delete "4" and insert "5"

Page 15, line 28, before "county" insert "Hennepin"

Page 15, line 28, delete "of the"

Page 15, line 29, delete everything before "that"

Page 15, line 31, after the period insert "If a county official or candidate fails to file a report or statement after a second notice as provided in subdivision 5, the filing officer shall notify the attorney general."

Renumber the subdivisions in sequence

Page 16, lines 6 and 21, delete "17" and insert "18"

Page 16, line 22, after "by" insert "the filing officer or"

Page 17, after line 20, insert:

"Sec. 17. [PROSECUTION OF VIOLATIONS.] Except as otherwise provided in this section, a violation of a criminal provision of sections 1 to 16 shall be prosecuted by the Hennepin County attorney in the Hennepin County municipal court. A violation by a county official or candidate shall be prosecuted by the attorney general in the district court of Ramsey County."

Renumber the sections in sequence

Page 17, line 24, delete "16" and insert "17"

Page 17, line 32, after "adopt" insert "or continue in force"

Page 18, line 8, delete "or statutory"

Page 18, line 9, delete "16" and insert "17"

Page 18, line 11, delete "secretary of state" and insert "ethical practices board"

Page 18, line 12, delete "17" and insert "18"

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. 998: A bill for an act relating to insurance; providing for cancellation of life insurance contracts providing benefits on a variable basis; amending Minnesota Statutes 1978, Sections 72A.51, Subdivision 3; and 72A.52.

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

Page 2, delete the new language on lines 12 to 14

Page 3, delete the new language on lines 8 to 10

Page 3, line 13, strike the period, delete everything thereafter and insert ", except that if the"

Page 3, line 14, delete "subdivision of a"

Page 3, line 14, after "contract" insert "is issued"

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. 992: A bill for an act relating to intoxicating liquor; requiring proof of financial responsibility; amending Minnesota

Statutes 1978, Sections 340.11, by adding a subdivision; 340.12; and 340.353, by adding a subdivision.

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

Page 1, line 13, delete "*June 30, 1978*" and insert "*January 1, 1980*"

Page 1, line 15, delete "*liquor control*"

Page 1, line 16, after "*commissioner*" insert "*of public safety*"

Page 1, line 16, after "*the*" insert "*issuance or*"

Page 1, line 20, delete "\$250,000" and insert "\$50,000"

Page 1, line 22, delete "\$500,000" and insert "\$100,000"

Page 2, line 3, delete "\$250,000" and insert "\$50,000"

Page 2, lines 5, 10, and 12, delete "\$500,000" and insert "\$100,000"

Page 2, after line 12, insert:

*"Nothing in this subdivision shall prohibit a local governing unit from requiring higher insurance or bond coverages, or a larger deposit of cash or securities than is required hereunder, as a condition of issuance or renewal of a retail intoxicating liquor on-sale or off-sale license."*

Page 2, line 13, delete "*by rule organize*" and insert "*establish a program to assist licensees and municipalities subject to the financial responsibility requirements of this subdivision in obtaining insurance coverage. The establishment and operation of the program shall be exempt from the provisions of chapter 15.*"

Page 2, delete lines 14 to 19

Page 6, line 23, after "*commencement*" insert "*or continuation*"

Page 6, line 23, after "*operation*" insert "*after January 1, 1980*"

Page 6, line 26, delete "*July*" and insert "*January*"

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. 1000: A bill for an act relating to the city of St. Paul; authorizing an additional wine license within the liquor patrol limits.

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 340.14, Subdivision 3, is amended to read:



Subd. 3. [SALES; WHERE FORBIDDEN.] No intoxicating liquors shall be sold in any of the following places:

(1) Within the capitol or upon the grounds thereof;

(2) Upon the state fairgrounds or at any place in a city of the first class within one-half mile of such fairgrounds except as hereinafter otherwise provided by charter;

(3) Upon the campus of the school of agriculture of the University of Minnesota or at any place in a city of the first class within one-half mile of such campus except as hereinafter otherwise provided by charter. *The city may issue one on-sale wine license to a vendor in the territory described in this clause that is not also included in the territory described in clause (2). The license is in addition to any others permitted in the city by other law or charter;*

(4) Within 1,000 feet of any state hospital, training school, reformatory, prison, or other institution under the supervision and control, in whole or in part, of the commissioner of public welfare or the commissioner of corrections. Whoever sells or otherwise disposes of intoxicating liquor at retail at a place prohibited by this clause is guilty of a gross misdemeanor;

(5) In any town or municipality in which a majority of votes at the last election at which the question of license was voted upon shall not have been in favor of license, or within one-half mile of any such municipality, except that any intoxicating liquor, manufactured within any such district, may be sold to be consumed outside of such district;

(6) At any place on the east side of the Mississippi river within one-tenth mile of the main building of the University of Minnesota unless the licensed establishment is on property owned or operated by a nonprofit corporation organized prior to January 1, 1940 for and by former students of the University of Minnesota; a license may be issued under this clause notwithstanding any local law to the contrary;

(7) Within 1,500 feet of any state university, except as hereinafter provided, or, when the place of sale is not within a municipality, within 1,500 feet of any public school outside of a municipality; within 1,200 feet at Winona state university, and at Southwest state university and in determining the distance, the measurement shall be along the most direct line from the nearest corner of the administration building on the university to the main entrance of the licensed premises; as to Mankato state university in the city of Mankato when the place of sale is within 1,500 feet as measured from the front door of the student union of the Highland campus;

(8) At more than five places on any one side of a block within and fronting upon the patrol limits of cities of the first class;

(9) The restrictions imposed by this subdivision shall not apply to any manufacturer or wholesaler of intoxicating liquors or to a drug store or to any person lawfully licensed to sell intoxicating liquor immediately prior to the enactment of this subdivision."

Amend the title as follows:

Delete the title and insert

"A bill for an act relating to liquor; permitting an additional wine license near a University of Minnesota campus; amending Minnesota Statutes 1978, Section 340.14, Subdivision 3."

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. 693: A bill for an act relating to insurance; excepting certain policies from readability requirements; amending Minnesota Statutes 1978, Sections 72C.03; and 72C.09.

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

Page 3, after line 11, insert

"Sec. 3. Minnesota Statutes 1978, Section 72C.11, Subdivision 1, is amended to read:

72C.11 [APPLICATION TO POLICIES, DATES; DUTIES OF THE COMMISSIONER.] Subdivision 1. The filing requirements of section 72C.10 shall apply as follows:

(a) To all policies of private passenger vehicle insurance, as described in chapter 65B, and to all policies of homeowner's insurance as defined in the general custom and usage of the business or by a ruling of the commissioner or a court, which are made, issued, amended or renewed after July 1, 1979;

(b) To all policies of life insurance as defined in section 60A.06, subdivision 1, clause (4), to all certificates of a fraternal beneficiary association, as defined in section 64A.31, to all policies of accident and health insurance, as defined in section 60A.06, subdivision 1, clause (5), paragraph (a), to all subscriber contracts of nonprofit health service corporations as defined in section 62.02, and to all health maintenance contracts as defined in section 62D.02, which are made ; or issued ; ~~amended or renewed~~ after July 1, 1980; *the commissioner may grant delays of not more than one year in full or partial compliance of accident and health policies;* and

(c) To all policies of any additional line or type of insurance within the scope of sections 72C.01 to 72C.13, as provided by any rule promulgated by the commissioner not later than July 1, 1981."

Amend the title as follows:

Page 1, line 3, after the semicolon insert "limiting the applicability of readability requirement with respect to certain forms of insurance policies; permitting delays in compliance for certain forms of insurance policies;"

Page 1, line 4, delete "and"

Page 1, line 4, before the period insert “; and 72C.11, Subdivision 1”

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

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

S. F. No. 831: A bill for an act relating to the Hennepin county park reserve district; regulating tax levies and bond issues for the purposes of the district; amending Laws 1967, Chapter 721, Section 2, as amended.

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

Page 1, line 20, strike “To provide”

Page 1, strike lines 21 and 22

Page 2, lines 1 through 9, strike the old language and delete the new language

Page 2, line 23, delete “Chapter 475. The”

Page 2, delete lines 24 through 29

Page 2, line 29, strike the period

Amend the title as follows:

Page 1, line 3, strike “and bond issues”

Page 1, line 4, strike “for the purposes of the district”

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

S. F. No. 1400: A bill for an act relating to the city of Benson; authorizing the issuance of revenue bonds for the acquisition and installation of equipment for hospital and medical clinic purposes.

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

Page 1, line 12, delete “Benson-Swift County” and insert “Swift-County Benson”

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

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

S. F. No. 1341: A bill for an act relating to the city of Waterville; clarifying its governing statutes.

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

Page 1, line 8, delete "1878" and insert "1870"

Page 1, line 8, delete "4" and insert "31"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

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

S. F. No. 1392: A bill for an act relating to local government; providing for fire protection services in various local units in Cass and Morrison counties.

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

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

S. F. No. 1446: A bill for an act relating to Ramsey County; fixing the terms of county commissioners; amending Laws 1974, Chapter 435, Section 2.021, 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. 1425: A bill for an act relating to local government; providing that part of the town of Laketown is in the Lake Minnetonka conservation district for tax purposes.

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. 1044: A bill for an act relating to pollution; establishing procedures for certifying unpaid outstanding charges for solid waste control to county auditors for collection of taxes upon the lands served; amending Minnesota Statutes 1978, Section 400.08.

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

Page 2, line 5, delete "*determined by*" and reinstate "*shall*"

Page 2, line 6, reinstate "*determine*"

Page 2, line 6, delete "*board*" and insert "*auditor*"

Page 2, line 7, delete "*auditor*" and insert "*board*"

Page 2, line 8, delete "*under this section*" and insert "*hereunder*"

Page 2, line 11, after "*auditor*" insert "*, upon order of the county board,*"

Page 2, line 11, after "*interest*" insert "*not to exceed six percent*"

Page 2, line 14, delete "*The assessment*"

Page 2, line 15, after "*15*" and before "*shall*" insert "*the assessment with interest*"

Page 2, line 19, delete the comma and insert a period

Page 2, delete lines 20 and 21

Page 2, line 22, delete everything before "*The*"

Amend the title as follows:

Page 1, delete lines 2 through 6, and insert the following:

"relating to pollution control; establishing processing procedures for outstanding unpaid charges for solid waste management; providing for certification of certain charges to county auditors for collection of taxes upon the lands served; amending Minnesota Statutes 1978, Section 400.08."

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

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

H. F. Nos. 842, 1158 for comparison with companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their second reading and substituted for 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.
842	927	1158	1110		

and that the above Senate Files 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. Report adopted.

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

H. F. Nos. 523, 318, 594 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.
523	666				
318	153				
594	552				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 523 be amended as follows:

Page 2, line 12, delete "\$1.50" and insert "\$3"

And when so amended H. F. No. 523 will be identical to S. F. No. 666, and further recommends that H. F. No. 523 be given its second reading and substituted for S. F. No. 666, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 318 be amended as follows:

Page 1, line 22, delete the headnote

Page 2, line 25, after "3" insert "*of this act*"

Page 2, line 26, after "4" insert "*of this act*"

Page 3, line 20, after "3" insert "*of this act*"

And when so amended H. F. No. 318 will be identical to S. F. No. 153, and further recommends that H. F. No. 318 be given its second reading and substituted for S. F. No. 153, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 594 be amended as follows:

Page 2, line 25, after "*respondent*" insert "*and his attorney if he is represented by counsel*"

Page 2, line 26, after "*plain*" insert "*written*"

Page 3, line 29, reinstate "*such*"

Page 3, line 30, delete "*the*"

And when so amended H. F. No. 594 will be identical to S. F. No. 552, and further recommends that H. F. No. 594 be given its second reading and substituted for S. F. No. 552, 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.

## SECOND READING OF SENATE BILLS

S. F. Nos. 1180, 1391, 1388, 1341 and 1392 were read the second time.

S. F. Nos. 1210, 1288, 701, 830, 333, 352, 555, 1157, 1295, 326, 1189, 947, 49, 1309, 1213, 940, 791, 1299, 824, 1150, 1051, 1037, 1072, 1301, 1144, 1273, 1243, 895, 744, 1040, 1010, 998, 992,

1000, 693, 1400, 1446, 1425 and 1044 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. 842, 1158, 523, 318 and 594 were read the second time.

### MOTIONS AND RESOLUTIONS

Mr. Ueland, A. moved that the name of Mr. Hughes be added as co-author to S. F. No. 1050. The motion prevailed.

Mr. Dieterich moved that the name of Mr. McCutcheon be added as co-author to S. F. No. 1211. The motion prevailed.

Mr. Knoll moved that his name be stricken as co-author to S. F. No. 1241. The motion prevailed.

Mr. Knoll moved that the name of Mr. Ogdahl be added as co-author to S. F. No. 1259. The motion prevailed.

Mr. Chmielewski moved that the names of Messrs. Olson and Penny be added as co-authors to S. F. No. 1384. The motion prevailed.

Mr. Kleinbaum moved that the name of Mr. Lessard be added as co-author to S. F. No. 1411. The motion prevailed.

Mr. Sikorski moved that the names of Messrs. Johnson and Gunderson be added as co-authors to S. F. No. 1432. The motion prevailed.

### CONFIRMATION

Mr. Chenoweth moved that the report from the Committee on Governmental Operations, reported March 26, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Chenoweth moved that in accordance with the report from the Committee on Governmental Operations reported March 26, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

### DEPARTMENT OF PERSONNEL COMMISSIONER

Barbara Sundquist, 579 Westwood Village II, Roseville, Ramsey County, effective January 17, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

**CONFIRMATION**

Mr. Purfeerst moved that the report from the Committee on Transportation, reported March 29, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Purfeerst moved that in accordance with the report from the Committee on Transportation, reported March 29, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

**DEPARTMENT OF TRANSPORTATION  
COMMISSIONER**

Richard Braun, 1275 Lincoln Terrace N. E., Columbia Heights, Anoka County, effective January 1, 1979, for a term expiring January 3, 1983.

The motion prevailed. So the appointment was confirmed.

**CONFIRMATION**

Mr. Purfeerst moved that the report from the Committee on Transportation, reported April 5, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Purfeerst moved that in accordance with the report from the Committee on Transportation, reported April 5, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

**METROPOLITAN TRANSIT COMMISSION  
CHAIRMAN**

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

The motion prevailed. So the appointment was confirmed.

**CONFIRMATION**

Mr. Willet moved that the report from the Committee on Agriculture and Natural Resources, reported April 5, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Willet moved that in accordance with the report from the Committee on Agriculture and Natural Resources, reported April 5, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:



**WATER PLANNING BOARD  
CHAIRPERSON**

Thomas Kalitowski, 2230 Spruce Trail, Golden Valley, Hennepin County, effective January 1, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

**CONFIRMATION**

Mr. Willet moved that the report from the Committee on Agriculture and Natural Resources, reported April 9, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Willet moved that in accordance with the report from the Committee on Agriculture and Natural Resources, reported April 9, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

**DEPARTMENT OF NATURAL RESOURCES  
COMMISSIONER**

Joseph N. Alexander, 931 Kennard, St. Paul, Ramsey County, effective February 6, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

**CONFIRMATION**

Mr. Davies moved that the report from the Committee on Judiciary, reported April 9, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Davies moved that in accordance with the report from the Committee on Judiciary, reported April 9, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

**BOARD ON JUDICIAL STANDARDS**

David Coleman, 130 North Virginia, St. Paul, Ramsey County, effective April 28, 1978, for a term expiring the first Monday in January, 1982.

Juanita Young, 7007 45th Avenue North, Minneapolis, Hennepin County, effective April 28, 1978, for a term expiring the first Monday in January, 1982.

The motion prevailed. So the appointments were confirmed.

**CONFIRMATION**

Mr. Laufenburger moved that the report from the Committee on Employment, reported April 11, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Laufenburger moved that in accordance with the report from the Committee on Employment, reported April 11, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

**DEPARTMENT OF ECONOMIC SECURITY  
COMMISSIONER**

Rolf Middleton, 624 S. W. 7th Street, Rochester, Olmsted County, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

**BUREAU OF MEDIATION SERVICES  
DIRECTOR**

Peter Obermeyer, 707 Mt. Curve Blyd., St. Paul, Ramsey County, effective March 5, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointments were confirmed.

**CONFIRMATION**

Mr. McCutcheon moved that the report from the Committee on Taxes and Tax Laws, reported April 16, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. McCutcheon moved that in accordance with the report from the Committee on Taxes and Tax Laws, reported April 16, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

**DEPARTMENT OF REVENUE  
COMMISSIONER**

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

The motion prevailed. So the appointment was confirmed.

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.

Mr. Chenoweth introduced—

S. F. No. 1477: A bill for an act relating to no-fault automobile insurance; providing disability and income loss benefits for certain persons who lose unemployment compensation benefits as a result of accidental injury; amending Minnesota Statutes 1978, Section 658.44, Subdivision 3.

Referred to the Committee on Commerce.

**CALENDAR**

S. F. No. 919: A bill for an act relating to the town of Winona; providing for the employment of building officials by the town of Winona.

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 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Lessard	Renneke	Stokowski
Bang	Gearty	Luther	Rued	Strand
Bernhagen	Hughes	McCutcheon	Schaaf	Stumpf
Brataas	Johnson	Menning	Schmitz	Ueland, A.
Chenoweth	Keefe, J.	Moe	Setzepfandt	Ulland, J.
Chmielewski	Kirchner	Nelson	Sieloff	Vega
Coleman	Kleinbaum	Ogdahl	Sikoraki	Willet
Davies	Knaak	Olhoft	Sillers	
Dieterich	Knoll	Penny	Solon	
Dunn	Knutson	Perpich	Spear	
Engler	Laufenburger	Purfeerst	Staples	

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. 766, 381, 757, 856, 801, 920, 799, 807, 263, 486, 843, 618, 1245, 119, 27, H. F. Nos. 768, 103, 843, 167, 297, 299 and 384, which the committee recommends to pass.

S. F. No. 835, which the committee recommends be returned to its author.

S. F. No. 285 which the committee recommends to pass, subject to the following motions:

Mr. Sieloff moved to amend S. F. No. 285 as follows:

Page 2, line 25, before the period, insert "*but shall not apply to account balances outstanding on the effective date of this act, and the finance charge on outstanding balances shall not exceed the amounts permitted under laws existing immediately preceding the effective date of this act*"

The motion prevailed. So the amendment was adopted.

Mr. Schaaf moved to amend S. F. No. 285 as follows:

Page 2, line 4, after "month" insert "*on that part of the balance of each account which is \$500 or less and one percent per month on that part of the balance of each account which is more than \$500,*"

The motion prevailed. So the amendment was adopted.

Mr. Luther moved to amend S. F. No. 285 as follows:

Page 2, line 4, delete the new language

Page 2, line 8, after the period, insert "*With respect to sellers with gross sales of \$1,000,000 or less for the next preceding fiscal year, the plan, agreement or arrangement may also provide for a periodic rate of finance charge which does not exceed an additional one-half of one percent per month computed on an amount no greater than the average daily balance of the account during each monthly billing cycle.*"

Amend the title as follows:

Page 1, line 3, after "sales" insert "for certain sellers"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 31, as follows:

Those who voted in the affirmative were:

Chenoweth	Johnson	Moe	Sikorski	Willet
Dieterich	Lessard	Nelson	Spear	
Gearty	Luther	Olhoft	Stumpf	
Hughes	Menning	Perpich	Vega	

Those who voted in the negative were:

Ashbach	Engler	Knoll	Schaaf	Strand
Bang	Frederick	Knutson	Schmitz	Ueland, A.
Bernhagen	Hanson	Laufenburger	Setzepfandt	Ulland, J.
Brataas	Keefe, J.	Penny	Sieloff	
Coleman	Kirchner	Purfeerst	Sillers	
Davies	Kleinbaum	Renneke	Solon	
Dunn	Knaak	Rued	Staples	

The motion did not prevail. So the amendment was not adopted.

Mr. Menning moved to amend S. F. No. 285 as follows:

Page 2, line 4, delete the new language

Page 2, line 8, after the period, insert "*With respect to sellers with gross sales of \$200,000,000 or less for the next preceding fiscal year, the plan, agreement or arrangement may also provide for a periodic rate of finance charge which does not exceed an additional*

*one-half of one percent per month computed on an amount no greater than the average daily balance of the account during each monthly billing cycle."*

Amend the title as follows:

Page 1, line 3, after "sales" insert "for certain sellers"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 25, as follows:

Those who voted in the affirmative were:

Chenoweth	Hughes	Menning	Purfeerst	Stokowski
Coleman	Johnson	Moe	Schmitz	Strand
Dieterich	Keefe, S.	Nelson	Sikorski	Stumpf
Dunn	Lessard	Olhoft	Spear	Vega
Gearty	Luther	Perpich	Staples	Willet

Those who voted in the negative were:

Ashbach	Engler	Kleinbaum	Merriam	Setzepfandt
Bang	Frederick	Knaak	Penny	Sieloff
Bernhagen	Hanson	Knoll	Renneke	Sillers
Brataas	Keefe, J.	Knutson	Rued	Solon
Davies	Kirchner	Laufenburger	SchAAF	Ulland, J.

The motion did not prevail. So the amendment was not adopted.

Mr. Dieterich moved to amend S. F. No. 285 as follows:

Page 2, line 4, delete "*half*" and insert "*fourth*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 28, as follows:

Those who voted in the affirmative were:

Chenoweth	Keefe, S.	Merriam	Sikorski	Vega
Dieterich	Knoll	Moe	Spear	Willet
Hanson	Lessard	Nelson	Stokowski	
Hughes	Luther	Olhoft	Strand	
Johnson	Menning	Perpich	Stumpf	

Those who voted in the negative were:

Ashbach	Engler	Knaak	Rued	Solon
Bang	Frederick	Knutson	SchAAF	Staples
Bernhagen	Gearty	Laufenburger	Schmitz	Ueland, A.
Brataas	Keefe, J.	Penny	Setzepfandt	Ulland, J.
Davies	Kirchner	Purfeerst	Sieloff	
Dunn	Kleinbaum	Renneke	Sillers	

The motion did not prevail. So the amendment was not adopted.

The question was taken on the recommendation to pass S. F. No. 285.

The roll was called, and there were yeas 32 and nays 17, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Knutson	Rued	Staples
Bang	Frederick	Laufenburger	Schaaf	Strand
Bernhagen	Hanson	Moe	Schmitz	Ueland, A.
Brataas	Keefe, J.	Nelson	Setzepfandt	Ulland, J.
Coleman	Kirchner	Penny	Sieloff	
Davies	Kleinbaum	Purfeerst	Sillers	
Dunn	Knaak	Renneke	Solon	

Those who voted in the negative were:

Chenoweth	Johnson	Merriam	Spear	Willet
Dieterich	Keefe, S.	Olhoft	Stokowski	
Gearty	Luther	Perpich	Stumpf	
Hughes	Menning	Sikorski	Vega	

The motion prevailed. So S. F. No. 285 was recommended to pass.

S. F. No. 737, which the committee recommends to pass with the following amendment offered by Mr. Lessard:

Page 1, line 12, after "*land*" insert "*, or his agent,*"

The motion prevailed. So the amendment was adopted.

H. F. No. 610, which the committee recommends to pass with the following amendment offered by Mr. Sieloff:

Page 1, line 22, after the period, insert "This act shall not be construed to make invalid or unenforceable any antenuptial agreement or settlement made and executed in conformity with this act because the agreement or settlement covers or includes marital property, if the agreement or settlement would be valid and enforceable without regard to this act."

Page 2, line 10, after "property" insert "and sets forth the legal description of the real estate granted or affected by the agreement"

Page 2, line 11, after "estate" insert "so described is situated"

Page 2, line 11, delete "may be situated which is"

Page 2, line 12, delete "granted or affected by the agreement"

Page 2, line 16, delete "Antenuptial contracts or settlements affecting"

Page 2, delete lines 17, 18 and 19

Page 3, after line 2, insert:

"Subd. 6. This act shall apply to all antenuptial contracts and settlements executed on or after August 1, 1979."

Renumber the remaining subdivision

The motion prevailed. So the amendment was adopted.

S. F. No. 364, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 3, line 11, delete "*basic*"

Page 3, line 16, after "*be*" insert "*predominantly*"

Page 3, line 17, after "*be*" insert "*predominantly*"

Page 3, line 18, after "*be*" insert "*predominantly*"

The motion prevailed. So the amendment was adopted.

H. F. No. 145, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 123.69 is repealed."

Amend the title as follows:

Page 1, line 2, delete "changing requirements for"

Page 1, delete lines 3 to 5 and insert "repealing Minnesota Statutes 1978, Section 123.69."

The motion prevailed. So the amendment was adopted.

S. F. No. 683, which the committee recommends to pass with the following amendment offered by Mr. McCutcheon:

Page 3, line 17, after "*thereafter*" insert "*showing all money requested by state agencies*"

Page 3, line 18, delete "*the direct funding of*"

The motion prevailed. So the amendment was adopted.

S. F. No. 1149, which the committee recommends to pass with the following amendment offered by Mr. Penny:

Page 3, line 8, strike "*such*" and insert "*the*"

Page 3, line 9, strike "*such*" and insert "*the*"

Page 3, line 17, strike "Laws 1975, Chapter 359" and insert "*this chapter*"

The motion prevailed. So the amendment was adopted.

S. F. No. 983, which the committee recommends to pass with the following amendment offered by Mr. Keefe, S.:

Page 2, line 1, strike "*such*" and insert "*the*"

Page 2, line 7, reinstate the stricken language and delete the new language

Page 2, line 15, strike "*such*" and insert "*the*"

Page 2, line 21, reinstate the stricken language and delete the new language

Page 3, line 10 strike "*Such*" and insert "*The*"

The motion prevailed. So the amendment was adopted.

H. F. No. 523 which the committee recommends to pass, subject to the following motion:

Mr. Knutson moved that the amendment made to H. F. No. 523 by the Committee on Rules and Administration in the report adopted April 21, 1979, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

S. F. No. 779, which the committee recommends to pass with the following amendment offered by Mr. Schaaf:

Page 1, line 17, after "*file*" delete "*a*" and insert "*an*"

Page 1, line 18, delete "*petition*" and insert "*application*"

Page 2, line 2, delete "*petitioner's*" and insert "*applicant's*"

Page 2, line 3, delete "*petitioner*" and insert "*the applicant*"

Page 2, line 9, delete "*not*"

Page 2, line 9, delete "*denied*" and insert "*issued*"

Page 2, line 10, after "*license*" insert "*without a hearing*"

Page 2, line 10, after "*unless*" insert "*, within 30 days after notice of the application is published in the state register by the commission,*"

Page 2, line 11, after "*shall*" insert "*file with the commission written notice of intent to*"

Page 2, line 12, after "*at*" delete "*the*" and insert "*a*"

Page 2, line 12, delete "*petitioner*" and insert "*applicant*"

Page 2, line 13, after "*case*" insert "*a hearing shall be held and*"

Page 2, line 14, delete "*mover*" and insert "*applicant*"

Amend the title as follows:

Page 1, line 2, after "*movers;*" insert "*providing for penalties;*"

The motion prevailed. So the amendment was adopted.

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 10:00 o'clock a.m., Monday, April 23, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate